



The Maryland-National Capital Park and Planning Commission

PRINCE GEORGE'S COUNTY
Planning Department

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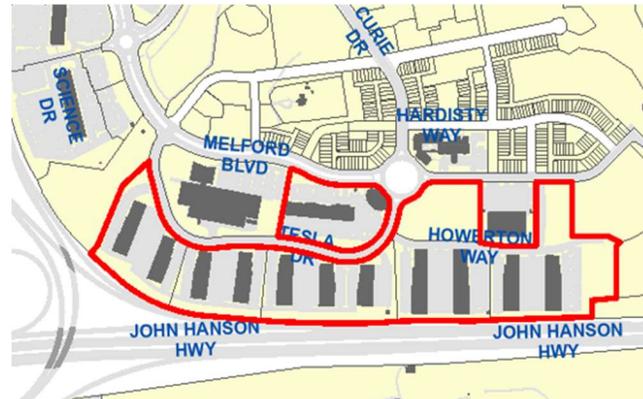
Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

Detailed Site Plan DSP-24010

Melford Town Center – Blocks 4 and 6

REQUEST	STAFF RECOMMENDATION
<p>This case was continued from the Planning Board hearing date of May 1, 2025 to May 29, 2025.</p> <p>Approval of parking methodology and optional parking and playground regulations for future tenants within the existing flex buildings.</p>	<p>With the conditions recommended herein:</p> <ul style="list-style-type: none"> • APPROVAL of Detailed Site Plan DSP-24010

Location: South of Melford Boulevard and Tesla Drive, north of US 50 (John Hanson Highway).	
Gross Acreage:	51.83
Zone:	TAC-E
Prior Zone:	M-X-T
Reviewed per prior Zoning Ordinance:	Section 27-1704(b)
Gross Floor Area:	483,960 sq. ft.
Planning Area:	71B
Council District:	04
Municipality:	City of Bowie
Applicant/Address: St. John Properties, Inc. 2560 Lord Baltimore Drive Windsor Mill, MD 21244	
Staff Reviewer: David Myerholtz Phone Number: 301-780-3411 Email: David.Myerholtz@ppd.mncppc.org	



Planning Board Date:	05/29/2025
Planning Board Action Limit:	06/05/2025
Staff Report Date:	05/15/2025
Date Accepted:	02/11/2025
Informational Mailing:	08/20/2024
Acceptance Mailing:	02/05/2025
Sign Posting Deadline:	03/18/2025

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

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-24010
Melford Town Center - Blocks 4 and 6

The Urban Design Section has reviewed the detailed site plan for the subject property and recommends APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION CRITERIA

The subject property is located within the Town Activity Center - Edge (TAC-E) Zone. However, this application is being reviewed and evaluated in accordance with the Prince George's County Zoning Ordinance effective prior to April 1, 2022 (prior Zoning Ordinance). Pursuant to Section 27-1704(b) of the current Zoning Ordinance, a development project is allowed to continue to be reviewed and decided under the prior Zoning Ordinance and prior Subdivision Regulations under which it was approved. Accordingly, this project was approved under Conceptual Site Plan CSP-06002-01, pursuant to the prior Zoning Ordinance, and remains valid until April 1, 2042. Therefore, subsequent development applications for the project may be reviewed under the prior Zoning Ordinance per Section 27-1704(b). Under the prior Zoning Ordinance, the property is subject to the standards of the Mixed Use-Transportation Oriented (M-X-T) Zone, which applied to this property prior to April 1, 2022. Staff considered the following in reviewing this detailed site plan:

- a. The requirements of the prior Prince George's County Zoning Ordinance for the Mixed Use-Transportation Oriented (M-X-T) Zone and site design guidelines;
- b. The requirements of Preliminary Plans of Subdivision 4-98076 and 4-07055;
- c. The requirements of Conceptual Site Plan CSP-06002-01;
- d. The requirements of Detailed Site Plans DSP-21007 and DSP-07031;
- e. The requirements of Specific Design Plans SDP-0103, SDP-0201, and SDP-0402;
- f. The requirements of the 2010 *Prince George's County Landscape Manual*;
- g. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;

- h. The requirements of the Prince George’s County Tree Canopy Coverage Ordinance;
- i. Referral comments; and
- j. Community feedback.

FINDINGS

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

- 1. **Request:** This detailed site plan (DSP) seeks approval of parking methodology and optional parking and playground regulations for future tenants within the existing flex buildings, for Blocks 4 and 6 within the Melford Town Center development, under the prior Mixed Use-Transportation Oriented (M-X-T) Zone, in accordance with the prior Prince George’s County Zoning Ordinance.

Per Section 27-546(a) of the prior Zoning Ordinance, all uses and improvements in the M-X-T Zone require approval of a DSP. Per Section 27-548(c) of the prior Zoning Ordinance, the dimensions for all improvements shown on an approved DSP shall constitute the regulations for those improvements for a specific development in the M-X-T Zone. Per Section 27-574 of the prior Zoning Ordinance, the required number of parking spaces in the M-X-T Zone shall be calculated by the applicant and approved by the Prince George’s County Planning Board with the DSP. Therefore, this application seeks approval specifically of: a parking requirement for all future tenants based on a shared parking analysis for the existing gross floor area (GFA); typical regulations and dimensions for optional playgrounds for future potential day care and school tenants; and typical regulations and locations for optional parking spaces within existing truck court areas for future tenants.

No new development is proposed with this application, but this DSP would allow for future tenants to permit optional improvements listed above within the subject site.

- 2. **Development Data Summary:**

	EXISTING	EVALUATED
Zone(s)	TAC-E	M-X-T
Use(s)	Multi-tenant flex space buildings	Multi-tenant flex space buildings
Gross tract acreage	51.83	51.83
Lots	7	7
Gross floor area (sq. ft.)	483,960	483,960

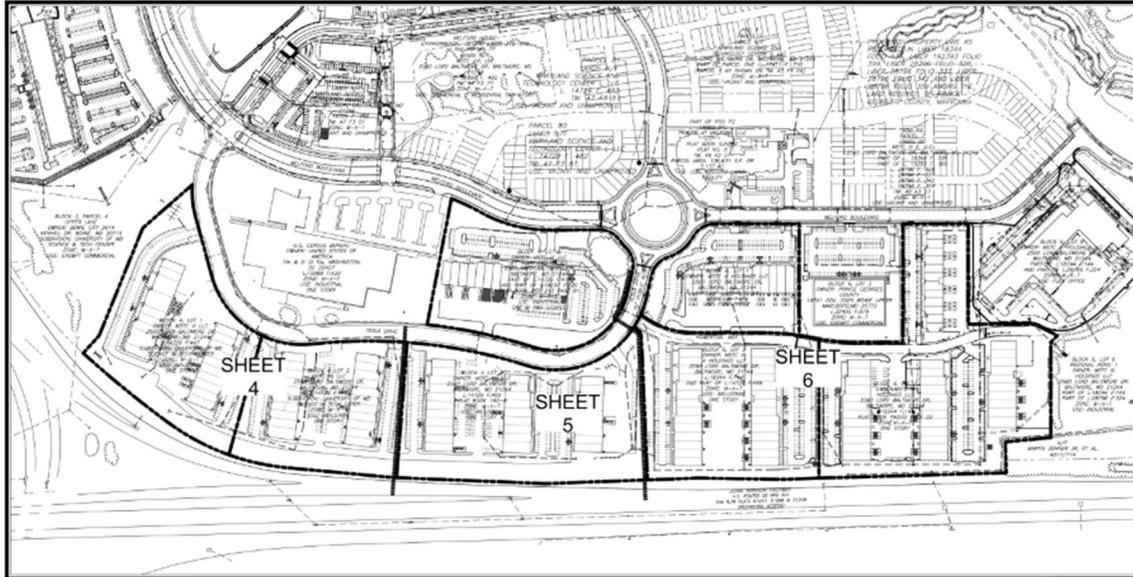


Figure 1: Existing lots/buildings included in this application

Parking Requirements (Per Section 27-574 of the prior Zoning Ordinance)

The site currently has 1,474 legally existing parking spaces. The applicant submitted a parking analysis and methodology dated May 7, 2025, which demonstrates the parking demand for existing uses within Melford Blocks 4 and 6. Using the *ITE Parking Generation Manual, 6th Edition*, this analysis demonstrates that the base parking requirement for the subject properties with their current approved uses is 1,467 spaces. In this analysis, any vacant tenant spaces (less than 15 percent of gross square footage) were calculated as 50 percent office and 50 percent medical office. Staff find this assumption appropriate given the existing uses within these flex buildings, and the adjacent uses, including residential dwelling units, an assisted living facility, and an inpatient rehabilitation center. Per Section 27-584(a)(1) of the prior Zoning Ordinance, the existing parking on-site is exempt from the regulations that establish maximum parking requirements in the M-X-T Zone, as it was legally existing prior to those regulations being enacted.

This DSP does not seek to reduce the number of existing parking spaces. Instead, it establishes that the existing number of parking spaces provided for the existing building square footage on the property is adequate for peak demand of a wide variety of uses that are permitted within the M-X-T Zone. By establishing a shared parking requirement with this application, future tenant changes within these buildings will be allowed to take advantage of the parking requirement flexibility allowed in Section 27-574, for M-X-T-zoned properties.

Included in this DSP is a request to approve typical regulations and locations for optional parking spaces within existing truck court areas for future tenants. Additional parking within the site area is subject to Section 27-574(b)(3) of the prior Zoning Ordinance, which states the maximum parking allowable for non-residential uses is 115 percent of the base requirement. The applicant's base parking requirement is 1,467 spaces. The maximum allowable parking for non-residential uses under this regulation is 1,687 spaces (115 percent of 1,467). Any reconfigurations to add parking spaces to existing truck courts shall not exceed this maximum. A condition has been included herein stating that prior to issuance of any permits for parking lot reconfigurations in truck courts, the applicant shall

demonstrate that the additional parking proposed within a truck court is within the maximum allowable parking for the subject site of this DSP, per Section 27-574(b)(3).

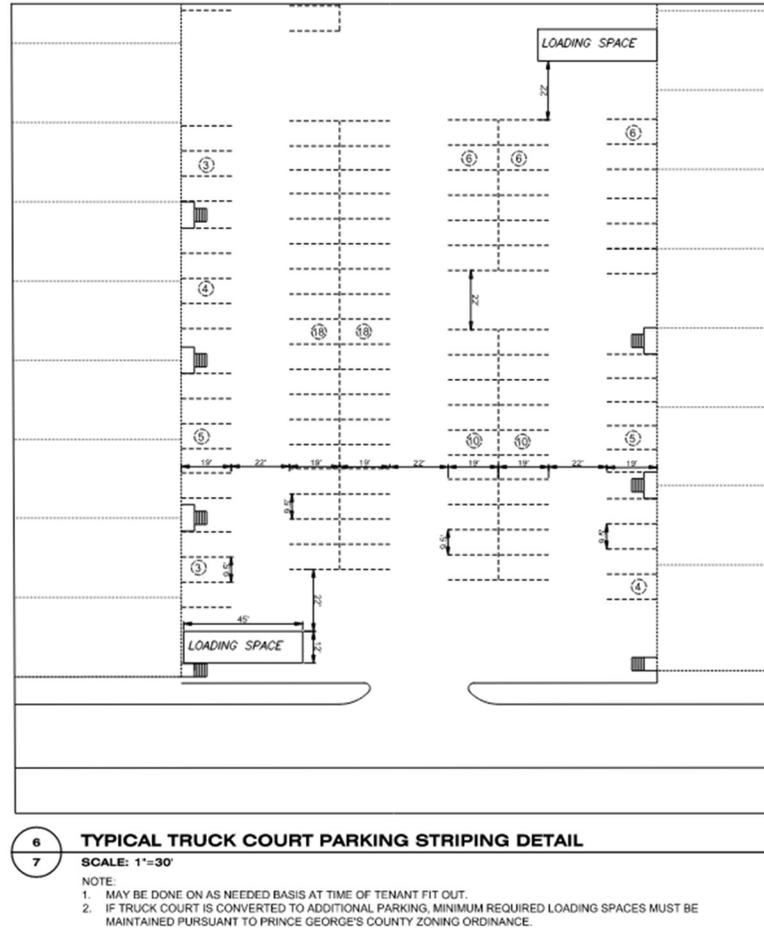


Figure 2: Truck Court Parking Striping Optional Layout

Evaluation	Current Existing Uses
Base Parking Requirement (Per Section 27-574)	1,467
Existing Parking on-site	1,474*

Note: *The existing parking within the subject DSP is legally existing and was constructed prior to the provisions that established maximum allowable parking within the M-X-T Zone. Per Section 27-584(a)(1), the existing parking is exempt from the maximum parking requirements. Any additional parking shall be subject to the maximum parking established under Section 27-584(a)(1).

Loading Spaces (Per Section 27-583 of the prior Zoning Ordinance)

In the M-X-T Zone, the off-street loading space requirements are to be calculated by the applicant, following the procedures outlined in Section 27-583(b) of the prior Zoning Ordinance. Seventy-nine loading spaces are provided within the subject property, as approved with prior specific design plan (SDP) and DSP applications. This DSP requests the

option to repurpose unused loading space(s) in the rear truck courts of the flex space buildings, to add striping for additional parking spaces, as discussed in the Parking Requirements in Finding 2. The buildings are occupied by a variety of uses that may or may not utilize all of the loading spaces. A standard detail for parking lot striping in the truck court area has been included with this DSP and conforms to Sections 27-558 and 27-578 of the prior Zoning Ordinance, for design standards of parking facilities and loading facilities, respectively.

A note has been included on the plans stating that if a tenant opts to convert a truck court to additional parking at the time of permitting, the minimum required loading spaces must be maintained pursuant to the Prince George's County Zoning Ordinance. A condition requiring a revision to this language has been included herein.

3. **Location:** The subject site is in Planning Area 71B and Council District 4. Geographically, it is located south of Melford Boulevard and Tesla Drive, and north of US 50 (John Hanson Highway), within the City of Bowie.
4. **Surrounding Uses:** The site is bounded to the north and east by lots that are part of the Melford Town Center development, which includes residential dwelling units, an assisted living facility, and an inpatient rehabilitation facility, in the TAC-E (previously M-X-T) Zone, and land in the Agriculture and Preservation (AG) (previously Open Space (O-S)) Zone. To the south is US 50 and US 301 (Robert Crain Highway), and beyond is land in the AG (previously O-S) Zone. To the west is US 301, and beyond is wooded land in the Reserved Open Space (ROS) Zone (previously R-O-S).
5. **Previous Approvals:** The 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* reclassified the subject property from the prior Employment and Institutional Area (E-I-A) Zone to the prior M-X-T Zone. The 2019 *Countywide Map Amendment* reclassified the site from the prior M-X-T Zone to the TAC-E Zone. The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* retained the property in the TAC-E (prior M-X-T) Zone.

Multiple preliminary plan of subdivision (PPS) applications (4-98076, 4-02093, 4-07055, and 4-16006) have been approved which impact Blocks 4 and 6 of Melford Town Center. Two of these approvals, PPS 4-98076 (Block 4) and PPS 4-07055 (Block 6), are relevant to this DSP. The applicable conditions of both are listed and evaluated in Findings 9 and 10.

SDP-0103 was approved by the Planning Board on April 26, 2001 (PGCPB Resolution No. 01-80), for development of 153,250 square feet of office/research and development/warehouse uses across 5 buildings, with 3 conditions, which were all addressed with certification of SDP-0103 and are not applicable to this DSP.

SDP-0201 was approved by the Planning Board on September 9, 2002 (PGCPB Resolution No. 02-174), for development of three office/warehouse buildings totaling 83,680 square feet of development, with 2 conditions, neither of which are applicable to this DSP.

SDP-0402 was approved by the Planning Board on November 17, 2005 (PGCPB Resolution No. 05-235), for development of a 40,440-square-foot, one-story flex-office building and a 22,000-square-foot, two-story office building on Lot 5, Block 4 of Melford Town Center,

subject to one condition which was addressed with certification and is not applicable to this DSP.

Conceptual Site Plan CSP-06002 was approved by the Planning Board on January 11, 2007, for a mixed-use development consisting of hotel, office, retail, restaurant, research and development, and residential (366 single-family detached and attached units and 500 multifamily units) uses. Subsequently, on May 11, 2009, the Prince George's County District Council approved CSP-06002 with 29 conditions and 4 modifications, rejecting the residential component of the proposed development. Over the years, numerous DSPs have been approved for the overall development, for construction of the existing office, flex space, hotel, and institutional uses.

DSP-07031 was approved by the Planning Board on July 24, 2008, for development of 134,480 square feet of office space in 4 buildings, and 248,820 square feet of research and development uses in 7 buildings, on Block 6 of the overall Melford development. The application was subsequently amended several times for various changes to building footprints and square footage of Buildings C, D, H, T, and K; changes to signage and the addition of temporary real estate leasing signage; and an amendment to increase building height by two feet.

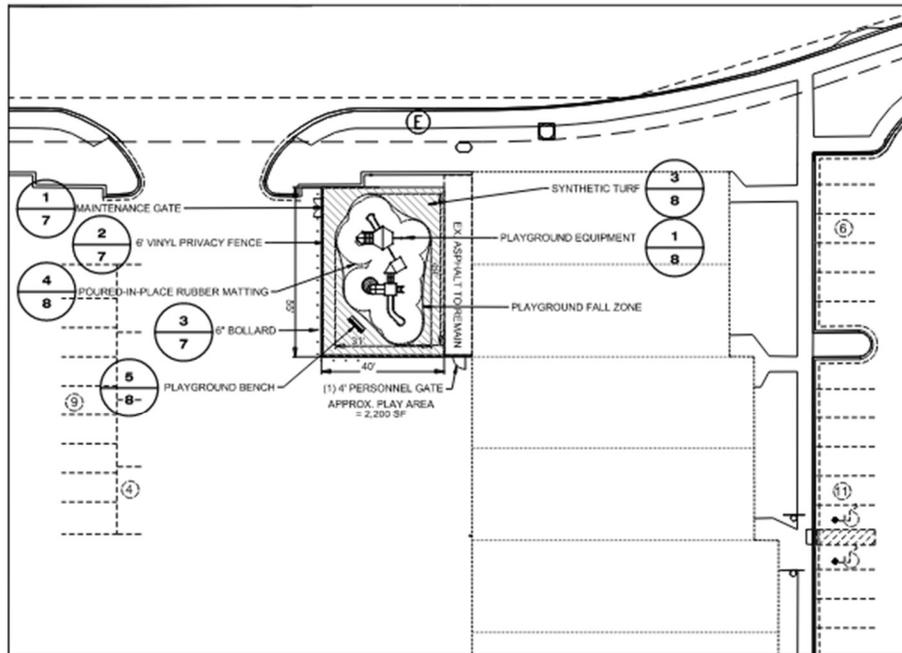
CSP-06002-01 was approved by the Planning Board on December 4, 2014 (PGCPB Resolution No. 14-128), for the addition of 2,500 residential units, including 500 townhouses; 1,000 age-restricted multifamily dwelling units; 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000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

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

6. **Design Features:** The site, which includes 16 separate buildings on 7 lots, is accessed via multiple driveways from Tesla Drive, which connects to Melford Boulevard within the Melford Town Center development. This DSP does not propose any new development, but includes: a parking requirement for all future tenants based on a shared parking analysis for the existing GFA; typical regulations and dimensions for optional playgrounds for future potential day care and school tenants; and typical regulations and locations for optional parking spaces within existing truck court areas for future tenants.

The original applications (SDP-0103, SDP-0201, SDP-0402, and DSP-07031 (as amended)) approved the existing flex space buildings and site improvements on the subject property, which have been constructed in phases, since 2001. Flex space is defined in the Zoning Ordinance as "an office, contractor's office, manufacturing, assembly, or warehouse located within a structure no greater than one (1) story above grade, and which typically includes roll-up overhead doors on the rear and office at the front of the units." Over the years, the specific tenants and uses have changed multiple times within each building, to other uses permitted in the M-X-T Zone. If the new tenant needed additional site improvements for their specific use, such as a playground for a day care, then amendments to the DSP have

been required, such as DSP-07031-06. At this time, the applicant wishes to gain approval of a DSP, to establish typical regulations and requirements for such improvements, so as to avoid future amendments to the DSPs.



2 **TYPICAL PLAYGROUND DETAIL**
8 **SCALE: 1"=30'**

NOTE:
 1. MAY BE DONE ON AS NEEDED BASIS AT TIME OF TENANT FIT OUT.
 2. DETAIL ABOVE TO BE USED AS GUIDANCE ONLY; EXACT LAYOUT/DIMENSIONS TO BE APPROVED AT TIME OF PERMIT BY OWNER & OWNER'S ENGINEER.

Figure 3: Typical Playground Layout

The request includes optional locations and regulations that would allow playground areas for future day care uses that occupy the flex buildings. The regulations proposed for this DSP are consistent with requirements of Section 27-464.02(a)(1)(A) of the prior Zoning Ordinance, which provides standards for day care uses in commercial zones. The optional details include privacy fencing, bollards, playground equipment, synthetic turf, rubber matting, and benches. Any playground development with these options would be located at the rear of the tenant space, within the existing truck courts that the day care facility occupies. Note that these standards would be applicable only to future permit applications submitted after the date of this DSP approval.

This DSP does not include any new buildings or changes to the existing architecture or lighting on the property. This DSP also does not include any amendments to the approved signage on the property. All signage on the property was approved with DSP-11008 (PGCPB Resolution No. 11-89).

Loading and Trash Facilities

The subject DSP includes 79 loading spaces located within the truck courts associated with the flex space buildings. This DSP proposes no immediate changes to the loading facilities, but offers options to revise parking lot striping within truck courts, and an option to add an

outdoor playground with fencing and bollards for any future day care or school uses. Conditions have been included herein to ensure safe vehicular and pedestrian movement throughout the site, which will be evaluated at the time of permit.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject DSP has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the prior Zoning Ordinance.

a. The DSP application is in conformance with the M-X-T Zone requirements, as follows:

Section 27-546. Site Plans.

(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 DSP is in conformance with the purposes of the M-X-T Zone, and proposes optional site details for future tenants that are made of high-quality materials and are appropriately designed with respect to size, location, materials, and colors.

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

The subject site was rezoned to the M-X-T Zone pursuant to the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity*. Therefore, this required finding does not apply.

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

This application is for parking, loading, and playground regulations and will not affect the property's existing physical and visual integration with the adjacent development.

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

The proposed regulations will be compatible with nearby existing and proposed development, such as the existing day care facilities already approved within these buildings.

- (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 proposed regulations do not include any changes to uses, buildings, or other improvements aside from options for shared parking, parking lot striping, bollards, fencing, and playground equipment.

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

This requirement does not apply to this application because it is not staged and proposes only optional future tenant improvements.

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

The subject property was developed with a pedestrian system that encourages pedestrian activity and provides linkages to the surrounding community. No changes to existing sidewalks are proposed with this application.

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

The DSP is for regulations for future tenant options and details for playground equipment, materials, and screening. For these options, sufficient attention has been paid to human scale and high-quality urban design.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision**

Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The subject application is a DSP; therefore, this required finding does not apply.

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

The DSP proposes no new development that requires any new public facilities.

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

The overall site plan contains less than 250 acres; therefore, this DSP is not subject to this requirement.

- b. The DSP application is also in conformance with additional regulations of the M-X-T Zone, as follows:

Section 27-544. Regulations.

- (a) Except as provided in Subsection (b), additional regulations concerning the location, size, and other provisions for all buildings and structures in the M-X-T Zone are as provided for in Divisions 3 and 4 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

The existing buildings are in conformance with the regulations of the E-I-A and M-X-T Zones, as were applied with the approval of SDP-0201, SDP-0402, and DSP-07031, as amended. No changes to site improvements, except the parking layout and playground features, are proposed with this application.

Section 27-548. M-X-T Zone.

(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.

The approved floor area ratio is not changed with this DSP, as no new GFA is proposed.

(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.

There are no changes to the existing buildings or allowable uses proposed with this DSP.

(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 DSP shows the required information which will be the guide for development of the subject site. In addition, regulations applicable to playground areas for future day care centers are included on the DSP.

(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 landscaping, screening, and buffering have been reviewed in previously approved applications, in accordance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual) requirements, and are not being altered with this DSP.

(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 subject site has frontage on and direct access to Tesla Drive and Melford Boulevard.

- c. **Site Design Guidelines:** The findings of approval regarding conformance with Section 27-283, Site design guidelines, of the prior Zoning Ordinance, that further cross-references the same guidelines as stated in Section 27-274 of the prior Zoning Ordinance, were made in the original DSP approval and do not contain any specific guidelines regarding playground areas associated with childcare uses. As such, design guidelines have been added to this DSP regarding standards for playground areas for the subject site.

8. Conceptual Site Plan CSP-06002-01: CSP-06002 was approved by the District Council on May 11, 2009. On March 23, 2015, the District Council approved CSP-06002-01 to add 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, 1,000 multifamily dwelling units, 268,500 square feet of retail uses, and 260,000 square feet of office space to the previous CSP development, entirely superseding the original CSP-06002 approval. The conditions of CSP-06002-01 that are relevant to the subject DSP are as follows:

- 1. **The proposed development shall be limited to a mix of uses where the trip cap associated with the uses within the boundary of CSP-06002-01 shall not exceed 4,441 AM and 4,424 PM peak hour trips. Any development with an impact beyond that identified hereinabove shall require a revision to the conceptual site plan with a new determination of the adequacy of transportation facilities.**

The current application does not increase the total square footage evaluated under prior approvals, and the proposal is within the established trip cap.

- 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.**

There are no new impervious surfaces proposed with this DSP.

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

All streams and regulated stream buffers were correctly delineated on the submitted natural resources inventory (NRI) and the approved Type II tree conservation plan (TCPII) for this property. No further revisions are included with this DSP.

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

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

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

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

No additional lighting is proposed with this application.

- 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.**

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

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

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

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

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

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

There are no changes proposed to the previously approved sidewalks throughout Blocks 4 and 6.

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

The subject DSP does not include any additional research and development flex space.

9. Preliminary Plan of Subdivision 4-98076: On November 2, 2000, the Planning Board approved PPS 4-98076 with 17 conditions (PGCPB Resolution No. 99-28(A)). None of those conditions are applicable to this DSP.

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

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

The applicant submitted an approved Type II Tree Conservation Plan, TCPII-036-99, with the subject DSP, and no changes are proposed to the approved TCPII.

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

The City of Bowie has jurisdiction over SWM concept and final technical approvals for this site. An approved SWM Concept Plan (01-0420-207NE15), which includes Pod 6, was submitted with this application. A letter dated May 24, 2023, from Bruce Beasman, the City Engineer, states that no additional changes to the SWM concept plan will be required for the details shown in this DSP. The SWM concept plan shows the use of a regional pond and two bioretention facilities.

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

The subject DSP does not impact the trip generation caps as previously approved.

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

This DSP does not include any new development or buildings. As such, this condition does not apply.

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

No additional lighting has been proposed with this DSP.

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

The subject DSP does not propose any residential development.

11. **Detailed Site Plans DSP-07031 and DSP-21007 and their respective amendments:** DSP-07031 was approved by the Planning Board on July 24, 2008 (PGCPB Resolution No. 08-117), for 133,680 square feet of office uses in 4 buildings, on Lots 1 and 3, and 248,820 square feet of research and development in 7 buildings, on Lots 2, 4, and 5 within Block 6 of the existing Melford development, subject to 17 conditions. The DSP was amended six times for minor changes, which were approved by the Prince George's County Planning Director, with no conditions. It should be noted that DSP-07031-06 included minor revisions to add an outdoor playground for a day care facility. Two other amendments, DSP-07031-04 and DSP-07031-05, were reviewed by the Planning Board. There are no relevant conditions applicable to the review of the subject DSP.

DSP-21007 was approved by the Planning Director, to add 6-foot-high fencing to the rear of an existing flex building in Block 4, that was originally approved as part of SDP-0103, to be used for an outdoor play area for a proposed day care operation. Its subsequent amendment expanded the outdoor play area. No conditions of approval were imposed with either approval.

12. **2010 Prince George's County Landscape Manual:** This DSP is for establishing regulations for parking, loading, and day care uses on the property, and no revisions to site improvements are proposed. Therefore, conformance to the Landscape Manual is not required per Section 1.1(b) of the Landscape Manual.
13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the grandfathering provisions of the 2024 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property had a tree conservation plan that was accepted for review on or before June 30, 2024, and shall conform to the environmental regulations of the 2010 WCO. A prior tree conservation plan approval (TCP2-036-99) was implemented with a grading permit that was approved prior to July 1, 2024. This application does not propose any changes to the implemented TCP2.
14. **Prince George's County Tree Canopy Coverage Ordinance:** This DSP is exempt from the requirements of the Tree Canopy Coverage Ordinance, per Section 25-127 of the Prince George's County Code, as it does not propose more than 2,500 square feet of disturbance.
15. **Referral comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and incorporated herein by reference:

- a. **Historic Preservation and Archeological Review**—In a memorandum dated February 24, 2025 (Stabler, Smith, and Chisholm to Myerholtz), the Historic Preservation Section offered the following comments:

The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (master plan) contains goals and policies related to historic preservation (pages 156–165) and the Melford Historic Site (71B-016). However, these are not specific to the subject application. The subject property is currently developed, and the subject application proposes minimal ground disturbance. The subject property does not contain and is not adjacent to any designated Prince George’s County historic sites or resources. Historic Preservation staff recommend approval of DSP-24010, Melford Town Center - Blocks 4 and 6, with no conditions.

- b. **Community Planning**—In a memorandum dated March 14, 2025, (Lester to Myerholtz), the Community Planning Division provided an evaluation of the application, stating that while master plan conformance is not a required finding for this DSP, the subject DSP does conform with the master plan’s recommended land use for the subject property.

- c. **Transportation Planning**—In a memorandum dated March 18, 2025 (Patrick to Myerholtz), the Transportation Section offered analysis of the DSP regarding relevant prior conditions of approval, and master plan and Zoning Ordinance compliance, which have been incorporated into the findings and conditions of this technical staff report. Further, they provided recommended conditions of approval that have been included herein.

- d. **Environmental Planning**—In a referral email dated March 10, 2025 (Finch to Myerholtz), the Environmental Planning Section offered the following:

The site is subject to an approved Natural Resources Inventory, NRI-054-06-03, and is also subject to the most current approved Type 2 Tree Conservation Plan, TCP2-036-99-22. No revisions to TCP2-036-99-22 are required.

The site has an approved revised SWM Concept Plan, 01-0520-207NE15, issued by the City of Bowie, Department of Public Works, which was issued on June 5, 2023, and is valid until June 6, 2026. According to the letter of approval, this project is subject to SWM requirements. The approved concept plan is consistent with the current DSP application.

- e. **Permit Review**—At the time of the writing of this technical staff report, the Permit Review Section had no comments on this application.
- f. **Prince George’s County Department of Parks and Recreation (DPR)**—At the time of the writing of this technical staff report, DPR had no comments on this application.
- g. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this technical staff report, DPIE had no comments on this application.

- h. **Prince George's County Police Department**—At the time of the writing of this technical staff report, the Police Department had no comments on this application.
 - i. **Prince George's County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department had no comments on this application.
 - j. **Prince George's County Health Department**—At the time of the writing of this technical staff report, the Health Department had not offered comments on the subject application.
 - k. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this technical staff report, WSSC had not offered comments on the subject application.
 - l. **Public Utilities**—At the time of the writing of this technical staff report, the public utility companies did not offer comments on this application.
 - m. **The City of Bowie**—At the time of the writing of this technical staff report, the City of Bowie did not offer comments on this application.
16. **Community feedback:** As of the writing of this technical staff report, staff did not receive any inquiries from the community regarding the subject DSP.
 17. Based on the foregoing analysis, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if approved with the proposed conditions below, represents a most reasonable alternative for satisfying the site design guidelines of prior Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
 18. As required by Section 27-285(b)(2) of the prior Zoning Ordinance, this DSP is in general conformance with the approved CSP, as it only provides regulations for parking, loading, and playgrounds.
 19. Section 27-285(b)(3) of the prior Zoning Ordinance does not apply to this DSP because it is not a DSP for infrastructure.
 20. As required by Section 27-285(b)(4) of the prior Zoning Ordinance, the Planning Board may approve a DSP if it finds that the regulated environmental features (REF) have been preserved and/or restored in a natural state to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations. There are no REF on the subject property.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-24010, for Melford Town Center - Blocks 4 and 6, subject to the following conditions:

1. Prior to certification of the detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall revise the plans as follows:
 - a. Revise Note 2 under Typical Truck Court Parking Striping Detail to state:

"If truck court is converted to additional parking, minimum required loading spaces shall be maintained pursuant to the Prince George's County Zoning Ordinance."
 - b. Revise General Note 24 to include Specific Design Plan SDP-0103 as a prior approval.
 - c. Revise the coversheet to reflect the base parking requirement, as proposed by the parking analysis memorandum dated May 7, 2025.
2. At the time of permits for parking lot reconfigurations within a truck court, per Section 27-283(a) of the prior Prince George's County Zoning Ordinance, in accordance with the site design guidelines, the applicant and the applicant's heirs, successors, and/or assignees shall show the following facilities for parking lots within a truck court, as part of the site plan:
 - a. Clearly identify existing and proposed loading spaces, striping details, and pedestrian facilities.
 - b. Provide crosswalks spanning the driveway aprons of truck courts fronting Howerton Way.
 - c. Any modifications that alter the circulation on-site, beyond the typical parking lot details provided on this detailed site plan, are required to submit an updated truck turning plan.
3. Prior to issuance of any permits for parking lot reconfigurations within a truck court, the applicant shall demonstrate that the additional parking proposed within a truck court is within the maximum allowable parking, per Section 27-574(b)(3) of the prior Prince George's County Zoning Ordinance.

MELFORD TOWN CENTER - BLOCK 4 & 6

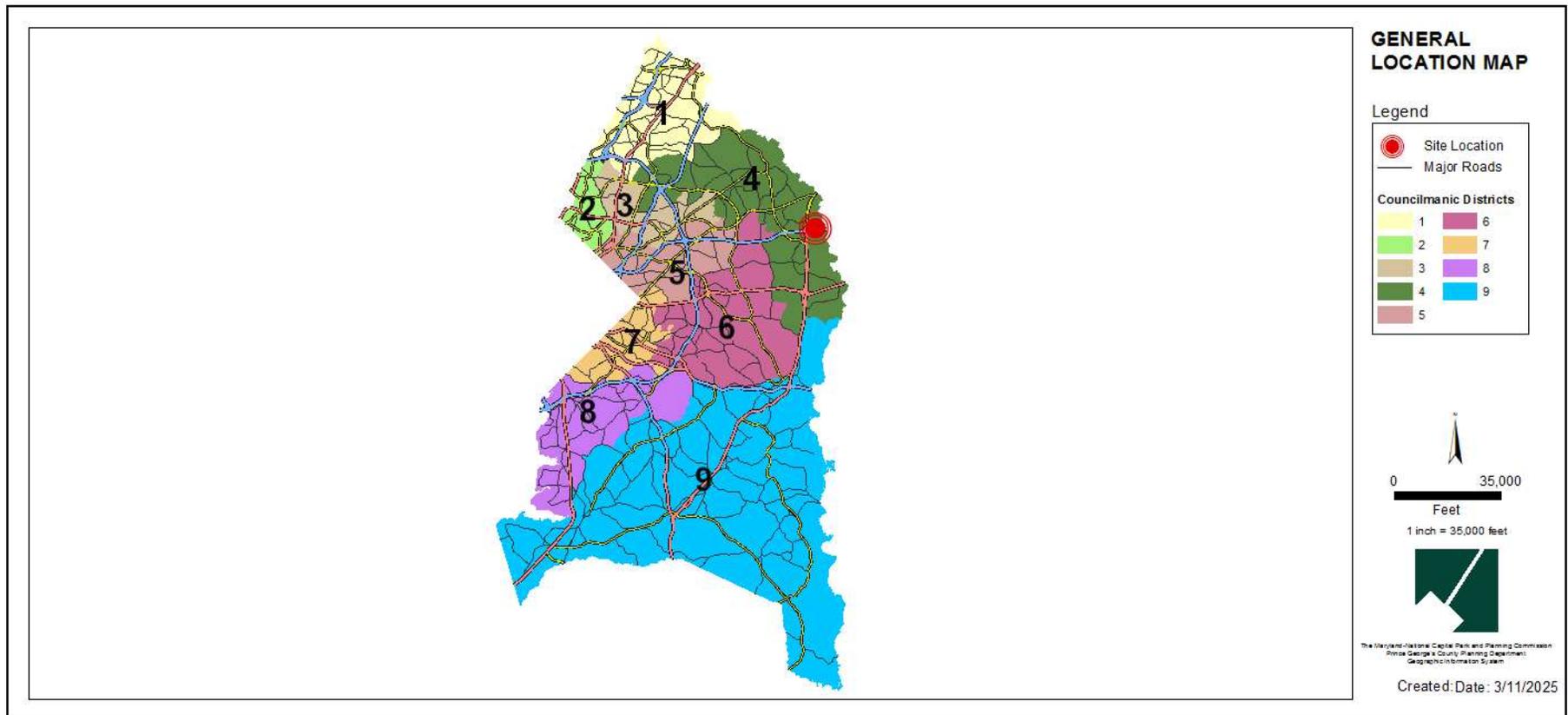
Detailed Site Plan

Staff Recommendation: APPROVAL with Conditions

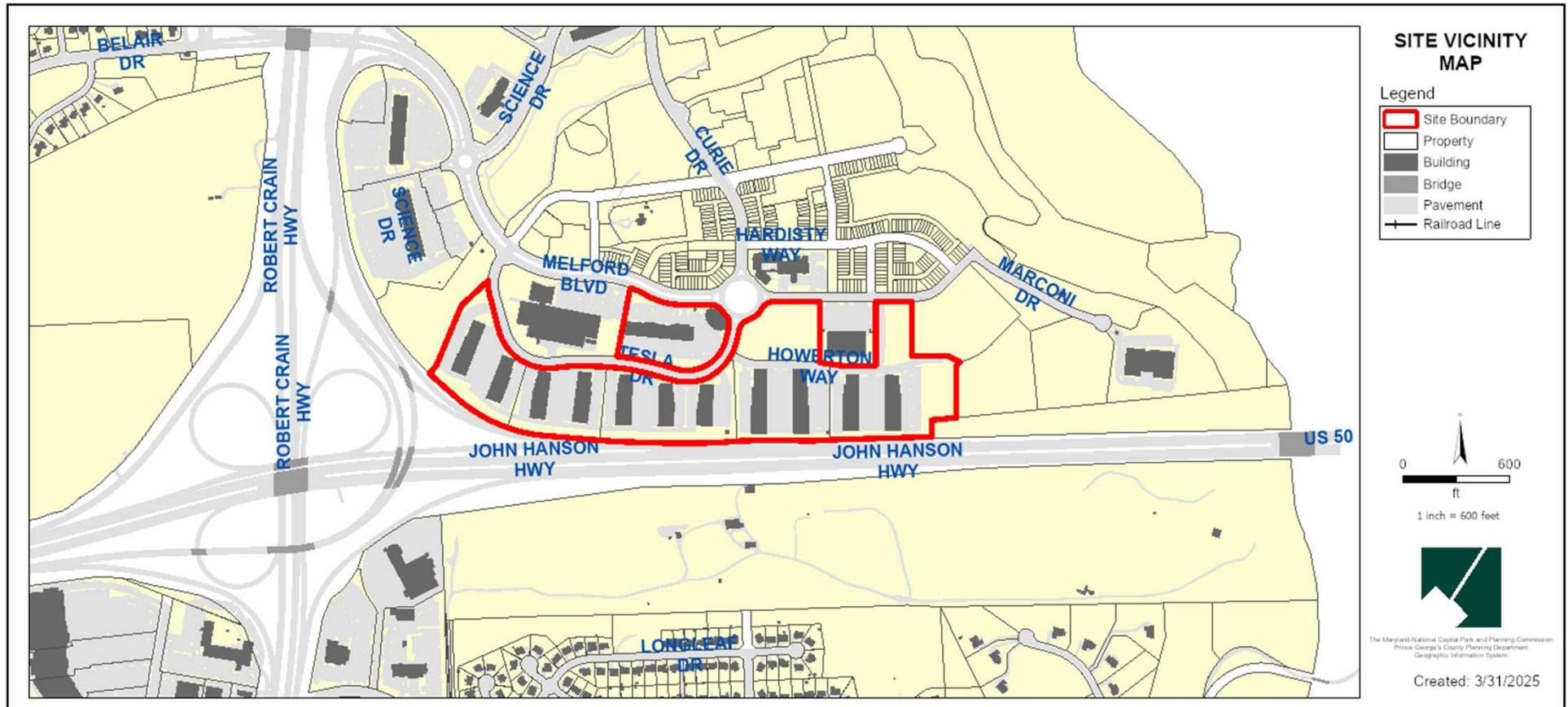


GENERAL LOCATION MAP

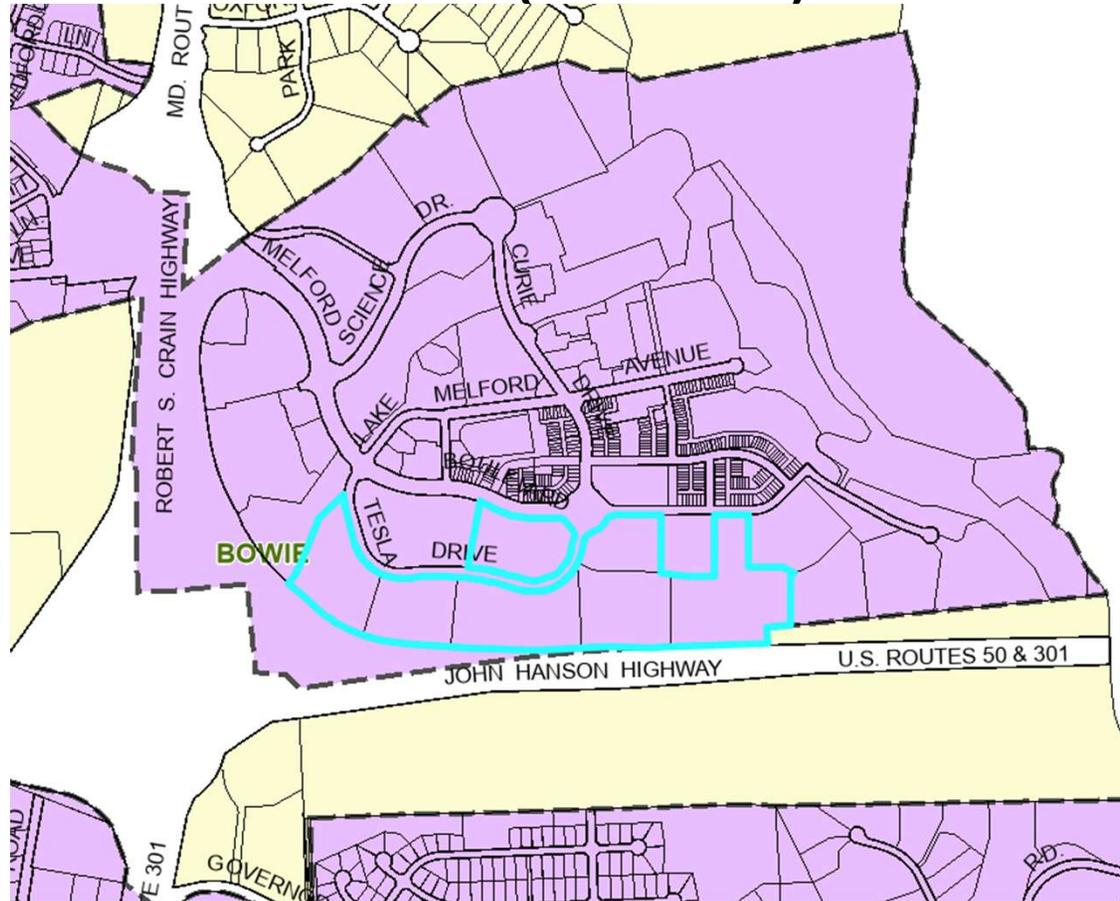
Council District: 04
Planning Area: 71B



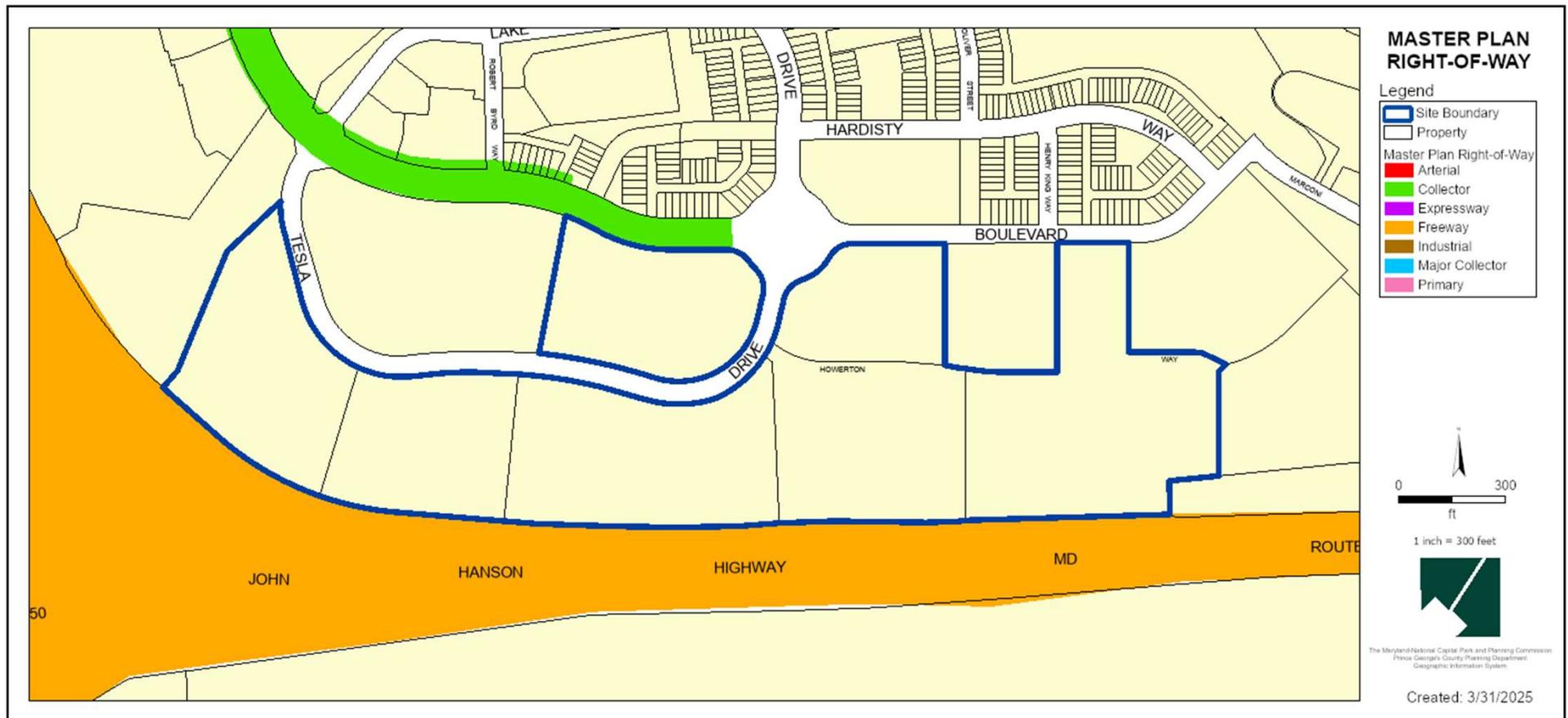
SITE VICINITY MAP



MUNICIPAL BOUNDARY (BOWIE)



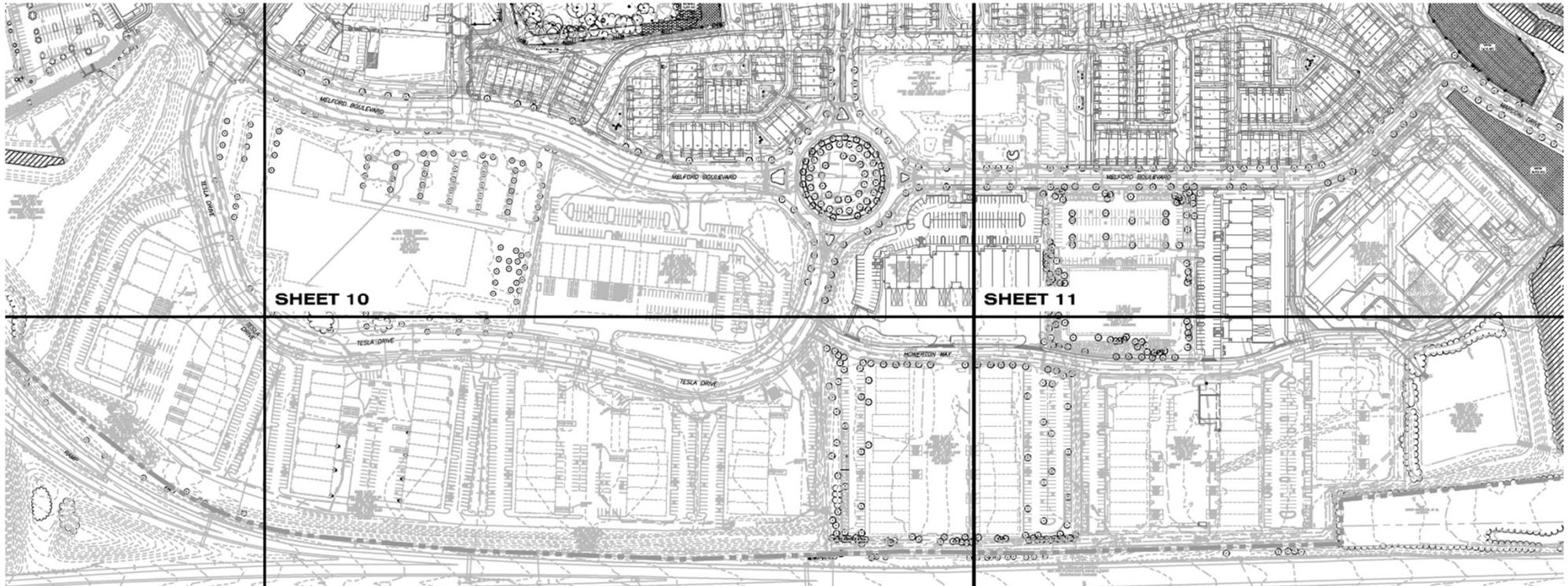
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



TYPE II TREE CONSERVATION PLAN



STAFF RECOMMENDATION

APPROVAL with Conditions

- DSP-24010

Issues:

- None

Applicant Required Mailings:

- Informational Mailing: 08/20/2024
- Acceptance Mailing: 02/05/2025

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Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

January 14, 2025

VIA ELECTRONIC MAIL

Ms. Hyojung Garland
Urban Design Section, Supervisor
Development Review Division
Prince George's County Planning Department
1616 McCormick Drive
Largo, MD 20774

**RE: Detailed Site Plan 24010
(Melford – Limited Detailed Site Plan
Flex Space Shared Parking)
STATEMENT OF JUSTIFICATION**

Dear Hyojung:

On behalf of our client, St. John Properties, Inc. (the “Applicant”), please accept this Statement of Justification in support of limited Detailed Site Plan 24010 pertaining to the provision of parking and design of truck courts for flex space buildings located within the mixed-use project known as Melford (the “DSP”). Specifically, the proposed application requests i.) approval of shared parking within existing flex space buildings at Melford pursuant to Section 27-574 of the prior Zoning Ordinance, iii.) the option of re-purposing unused truck/loading spaces in the rear of flex space buildings for vehicle parking, and ii.) the option to install bollards, play equipment, and fencing in a truck court for day care uses occupying flex space.

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

On April 1, 2022, the approved Countywide Sectional Map Amendment (“CMA”) and the updated Prince George’s County Zoning Ordinance (“New Zoning Ordinance”) became effective and rezoned the entire Melford project to the newly created TAC-E Zone (Town Activity Center-Edge). Notwithstanding, the Applicant elects to pursue this DSP Amendment utilizing the applicable provisions of the prior zoning ordinance pursuant to Section 27-1704(b) which states in pertinent part:

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

(b) Unless the period of time under which the development approval or permit remains valid expires, the project may proceed to the next steps in the approval process (including any subdivision steps that may be necessary) and continue to be reviewed and decided under the prior Zoning Ordinance and prior Subdivision Regulations. For purposes of this Subsection, a property which has obtained approval of a stormwater management concept plan and a grading permit in accordance with Subtitle 32 of this Code, for which no development approval pursuant to the prior Zoning Ordinance or prior Subdivision Regulations is required, may proceed to obtain a building permit under the Zoning Ordinance in effect at the time the Subtitle 32 approvals were obtained. The Planning Director shall report to the County Council, at intervals no less than quarterly, a report of all development activity within the County.

The underlying CSP-06002-01 for Melford is valid until April 1, 2042. Since this underlying approval is currently valid, the Applicant can proceed with applications utilizing the provisions of the Zoning Ordinance that existed prior to April 1, 2022, (per Section 27-1704(b) of the New Zoning Ordinance). DSP-24010 is being filed in accordance with the appropriate provisions of the Prince George’s County Zoning Ordinance and the M-X-T Zone that existed prior to April 1, 2022.

I. DESCRIPTION OF SUBJECT PROPERTY

The overall Melford project is located at the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301), in Planning Area 71B and Council District 4. The site is bounded to the north by office and medical office uses in the M-X-T Zone; to the east by vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC); to the south by office, medical office, and research and development uses (“flex space”), and beyond by the John Hanson Highway (US 50/301) right-of-way and a small vacant property; and to the west by the Crain Highway (MD 3) right of way. The property is located within the City of Bowie.

This limited DSP only applies to the following portions of Melford developed with flex space buildings (the areas of flex space subject to this DSP are collectively referred to as the “**Property**”):

LOT SUMMARY

BLOCK	LOT	OWNER	APPROVED DSP/SDP
4	1	MSTC VI LLC.	DSP-21007
4	2	MSTC VII LLC.	DSP-21007
4	3	MSTC VIII LLC.	SDP-0201
4	5	MSTC IX LLC.	SDP-0402
6	1	MSTC III HOLDINGS LLC.	DSP-07031-05
6	2	MSTC III A HOLDINGS LLC.	DSP-07031-05
6	7	MSTC III HOLDINGS LLC.	DSP-07031-05

This DSP will supersede all of the above DSP/SDP approvals **only** in regard to allowing shared parking spaces for uses within flex space buildings on the Property, the addition of optional parking spaces in the truck courts of flex buildings, and the potential for future daycare users within the flex space buildings to add outdoor play areas within a flex space building truck court by creating a standard for the installation of bollards, playground structures, and fencing. It should be noted that the Planning Director has already approved the conversion of truck court spaces for outdoor play areas for two (2) day care users within the flex space (DSP-07031-06 and DSP-21007-01).¹

II. ZONING AND DEVELOPMENT HISTORY

In 1982, the overall Melford development (formerly known as the “Maryland Science and Technology Center”) was rezoned from the R-R (Rural-Residential) zone to the E-I-A (Employment and Industrial Area) zone for the development of up to 6.4 million sq. ft. A Comprehensive Design Plan (CDP) was approved for the property in 1986. Between 1986 and 2005, several Specific Design Plans (SDPs) and Preliminary Plans of Subdivision were approved for the development.

In 2006, the overall Melford development was rezoned from the E-I-A zone to the M-X-T zone, via the *2006 Bowie and Vicinity Master Plan and Sectional Map Amendment* (the “2006 Master Plan”). A Conceptual Site Plan (#CSP-06002) was approved by the District Council in 2009, which allowed additional development of up to 425,000 square feet of office space, 330,000 square feet of flex space and 200,000 square feet of retail space over and above the existing (or approved) 1.5

¹ It should also be noted that SDP-0402 listed in the “Lot Summary” (Block 4, Lot 3) was referenced in CR-11-2006 which approved the 2006 Bowie and Vicinity Master Plan that rezoned the entire Melford project from the E-I-A Zone to the M-X-T Zone. Specifically, Attachment A to CR-11-2006 (Amendment 22) (Pages 45 and 46) clearly established that all previously approved SDP’s (including SDP-0402) were still controlling on the site and were in conformance with the M-X-T Zone and should be shown “as approved”. Any revisions proposed to the prior approved SDP plans are to be reviewed through the DSP process, (as required for the current M-X-T Zoning). On at least 2 prior occasions, SDPs within Melford have been converted to Detailed Site Plans. Specifically, SDP-0301 (Melford Regional Ponds) was converted to a DSP (DSP-11018) and was approved at a staff level on October 19, 2011. Also, DSP-07072 was converted from a prior approved SDP (SDP-0401/01). On at least 2 prior occasions, SDPs within Melford have been converted to Detailed Site Plans. Specifically, SDP-0301 (Melford Regional Ponds) was converted to a DSP (DSP-11018) and was approved at a staff level on October 19, 2011. Also, DSP-07072 was converted from a prior approved SDP (SDP-0401/01).

million square feet of employment space. In 2014, the County Council approved an update to the County's General Plan (the "2035 General Plan") which focused future residential and commercial growth in different development "centers" designated throughout the County. The 2035 General Plan designated the entire Melford project as part of the "Bowie Town Center." Said center designation anticipates an increased residential density and mix of uses for the Melford development.

In 2015, a revised Conceptual Site Plan (CSP-06002-01) for a mixed-use development containing up to 2,500 single-family attached and multi-family (both market and senior age-restricted) residential units, 260,000 square feet of office space and 268,500 square feet of retail space was approved by the District Council. The vast majority of these additional uses will be located within the Melford Town Center boundaries.

In addition, several prior PPS applications have been approved over the years for various portions of the overall Melford property (4-98706, 4-07055, 4-88030, 4-02093, 4-16006, 4-24007). Numerous specific design plans and detailed site plans have been approved for the subject property in support of office, flex space, residential uses (multifamily and townhomes), retail, hotel, and institutional uses, although not all have been constructed.

None of the conditions related to any of the above listed entitlements will be altered as a result of this DSP request. All of the flex space buildings (and related parking) on the Property have already been approved pursuant to applicable DSP/SDP plans. No additional flex space is being proposed as part of this DSP.

III. DETAILS OF REQUEST

The instant DSP request is limited to existing/approved flex space buildings and associated parking loading areas located on the Property. Specifically, the DSP requests approval of the following items:

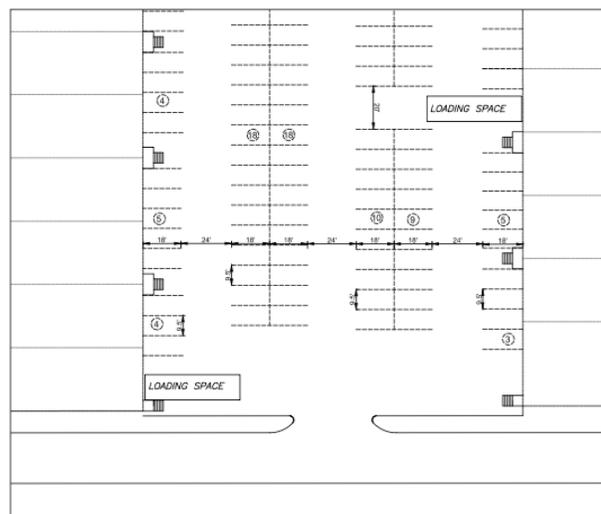
A. SHARED PARKING

This DSP proposes the utilization of shared parking calculations applicable to development in the M-X-T Zone pursuant to Section 27-574 of the prior Zoning Ordinance. Shared parking is necessary for the flex space on the Property as said structures are occupied by a wide variety of users/tenants (e.g., office, manufacturing, institutional, medical, day care, etc.) that have very different peak hour usage for parking. Without utilizing the allowable shared parking formulas applicable in the former M-X-T Zone, the Applicant has been forced to demonstrate that each flex space building has parking spaces for each individual tenant at time of occupancy permit pursuant to the standard parking rates in the Zoning Ordinance. This approach artificially inflates the minimum amount of parking that is actually needed for the aggregate number of tenants within each flex space building. This DSP establishes that the approved/existing number of parking spaces provided for flex space on the Property

is more than adequate for existing and future tenants when utilizing the shared parking formula applicable in the M-X-T Zone per Section 27-574. **Exhibit A** attached to this statement of justification represents a shared parking calculation memo from Lenhart Traffic Consulting, Inc. evaluating the requirements of Section 27-574 of the prior Zoning Ordinance. Said memo demonstrates that the users of the flex space buildings approved and/or constructed on the Property generate a base parking requirement (per M-X-T Zone requirements) of 856 spaces. The current DSP reflects that 1,474 parking spaces exists for all flex space within Melford. By using the shared parking regulations in Section 27-574, the total provided parking for all flex space on the Property exceeds the base parking requirement by 618 spaces. Based on this analysis, the Applicant requests approval of its shared parking proposal by the Planning Board so the appropriate amount of minimum parking spaces can be confirmed for future and existing tenants of the flex space buildings on the Property at the time of occupancy permit.

B. OPTIONAL VEHICLE PARKING IN TRUCK COURT

This DSP includes the option to re-purpose unused truck court space(s) in the rear of flex space buildings to add striping for additional parking spaces. As mentioned earlier, the flex space on the property is occupied by a variety of tenants that may or may not utilize trucks court spaces (based on their use type). In such scenarios, the Applicant requests the ability to re-purpose such unused spaces for vehicle parking. The addition of such parking spaces can be utilized to meet market preferences of future tenants of the flex space without requiring a costly and time-consuming revision to the underlying detailed site plan applicable to the flex space building being occupied. A standard detail for parking lot striping in the truck court area has been added to the DSP plan set and reflects the following:

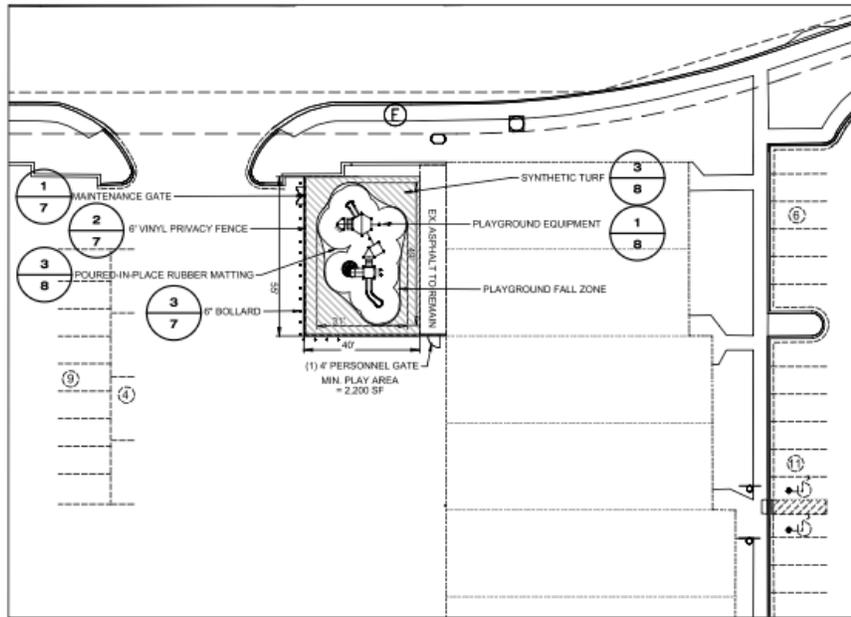


6 TYPICAL TRUCK COURT PARKING STRIPING DETAIL
7
SCALE: 1"=30'
NOTE:
1. MAY BE DONE ON AS NEEDED BASIS AT TIME OF TENANT FIT OUT.

A note has been added to the DSP plan that indicates that these optional parking spaces will only be allowed provided the Applicant demonstrates that the requisite number of loading spaces in the truck court of the flex space building will exist at time of occupancy permit for each tenant.

C. OPTIONAL FENCING, BOLLARDS, AND PLAY EQUIPMENT FOR DAYCARE USERS

This DSP includes an option for potential/future day care users within the flex space buildings to add outdoor play areas within a rear truck court by creating a standard for the installation of bollards, playground structures, and fencing. The following typical playground detail is included in the DSP plan set:



4 **TYPICAL PLAYGROUND DETAIL**
8 **SCALE: 1"=30'**
 NOTE:
 1. MAY BE DONE ON AS NEEDED BASIS AT TIME OF TENANT FIT OUT.
 2. DETAIL ABOVE TO BE USED AS GUIDANCE ONLY; EXACT LAYOUT/DIMENSIONS TO BE APPROVED AT TIME OF PERMIT BY OWNER & OWNER'S ENGINEER.

Further, the DSP includes standard details for bollards, privacy fences, gates, playground equipment, rubber matting, and synthetic turf to be utilized by a future daycare tenant (See DSP Sheets 7 and 8). Inclusion of these details in this DSP allows the option for future day care users in the flex space buildings to provide such outdoor amenities without submitting a costly and time-consuming detailed site plan revision for each case. It should again be noted that the Planning Director has already approved the conversion

of truck court spaces for outdoor play areas for two (2) day care users within the flex space (DSP-07031-06 and DSP-21007-01).

IV. DEVELOPMENT SUMMARY & PLANNING CONSIDERATIONS

1. **Development Data Summary** - The following information relates to the subject DSP application:

	EXISTING	PROPOSED
Zone	TAC-E/M-X-T	TAC-E/M-X-T
Use(s)	Flex Space	Flex Space
Acreage (Gross)	51.83	51.83
Building Square Feet (GSF)	483,960	483,960

Parking Schedule for Each Individual Lot/Block

Lot/Block	Address	Land Use	Number of Units	Spaces Required per ZO	Total Spaces Required per ZO	
Block 4, Lot 1	4801 Tesla Drive	Office	25,860 square feet	68	75	
		Warehouse	7,280 square feet	7		
Block 4, Lot 1	4831 Tesla Drive	Office	17,880 square feet	48	57	
		Warehouse	10,680 square feet	9		
Block 4, Lot 2	4861 Tesla Drive	Office	14,490 square feet	39	67	
		Warehouse	6,770 square feet	7		
		Educational	7,800 square feet	21		
	Block 4, Lot 2	4891 Tesla Drive	Office	4,368 square feet	14	50
Warehouse			12,422 square feet	10		
Educational			12,000 square feet	12		
Animal Hospital			2,760 square feet	14		
Block 4, Lot 3	4901 Tesla Drive	Office	23,273 square feet	61	69	
		Warehouse	8,287 square feet	8		
	Block 4, Lot 3	4931 Tesla Drive	Office	11,347 square feet	31	167
			Warehouse	5,213 square feet	5	
Block 4, Lot 3	4961 Tesla Drive	Billard Hall	10,000 square feet	131	50	
		Office	14,918 square feet	41		
Block 4, Lot 5	17201 Melford Boulevard	Warehouse	10,642 square feet	9	77	
		Office	24,036 square feet	64		
Block 6, Lot 1	17301 Melford Boulevard	Warehouse	16,404 square feet	13	61	
		Office	17,134 square feet	46		
Block 6, Lot 2	5001 Howerton Way	Warehouse	18,986 square feet	15	77	
		Office	24,593 square feet	65		
	Block 6, Lot 2	5021 Howerton Way	Warehouse	14,167 square feet	12	68
			Office	19,830 square feet	53	
Block 6, Lot 7	5041 Howerton Way	Warehouse	19,290 square feet	15	60	
		Office	17,076 square feet	46		
	Block 6, Lot 7	5061 Howerton Way	Warehouse	17,486 square feet	14	57
			Office	8,614 square feet	25	
			Educational	15,379 square feet	12	
	Block 6, Lot 7	5081 Howerton Way	Warehouse	10,567 square feet	20	37
Office			6,358 square feet	19		
Block 6, Lot 7	17341 Melford Boulevard	Warehouse	23,682 square feet	18	40	
		Office	10,074 square feet	29		
Total:				1012	1012	

Parking Formula per Zoning Ordinance Section 27-568

- Office = 1.0 space per 250 SF of the first 2,000 SF plus 1.0 space per 400 SF above the first 2,000 SF
- Warehouse = 3.0 space for the first 1,500 SF plus 1.0 space per 1,500 SF above the first 1,500 SF
- Educational = 1.0 space per 8 students (daycare) or 1.0 space per 6 students (private school)
- Animal Hospital = 1.0 space per 200 SF
- Billiard Hall = 4.0 space per table plus 1.0 space per employee

Land Use	Total Spaces Required per ZO
Office	649
Warehouse	165
Educational	53
Animal Hospital	14
Billiard Hall	131

Parking Required Per Section 27-574 – 856 Space (See Exhibit A)

2. **Plan Prince George’s 2035 Approved General Plan** – The DSP is limited to i.) approval of shared parking within existing flex space buildings at Melford pursuant to Section 27-574 of the prior Zoning Ordinance, ii.) the option of re-purposing unused truck/loading spaces in the rear of flex space buildings for vehicle parking, and iii.) the option to install bollards, play equipment, and fencing in a truck court for day care uses occupying flex space. Notwithstanding, the uses presented in this DSP will be used to ultimately support the total mix of uses approved in the CSP and the PPS (including retail and office uses). Said applications were approved, in part, based on the recommendations of the approved 2035 General Plan. According to the approved 2035 General Plan, the site is located within an Employment Center, and is designated as a “Local Town Center” as shown on the Growth Policy Map. The mix of uses proposed in the approved CSP and PPS are consistent with the vision, policies and strategies of the 2035 General Plan. Specifically, page 108 of the approved 2035 General Plan explains the Local Town Centers concept as follows:

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

			along with on-demand bus service.
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As noted above, the 2035 General Plan intends that Local Town Centers offer a range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall the local centers are less dense and intense than other center types (in the 2035 General Plan) and may be larger than half mile in size due to their auto orientation. The centers typically have a walkable “core” or town center. Often the mix of uses is horizontal across the centers rather than vertical within individual buildings. While master plans may call for future heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction. All of these elements form the essence of the Melford Town Center.

The Melford Town Center proposal approved in CSP-06002-01 does not exceed the development limits for a “Local Town Center” as defined by the 2035 General Plan. Specifically, the proposed development for CSP-06002-01 was based on the gross acreage of approximately 276.68 acres (roughly 9.0 dwelling units per acre, and less than 10-60 dwelling units per acre recommended for Town Centers), with an overall floor area ratio (“FAR”) of .47-.70 (less than the 1.0-2.5 FAR recommended for Town Centers). Further, the overall Melford project is primarily automobile oriented with access from two arterial highways (via an interchange with US 50/MD 3). The existing transportation infrastructure abutting the overall Melford project was the result of a significant public investment by the State of Maryland through the construction of elevated interchange ramps leading from US 50/MD 3 directly into the main entrance of the project. Notwithstanding this automobile orientation and infrastructure, the compact and sustainable layout of the Melford Town Center and its mix of uses encourages workers and residents at Melford to live, work and play in the same area. By locating residences and jobs proximate to each other, this thoughtful neighborhood planning concept incorporates sustainable design elements that encourage walking, bicycling, and the potential for public transportation for daily commuting.

3. 2022 Approved Bowie-Mitchellville and Vicinity Master Plan (the “Master Plan”)

On March 8, 2022, the Prince George’s County District Council adopted the Resolution of Approval for the 2022 *Bowie-Mitchellville and Vicinity Master Plan and Sectional Map Amendment*, which replaced the previous 2006 Master Plan. The subject Property, as part of the overall Melford development, is located within a Plan 2035 growth center known as the “Bowie Local Town Center, which has been described in detail above and is located within the US 301/MD 3 Corridor.

As a component of a Plan 2035 growth Center, the Master Plan envisions increased development within Melford as specified in the Land Use Goals on page 46 of the Master Plan. These goals state that growth and development should be directed into Plan 2035 growth centers. These goals are being pursued with this DSP as it will provide support to tenants of existing/approved flex space on the Property. The Master Plan also recommends mixed land use within the overall Melford project. The flex space uses reflected in this DSP conforms with the recommended land use in the Master Plan because it is part of the horizontal mix of uses (including office, retail, and residential) proposed in the overall Melford community. The provided DSP application is also consistent with the relevant land use policies from the approved Master Plan, particularly LU 5.5, which states that “Melford should continue to develop pursuant to its approved Conceptual Site Plans.” This proposed DSP is consistent with the use mixture approved in the latest CSP which calls for “Office/Research & Development/Institutional” use on the Property. The flex space developed on the Property meets this goal.

V. RELATIONSHIP TO REQUIREMENTS IN THE ZONING ORDINANCE:

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

(b) General DSP Purposes:

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

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

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

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

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

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

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

RESPONSE: The Property subject to this DSP is geographically located at the site of a major interchange of two highways (i.e. US 50 and MD3/US 301. As mentioned in Section IV in this statement of justification, the site is also located within the boundaries of a local center as designated by the 2035 General Pan.

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

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

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

RESPONSE: The proposal in this DSP will ultimately lead to the enhancement of the value of surrounding land and buildings by unlocking the mixed-use potential of the overall Melford project. The shared parking, optional truck court parking spaces, and optional play areas for day care uses proposed in this DSP will enhance the viability and usability of the flex space buildings within Melford. If this DSP were not approved, tenants that might otherwise occupy the flex space would likely be spread throughout other portions of the County.

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

RESPONSE: Public transportation will eventually be in Melford upon further development of the Melford Town Center as contemplated in CSP-06002/01. The street system in the Melford Town Center has been designed to accommodate bus service. Further specifics regarding the location and appearance of bus stops will be forthcoming in future detailed site plans.

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

RESPONSE: The flex space identified in this DSP will support the eventual creation of a larger and vibrant mixed-use community (as further realized through other detailed site plan applications for the overall Melford project).

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

RESPONSE: The flex space identified in this DSP will support the eventual creation of a vibrant mixed-use community (as further described through future detailed site plan applications).

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

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

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

RESPONSE: The shared parking, optional truck court parking spaces, and optional play areas for day care uses proposed in this DSP will support a dynamic mix of uses within the flex space. Further, the efficient use of existing parking spaces and truck courts will limit the need to create additional impervious areas for more parking that might otherwise be required if shared parking was not approved for the flex space on the Property.

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

RESPONSE: The shared parking, optional truck court parking spaces, and optional play areas for day care uses proposed in this DSP will ultimately allow Melford to develop in a manner that will permit a flexible response to market conditions. This DSP will encourage existing and future employment opportunities within the overall Melford project.

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

RESPONSE: No buildings are proposed in this DSP as it is limited to shared parking, optional truck court parking spaces, and optional play areas for day care users.

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

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

- (a) The Detailed Site Plan shall be designed in accordance with the same guidelines as required for a Conceptual Site Plan (Section 27-274).*
- (b) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development, and the specific zone in which it is to be located.*
- (c) These guidelines may be modified in accordance with Section 27-286.*

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

Section 27-274. Design guidelines

(1) General

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

RESPONSE: The proposed flex space uses in this DSP are consistent with the design approved in the CSP for a mixed-use community.

(2) Parking, loading, and circulation.

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:***
 - (i) Parking lots should generally be provided to the rear or sides of structures;***
 - (ii) Parking spaces should be located as near as possible to the uses they serve;***
 - (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;***

- (iv) *Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and*
- (v) *Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.*

RESPONSE: The instant DSP proposes shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All existing parking lots in the flex space on the Property are located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars.

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

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

RESPONSE: All loading areas associated with the flex space are in conformance with the above requirements. This DSP is not proposing any new loading spaces.

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

- (i) *The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;*
- (ii) *Entrance drives should provide adequate space for queuing;*
- (iii) *Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;*
- (iv) *Parking areas should be designed to discourage their use as through-access drives;*
- (v) *Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;*
- (vi) *Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;*

- (vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;*
- (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;*
- (ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;*
- (x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and*
- (xi) Barrier-free pathways to accommodate the handicapped should be provided.*

RESPONSE: The instant DSP proposes shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. The existing parking lots and driveways for the flex buildings provide for safe, efficient, and convenient access for both pedestrians and drivers.

(3) Lighting.

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

RESPONSE: No new lighting is proposed in this DSP.

(4) Views.

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

RESPONSE: No new buildings are proposed as part of this DSP which is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. It should be noted that the optional play areas for future day care users will be located in the rear truck court of a flex building and will be largely screened from public view.

(5) Green area.

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

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

RESPONSE: The instant DSP does not propose any changes to the green areas approved for the existing flex space on the Property.

(6) Site and streetscape amenities.

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

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

RESPONSE: The instant DSP does not propose any additional streetscape amenities to the existing/approved flex space on the Property.

(7) Grading.

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

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

RESPONSE: No grading is proposed with this limited DSP.

(8) Service areas.

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

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

RESPONSE: The service areas that are located as part of each flex space building are highly accessible and are located in the rears of the flex space buildings.

(9) Public spaces.

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

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

RESPONSE: The instant DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No additional public spaces are proposed with this application.

(10) Architecture.

- (A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.***
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.***
- (C) These guidelines may be modified in accordance with Section 27-277.***

RESPONSE: This DSP does not propose any buildings or architecture. The DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property.

(B) Specific DSP Purposes:

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

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

RESPONSE: The DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. There are no specific buildings, recreational amenities, or grading are proposed.

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

- (1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.***

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

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

RESPONSE: The proposed DSP represents a reasonable alternative for satisfying the site design guidelines in the Zoning Ordinance which were applied at the time of the initial approval of the site plans for the flex space on the Property. The shared parking, optional truck court parking spaces, and optional play areas for day care uses reflected in this DSP are minor in scope and will integrate seamlessly with the already approved/existing flex space buildings on the property.

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

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

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

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All other details pertaining to the flex space buildings on the Property will be regulated by the previously approved site plan approvals.

(2) The proposed floor area ratio;

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All other details pertaining to the flex space buildings on the Property will be regulated by the previously approved site plan approvals. There is no proposed change to the approved FAR for the flex space on the Property.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property.

The DSP does not propose any additional square footage or expansion of the existing flex space.

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

RESPONSE: This DSP is part of the approved CSP for the Melford Town Center. The CSP was approved using the optional method of development for the MXT Zone as set forth in Section 27-545 of the Zoning Ordinance. This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. The DSP does not propose any additional square footage or expansion of the existing flex space.

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

RESPONSE: The DSP does not propose any additional square footage or expansion of the existing flex space. All landscaping and screening approved in the applicable site plans approved for the flex space will remain in force and effect.

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

RESPONSE: The DSP does not propose any additional square footage or expansion of the existing flex space.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. Notwithstanding the limited function of this DSP, the existing/approved flex space will be served by available and adequate public facilities as determined in the approved CSP and

PPS. The overall Melford project has a significant onsite road network that can accommodate existing and future traffic levels. Similarly, the Applicant has completed significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for the future Melford Town Center traffic (pursuant to the County's approved Transportation Design Guidelines).

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

- (1) The proposed drainage system;*
- (2) All improvements and uses proposed on the property;*
- (3) The proposed floor area ratio of the project, and detailed description of any bonus incentives to be used; and*
- (4) Supporting evidence which shows that the proposed development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program or within the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in a specific public facilities financing and implementation program, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last.*

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

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

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

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

- 1. To provide requirements for the preparation and approval of all Conceptual and Detailed Site Plans;*
- 2. To assure site plans help to fulfill the purposes of the zone in which the land is located;*

3. *To provide simple, efficient procedures for the review and approval of site plans;*
4. *To provide simple, straightforward explanations of the information that is to appear on each plan.*

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

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

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

RESPONSE: All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. The existing/approved flex space is anticipated by the 2035 General Plan, the appropriate portions of the 2022 Master Plan, and CSP-06002/01 and is therefore compatible with the development concept and other design elements recommended for the area.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

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

RESPONSE: No additional flex space is proposed in this DSP.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No pedestrian systems are proposed in this limited DSP.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval. Notwithstanding, the overall Melford project has significant onsite road networks that can accommodate existing and future traffic levels. Similarly, the Applicant has completed (or otherwise has agreed to install) significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for the future Melford Town Center traffic (pursuant to the County's approved Transportation Design Guidelines). It should also be noted that the Melford Town Center project was evaluated for adequate public facilities as part of PPS 4-16006. Said PPS was recently approved and it was determined that adequate public facilities either exist or will be provided by the Applicant (per condition) to serve the proposed subdivision as required under the Subdivision Regulations. The Applicant hereby incorporates the Planning Board's resolution of approval for the PPS by reference and contends that the same findings of adequacy should

be made again for this DSP (to the extent necessary for this limited DSP).

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

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

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

RESPONSE: This DSP is part of the approved CSP for the Melford Town Center. The CSP was approved using the optional method of development for the MXT Zone as set forth in Section 27-545 of the Zoning Ordinance. This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No additional floor area is proposed in this application.

(b) *The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.*

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No additional floor area or buildings are proposed in this application.

(c) *Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.*

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No additional floor area or buildings are proposed in this application. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

(e) *In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be*

included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No additional floor area or buildings are proposed in this application. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No additional floor area or buildings are proposed in this application. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No additional floor area or buildings are proposed in this application. All other aspects of the existing/approved flex space will be regulated by its applicable site plan approval.

(h) Townhouses developed pursuant to...

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No townhouses are proposed within the area of this DSP.

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. No multifamily buildings are proposed.

- (j) *As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).*

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

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

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

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

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

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

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

RESPONSE: The DSP proposes 1,474 parking spaces for all flex space buildings on the Property.

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

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

RESPONSE: The number of spaces required under Section 27-568 is 1,012 spaces. Please see attached memo (Exhibit A) from Lenhart Traffic Consulting, Inc. dated January 7, 2025, for further details.

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

RESPONSE: The “peak” number of spaces required is 856 spaces. Please see attached memo (Exhibit A) from Lenhart Traffic Consulting, Inc. dated January 7, 2025, for further details of how the “peak” number of spaces has been calculated for the flex space on the Property.

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

RESPONSE: Please see attached memo from Lenhart Traffic Consulting, Inc. dated January 7, 2025 demonstrating how the flex space on the Property only requires a minimum of 856 spaces pursuant to Section 27-574 of the Zoning Ordinance.

- (4) *The base requirement may be reduced in the following manner:*
- (A) *Conservatively determine the number of trips which are multipurpose. A multipurpose trip is one where a person parks his car and uses a number of facilities (i.e.; an office, eating or drinking establishment, and store) without moving the car. The number of spaces required for a multi-purpose trip shall be the greatest number of parking spaces required by Section 27-568 for any one (1) use within the multipurpose trip. The base requirement may be reduced by the number of parking spaces for the other uses involved in the multipurpose trip.*
- (B) *Determine the number of parking spaces which will not be needed because of the provision of some form of mass transit, such as rapid rail, bus, forced carpool, van pool, and developer provided services. The base requirement may be reduced by this number.*

RESPONSE: Please see attached memo from Lenhart Traffic Consulting, Inc. dated January 7, 2025 demonstrating how the flex space on the Property only requires a minimum of 856 spaces pursuant to Section 27-574 of the Zoning Ordinance. As such, there is no reduction of spaces necessary as the Applicant greatly exceeds the minimum number of spaces necessary for the flex space on the Property (i.e. 1,474 spaces total provided).

- (5) *In addition to the foregoing calculations, the Planning Board shall take the following into consideration:*
- (A) *The number of off-street parking spaces which are to be held as exclusively reserved spaces for any period of time during the day. These parking spaces may not be made available for other uses during the time they are reserved; and*
- (B) *The location of parking spaces relative to the uses they serve. If the shared parking spaces are so remote that the walking distance is unacceptable for some uses, the effectiveness of shared parking will be reduced. The Planning Board may require a number of parking spaces (in addition to the base requirement) to be reserved for any specific use that is in need of spaces in the immediate vicinity of that use.*

RESPONSE: As mentioned above, the base requirement for the flex space per this DSP is 856 spaces. This DSP provides 1,474 spaces and is

significantly in excess of the base requirement set forth in Section 27-574(b)(3).

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

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

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

RESPONSE: The DSP is not proposing to meet its minimum parking requirement for off-street spaces on any lot beyond the 4 corners of this application.

VI. CONFORMANCE TO CSP-06002-01:

A. The District Council approved CSP-06002/01 and the following conditions are applicable to a detailed site plan application:

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

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

RESPONSE: Impervious surfaces in this application are minimized to the fullest extent possible in accordance with the approved site plan(s) for the flex space and the approved Stormwater Management Concept Plan(s) obtained from the City of Bowie. This limited DSP does not propose any additional impervious surfaces and is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property.

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

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

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. Nonetheless, future detailed site plans will show all stormwater ponds as amenities with the required plantings.

10. Detailed site plans shall provide a minimum 30-foot-wide landscaped buffer between the development and John Hanson Highway (US 50/301) if research and development flex space is proposed. The buffer shall be measured from the public utility easement.

RESPONSE: The instant DSP is not proposing any additional flex space within the Melford. Thus, this condition does not apply.

11. At the time of detailed site plan, the private on-site recreational facilities within the area of each DSP shall be reviewed. The following issues shall be addressed:

a. The applicant shall provide a final list of proposed private recreational facilities and their cost estimates. The list of facilities provided on page 15 of the conceptual site plan design guidelines shall initially be viewed as the types of facilities required. The appropriateness of the number and size of the facilities will be reviewed at DSP.

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

c. The developer and the developer's heirs, successors, and/or assignees shall satisfy the Prince George's County Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. As such, no private recreational amenities are proposed.

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

a. Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services, and dining; and providing attractive gateways/entries and public spaces.

b. Create outdoor amenities to include, at a minimum, such amenities as brick pavers, tree grates, decorative lighting, signs, banners, high-quality street furniture, and extensive landscaping, including mature trees.

c. Create attractive architecture by using high-quality building materials such as stone, brick, or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes, and customized shopfronts to create a street-like rhythm.

d. Provide attractive quality façades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC (heating, ventilating, and air conditioning), and other unsightly functions.

e. Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for safe and comfortable travel; pedestrian walkways shall be separated from vehicular circulation by planting beds, raised planters, seating walls, and on-street parallel parking or structures; walking distances through parking lots shall be minimized and located to form logical and safe pedestrian crossings; and walkways shall be made more pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.

f. Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.

g. Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.

h. Provide a hierarchy of pedestrian-scaled, high-quality, energy-efficient, direct and indirect lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.

i. Provide a comprehensive sign package for signs and sign standards that integrate the signage guidelines within Conceptual Site Plan CSP-06002-01 and the previously approved sign standards contained in Detailed Site Plan DSP-11008. The standards shall address size, location, square footage, materials, and lighting. Any revision to existing approved signage plans shall incorporate the previously approved designs. The revised signage plan to consolidate the signage standards and remove inconsistencies may be approved by the Planning Director, as designee of the Planning Board.

j. Eliminate all temporary signage on the site or attached to the exterior façades of a building.

k. Make retail pad sites compatible with the main retail/office/hotel/residential component. If the retail pad sites are located along the street, all off-street parking shall be located to the rear or side of the pad sites. Parking

provided on the side of pad sites shall be buffered with appropriate screening and/or landscape features.

l. Provide green areas or public plazas between pad sites, to the maximum extent possible.

m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.

RESPONSE: The instant DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. The design requirements set forth in the above condition therefore does not apply to this application.

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

RESPONSE: The applicant has complied with this condition and has obtained the required HAWP setting forth the scope and timetable for the protection, restoration and potential reuse of the Melford and Cemetery Historic Site.

15. In the detailed site plan for the development of the Melford Historic Site (71B-016), its outbuildings, and its cemetery, the proposed development shall be compatible in scale, design, and character with the existing historical and architectural character of the buildings. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.

RESPONSE: The instant DSP does not propose any development of the Melford Historic Site.

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

RESPONSE: The applicant agrees with this condition and has filed all required quarterly condition reports.

18. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate, and shall be shown on all affected detailed site plans.

RESPONSE: This DSP is limited to shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. All other details regulating the existing/approved flex space is contained with the approved site plan(s) for said development.

VII. CONCLUSION:

In consideration of the foregoing statement of justification, the Applicant respectfully requests approval of this limited DSP for shared parking, optional truck court parking spaces, and optional play areas for day care uses in the existing/approved flex space on the Property. Thank you in advance for your consideration of this application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Antonetti, Jr.", with a long horizontal flourish extending to the right.

Robert J. Antonetti, Jr.

cc: St. John Properties, Inc.

Lenhart Traffic Consulting, Inc.
Transportation Planning & Traffic Engineering

Memorandum:

Date: May 7, 2025

TO: M-NCPPC - Development Review Division
1616 McCormick Drive
Largo, MD 20774

FROM: Mike Lenhart

RE: Parking Analysis for Melford Town Center (Blocks 4 & 6)

This parking analysis has been prepared to evaluate the proposed Detailed Site Plan (DSP-24010) for Melford Town Center (Blocks 4 & 6) which is located in the M-X-T zone and is subject to the parking requirements of 27-574 and 27-568 as discussed herein. Note that this DSP is being submitted under the old Zoning Ordinance and therefore, the methodologies detailed in the previous Zoning Ordinance have been utilized.

Shared Parking Analysis Based on Uses Proposed in DSP-24010

Section 27-574(a) of the previous Zoning Ordinance provides that “the number of parking spaces required in the M-X-T Zone are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.” This memorandum is to provide a parking assessment for the proposed development as required for the M-X-T zone in Section 27-574(a) of the Zoning Ordinance.

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 (1) hour and are to be known as the peak parking demand for each use.” These peak parking numbers are calculated in **Exhibits 1a and 1b** for each individual lot/block as directed in the “Schedule of Parking Spaces” requirements in Section 27-568. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied). 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.

Exhibit 1c shows a 24-hour weekday peak parking demand for each individual use. The hourly diurnal rates are obtained from the *ITE Parking Generation Manual, 6th Edition*. The table also contains the total overall hourly parking demand for the overall project. Considering that each use has different peak parking periods throughout the day, it was calculated that the base parking requirement would be 1,467 parking spaces. The parking supply as currently proposed is 1,474 spaces and therefore, it can be concluded that adequate parking is provided. It should be noted that Section 27-574(b)(3) of the Zoning Ordinance limits



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Transportation Planning & Traffic Engineering

the maximum allowable parking to 115% of the base requirement. Therefore, up to 1,687 parking spaces (1,466 x 115%) may be provided on Blocks 4 and 6 should additional parking be needed under future conditions.

Based on the analysis contained in this memo (1) the site is adequately parked with the land uses proposed as part of DSP-24010, (2) additional parking can be provided up to 1,687 parking spaces without the need for further analysis should it be needed in the future, and (3) the site meets the requirements of Sections 27-568 and 27-574 of the Zoning Ordinance.

Thank you,
Mike Lenhart



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Parking Schedule for Each Individual Lot/Block

Lot/Block	Address	Land Use	Number of Units	Spaces Required per ZO	Total Spaces Required per ZO	
Block 4, Lot 1	4801 Tesla Drive	Office	11,100 square feet	31	136	
		Warehouse	1,300 square feet	3		
		Medical Office	14,760 square feet	74		
		Commercial Trade - Normal Parking Gen.	3,723 square feet	24		
		Commercial Trade - Low Parking Gen.	2,237 square feet	4		
Block 4, Lot 1	4831 Tesla Drive	Office	8,254 square feet	24	108	
		Warehouse	3,405 square feet	4		
		Medical Office	7,800 square feet	39		
		Commercial Trade - Normal Parking Gen.	6,000 square feet	35		
		Commercial Trade - Low Parking Gen.	3,101 square feet	6		
Block 4, Lot 2	4861 Tesla Drive	Office	8,546 square feet	24	88	
		Warehouse	5,714 square feet	6		
		Medical Office	7,500 square feet	38		
		Daycare for Children	7,800 square feet	20		
Block 4, Lot 2	4891 Tesla Drive	Office	3,584 square feet	12	76	
		Commercial Trade - Low Parking Gen.	4,216 square feet	8		
		Performance Arts Rehearsal Studio	21,000 square feet	42		
		Animal Hospital	2,760 square feet	14		
Block 4, Lot 3	4901 Tesla Drive	Office	15,773 square feet	42	142	
		Warehouse	1,507 square feet	3		
		Medical Office	6,780 square feet	34		
		Amusement Center	7,500 square feet	63		
Block 4, Lot 3	4931 Tesla Drive	Office	11,347 square feet	31	173	
		Warehouse	904 square feet	3		
		Commercial Trade - Low Parking Gen.	4,309 square feet	9		
		Billard Hall	10,000 square feet	130		
Block 4, Lot 3	4961 Tesla Drive	Office	15,958 square feet	43	83	
		Medical Office	6,780 square feet	34		
		Commercial Trade - Low Parking Gen.	2,822 square feet	6		
Block 4, Lot 5	17201 Melford Boulevard	Office	24,036 square feet	63	150	
		Commercial Trade - Normal Parking Gen.	16,404 square feet	87		
Block 6, Lot 1	17301 Melford Boulevard	Office	17,134 square feet	46	98	
		Medical Office	4,563 square feet	23		
		Commercial Trade - Low Parking Gen.	14,423 square feet	29		
Block 6, Lot 2	5001 Howerton Way	Office	10,080 square feet	28	75	
		Commercial Trade - Low Parking Gen.	8,280 square feet	17		
		Private School - Adult Education	20,760 square feet	30		
Block 6, Lot 2	5021 Howerton Way	Office	19,830 square feet	53	154	
		Commercial Trade - Normal Parking Gen.	19,290 square feet	101		
Block 6, Lot 7	5041 Howerton Way	Office	17,076 square feet	46	106	
		Warehouse	4,784 square feet	5		
		Commercial Trade - Normal Parking Gen.	8,463 square feet	47		
		Commercial Trade - Low Parking Gen.	4,239 square feet	8		
Block 6, Lot 7	5061 Howerton Way	Office	8,614 square feet	25	73	
		Warehouse	2,954 square feet	4		
		Commercial Trade - Low Parking Gen.	12,425 square feet	25		
Block 6, Lot 7	5081 Howerton Way	Daycare for Children	10,567 square feet	19	66	
		Office	6,358 square feet	19		
Block 6, Lot 7	17341 Melford Boulevard	Commercial Trade - Low Parking Gen.	23,682 square feet	47	100	
		Office	10,074 square feet	28		
		Medical Office	9,676 square feet	48		
			Commercial Trade - Normal Parking Gen.	3,770 square feet	24	
Total:				1628	1628	

Shared Parking Analysis



Parking Schedule using Parking Rates
Contained in the Zoning Ordinance

**Exhibit
1a**

Land Use	Parking Requirement	Total Spaces Required per ZO
Office	1.0 space per 250 SF of the first 2,000 SF plus 1.0 space per 400 SF above the first 2,000 SF	515
Warehouse	3.0 spaces for the first 1,500 SF plus 1.0 space per 1,500 SF above the first 1,500 SF	28
Medical Office	1.0 space per 200 SF	290
Commercial Trade - Normal Parking	1.0 space per 150 SF of the first 3,000 SF plus 1.0 space per 200 SF above the first 3,000 SF	318
Commercial Trade - Low Parking	1.0 space per 500 SF	159
Daycare for Children	1.0 space per 8 children	39
Performance Arts Rehearsal Studio	1.0 space per 500 SF	42
Amusement Center	1.0 space per 4 patrons plus 1.0 space per employee	63
Animal Hospital	1.0 space per 200 SF	14
Billard Hall	4.0 space per table plus 1.0 space per employee	130
Private School - Adult Education	1.0 space per 3 students	30

Total Parking Spaces Required: 1628

Shared Parking Analysis	Peak Parking Demand for Each Type of Use	Exhibit 1b
 LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com		

Hourly Parking Demand per 27-574

Time of Day	Office Hourly Demand (ITE-710)	Office Spaces Needed	Warehouse Hourly Demand (ITE-150)	Warehouse Spaces Needed	Medical Office Hourly Demand (ITE-720)	Medical Office Spaces Needed	Commercial Trade - Normal Parking Hourly Demand (ITE-180)	Commercial Trade - Normal Parking Hourly Demand	Commercial Trade - Low Parking Hourly Demand (ITE-180)	Commercial Trade - Normal Parking Hourly Demand	Daycare Hourly Demand (ITE-565)	Daycare Spaces Needed	Performance Arts Rehearsal Studio Hourly Demand (ITE-492)	Performance Arts Rehearsal Studio Spaces Needed	Amusement Center Hourly Demand (ITE-495)	Amusement Center Spaces Needed	Animal Hospital Hourly Demand (ITE-640)	Animal Hospital Spaces Needed	Billiard Hall Hourly Demand (ITE-438)	Billiard Hall Spaces Needed	Private School - Adult Education Hourly Demand (ITE-540)	Private School - Adult Education Spaces Needed	Total Demand	Supplied	Surplus
12:00-4:00 AM	0%	0	1%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	51%	66	0%	0	66	1474	1408
5:00 AM	0%	0	3%	1	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	1	1474	1473
6:00 AM	0%	0	8%	2	0%	0	5%	16	5%	8	11%	4	0%	0	0%	0	0%	0	0%	0	0%	0	30	1474	1444
7:00 AM	13%	67	27%	8	17%	49	39%	124	39%	62	45%	18	0%	0	58%	37	0%	0	0%	0	0%	0	365	1474	1109
8:00 AM	47%	242	57%	16	47%	136	83%	264	83%	132	89%	35	0%	0	72%	45	55%	8	0%	0	64%	19	897	1474	577
9:00 AM	87%	448	79%	22	82%	238	97%	308	97%	154	93%	36	0%	0	95%	60	58%	8	0%	0	91%	27	1301	1474	173
10:00 AM	99%	510	83%	23	96%	278	99%	315	99%	157	100%	39	65%	27	94%	59	73%	10	0%	0	100%	30	1448	1474	26
11:00 AM	100%	515	87%	24	100%	290	100%	318	100%	159	100%	39	56%	24	95%	60	73%	10	0%	0	93%	28	1467	1474	7
12:00 PM	86%	443	91%	25	88%	255	91%	289	91%	145	97%	38	48%	20	83%	52	55%	8	0%	0	95%	29	1304	1474	170
1:00 PM	84%	433	91%	25	87%	252	94%	299	94%	149	93%	36	47%	20	65%	41	64%	9	0%	0	99%	30	1294	1474	180
2:00 PM	93%	479	97%	27	92%	267	90%	286	90%	143	88%	34	43%	18	56%	35	67%	9	0%	0	94%	28	1326	1474	148
3:00 PM	93%	479	100%	28	90%	261	92%	293	92%	146	82%	32	50%	21	64%	40	82%	11	0%	0	77%	23	1334	1474	140
4:00 PM	85%	438	91%	25	86%	249	88%	280	88%	140	88%	34	72%	30	75%	47	100%	14	0%	0	62%	19	1276	1474	198
5:00 PM	57%	294	74%	21	55%	160	64%	204	64%	102	96%	37	93%	39	84%	53	82%	11	11%	14	0%	0	935	1474	539
6:00 PM	21%	108	47%	13	0%	0	0%	0	0%	0	61%	24	100%	42	100%	63	58%	8	13%	17	0%	0	275	1474	1199
7:00 PM	0%	0	26%	7	0%	0	0%	0	0%	0	0%	0	88%	37	99%	62	0%	0	27%	35	0%	0	141	1474	1333
8:00 PM	0%	0	20%	6	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	58%	75	0%	0	81	1474	1393
9:00 PM	0%	0	17%	5	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	87%	113	0%	0	118	1474	1356
10:00 PM	0%	0	1%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	100%	130	0%	0	130	1474	1344
11:00 PM	0%	0	1%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	80%	104	0%	0	104	1474	1370

Maximum Parked (Base Parking Requirement) = **1467**

Notes:

1. Diurnal hourly rates were obtained from the ITE Parking Generation Manual, 6th Edition.
2. Hourly demand was calculated by multiplying the hourly demand by the total number of spaces required for each land use (see Exhibit 2b).

Shared Parking Analysis

Shared Parking Analysis using Diurnal Rates
Contained in the ITE Parking Generation Manual, 6th Edition

**Exhibit
1c**



MELFORD TOWN CENTER BLOCKS 4 AND 6

LIMITED DETAILED SITE PLAN # DSP-24010

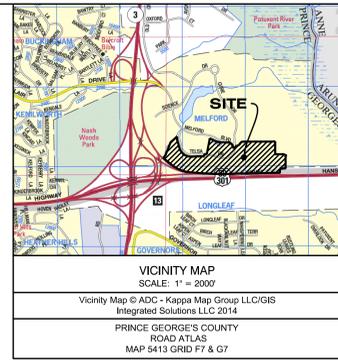
FOR TRUCK COURT PARKING, PLAYGROUND, FENCING AND BOLLARDS ONLY



Dewberry
Engineers Inc. 4601 FORBES BOULEVARD
SUITE 300
LANSDALE, MD 20706
301.731.0551
301.731.0188 (FAX)
www.dewberry.com

APPLICANT
ST. JOHN PROPERTIES, INC.
2560 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244

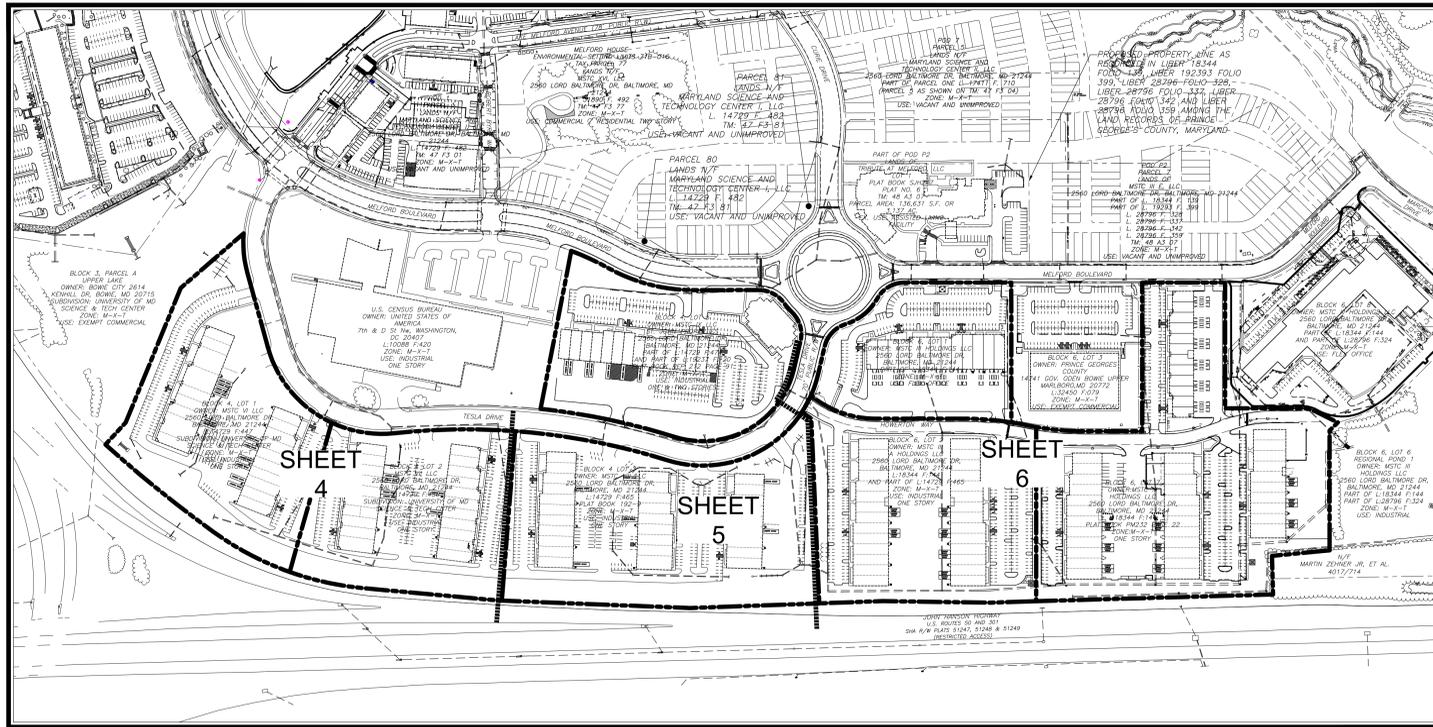
CONTACT
MR. KENNETH FINDLEY
410-369-1298
KFindley@sjpi.com



VICINITY MAP
SCALE: 1" = 2000'
Vicinity Map © ADC - Kappa Map Group LLC/IGIS
Integrated Solutions LLC 2014
PRINCE GEORGE'S COUNTY
ROAD ATLAS
MAP 0413 GRID F7 & G7

GENERAL NOTES

- SUBDIVISION OR PROJECT NAME: MELFORD TOWN CENTER BLOCKS 4 & 6
- TOTAL ACREAGE:
GROSS TRACT AREA: 51.83 AC
100-YEAR FLOODPLAIN: 0.00 AC
DEDICATIONS: 0.00 AC
NEXT TRACT AREA: 51.83 AC
- EXISTING ZONING / USE: M-X-T
- PROPOSED ZONING / USE: M-X-T
- NUMBER OF LOTS, PARCELS, OUTLOTS & OUTPARCELS:
LOTS: 7
PARCELS: 0
OUTLOTS: 0
OUTPARCELS: 0
- BREAKDOWN OF PROPOSED DWELLING UNITS (DU) BY TYPE (RESIDENTIAL USES ONLY):
SINGLE FAMILY DETACHED: 0 DU
SINGLE FAMILY ATTACHED: 0 DU
MULTI-FAMILY: 0 DU
- GROSS FLOOR AREA OF EXISTING & PROPOSED (FLEX SPACE USES ONLY): 483,960 SF
- 200-FOOT MAP REFERENCE NUMBER (WSSC): 207NE15
- TAX MAP NUMBER & GRID: MAP-47 GRID-F3,F4 MAP-48 GRID-A4
- AVIATION POLICY AREA NUMBER AND AIRPORT NAME / MIOZ: N/A
- EXISTING WATER / SEWER DESIGNATION: W-3; S-3
- PROPOSED WATER / SEWER DESIGNATION: W-3; S-3
- STORMWATER MANAGEMENT CONCEPT PLAN NUMBER: 01-0520-207NE15
- 10-FOOT PUBLIC UTILITY EASEMENT ALONG ALL RIGHTS-OF-WAY: YES
- MANDATORY PARK AND PUBLIC RIGHT-OF-WAY DEDICATIONS (IF APPLICABLE, HOW TO BE PROVIDED): N/A - NOT RESIDENTIAL
- CEMETERIES ON OR CONTIGUOUS TO THE PROPERTY (YES OR NO): NO
- HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY (YES OR NO): NO
- STREAMS (YES OR NO): NO
- WETLANDS (YES OR NO): NO
- 100-YEAR FLOODPLAIN (YES OR NO, SOURCE OF INFORMATION): NO
- CHESAPEAKE BAY CRITICAL AREA OVERLAY (YES OR NO): NO
- SOURCE OF TOPOGRAPHY: FROM PRINCE GEORGE'S COUNTY OPEN DATA
- SOURCE OF BOUNDARY: P.B. CH 192, P. 9; P.B. REP 212 P. 91; P.B. PM 232 P. 22; P.B. ME 258 P. 14
- PRIOR APPROVALS:
CSP-06002-01 (BLOCK 4, LOT 1-3 & 5; BLOCK 6, LOT 1-2 & 7)
PPS 4-98076 (BLOCK 4, LOT 1-3 & 5)
PPS 4-07055 (BLOCK 6, LOT 1-2 & 7)
TCP1-044 (BLOCK 4, LOT 1-3 & 5; BLOCK 6, LOT 1-2 & 7)
DSP-21007 (BLOCK 4, LOT 1-2)
SDP-0201 (BLOCK 4, LOT 3)
SDP-0402 (BLOCK 4, LOT 5)
DSP-07031-05 (BLOCK 6, LOT 1-2 & 7)
TCP2-036-99 (BLOCK 4, LOT 1-3 & 5; BLOCK 6, LOT 1-2 & 7)
- OWNER & APPLICANT:
OWNER: MSTC VI LLC, MSTC VII LLC, MSTC VIII LLC, MSTC IX LLC, MSTC III A LLC, MSTC III B HOLDINGS LLC, & MSTC III HOLDINGS LLC
2560 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244
APPLICANT: ST. JOHN PROPERTIES, INC.
2560 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244
CONTACT: KENNETH FINDLEY
CONTACT PHONE: 410.369.1298



SHEET INDEX

- COVER
- LEGEND
- APPROVALS
- 50 SCALE - SITE PLAN
- 50 SCALE - SITE PLAN
- SITE DETAILS

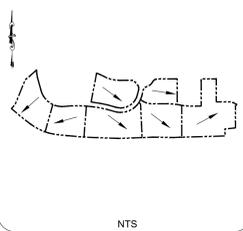
SITE STATISTICS

SITE	TOTAL
GROSS TRACT AREA	51.83 AC
EXISTING 100-YEAR FLOODPLAIN	0.00 AC
NET TRACT AREA	51.83 AC
EXISTING WOODLAND IN THE FLOODPLAIN	0.00 AC
EXISTING WOODLAND NET TRACT	0.00 AC
EXISTING PMA	0.00 AC
REGULATED STREAMS (LINEAR FEET OF CENTERLINE)	±0.00 LF

1 LOCATION PLAN

1

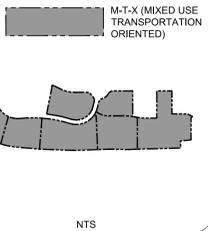
2 DRAINAGE AREA MAP



2 PROP. DRAINAGE AREA MAP

SCALE: NOT TO SCALE
NOTE: REFER TO SITE DEVELOPMENT CONCEPT PLAN

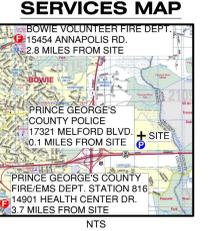
3 ZONING MAP



3 ZONING MAP

SCALE: NOT TO SCALE

4 EMERGENCY SERVICES MAP



4 EMERGENCY SERVICES MAP

SCALE: NOT TO SCALE

LOT SUMMARY

BLOCK	LOT	OWNER	APPROVED DSP/SDP
4	1	MSTC VI LLC.	DSP-21007
4	2	MSTC VII LLC.	DSP-21007
4	3	MSTC VIII LLC.	SDP-0201
4	5	MSTC IX LLC.	SDP-0402
6	1	MSTC III HOLDINGS LLC.	DSP-07031-05
6	2	MSTC III A HOLDINGS LLC.	DSP-07031-05
6	7	MSTC III HOLDINGS LLC.	DSP-07031-05

PARKING SCHEDULE

PER PRINCE GEORGE'S COUNTY CODE OF ORDINANCES, SUBTITLE 27, PART 11 - SUBSECTION 27-568.

LOT/BLOCK	ADDRESS	TOTAL SF	CURRENT BREAKDOWN OF USES (SF)					PARKING RATE	REQUIRED PARKING (INCL. ADA)	REQUIRED ADA PARKING	PROVIDED PARKING (INCL. ADA)	PROVIDED ADA PARKING
			OFFICE	WAREHOUSE	EDUCATIONAL	ANIMAL HOSPITAL	BILLIARD HALL					
BLOCK 4, LOT 1	4801 TESLA DR. 4831 TESLA DR.	33,120 28,560	25,860 17,880	7,260 10,680	0	0	0	75	3	145	4	
LOT TOTAL		61,680	43,740	17,960	0	0		132	6	213	8	
BLOCK 4, LOT 2	4861 TESLA DR. 4891 TESLA DR.	29,560 31,560	14,980 4,378	6,770 12,422	7,800 12,000	0	2,760	0	0	90	4	
LOT TOTAL		61,120	19,358	19,192	19,800	0	2,760	0	0	186	8	
BLOCK 4, LOT 3	4901 TESLA DR. 4931 TESLA DR. 4961 TESLA DR.	31,560 26,560 25,560	23,273 11,347 14,918	8,287 5,213 10,642	0	0	10,000	0	0	106	4	
LOT TOTAL		83,680	45,538	24,142	10,642	0	10,000	0	0	212	8	
BLOCK 4, LOT 5*	17201 MELFORD BLVD	40,440	24,036	16,404	0	0	0	0	0	154	4	
BLOCK 6, LOT 1	17301 MELFORD BLVD	36,120	17,134	18,986	0	0	0	0	0	137	6	
BLOCK 6, LOT 2	5001 HOWERTON WAY 5021 HOWERTON WAY	39,120 39,120	24,953 19,830	14,167 19,290	0	0	0	0	0	78	4	
LOT TOTAL		78,240	44,883	38,176	0	0	0	0	0	215	10	
BLOCK 6, LOT 7	5041 HOWERTON WAY 5061 HOWERTON WAY 5081 HOWERTON WAY	34,560 34,560 30,040	17,076 8,614 6,358	17,486 15,379 23,682	0	0	0	0	0	94	4	
LOT TOTAL		99,160	32,068	57,147	10,567	0	0	0	0	66	4	
BLOCK 6, LOT 7	17341 MELFORD BLVD.	23,520	10,074	13,446	0	0	0	0	0	154	8	
LOT TOTAL		47,040	20,118	26,892	0	0	0	0	0	71	4	
TOTAL FOR ALL FLEX BUILDINGS		483,960	240,721	200,114	30,367	2,760	10,000	1,012	46	1,474	61	
*FOR PURPOSES OF THIS DSP, BLOCK 4, LOT 5 PARKING COUNT EXCLUDES SPACES ASSUMED TO BE ALLOCATED FOR 17251 MELFORD BLVD. (OFFICE USE)												

FOR ENTITLEMENT PURPOSES ONLY. NOT FOR CONSTRUCTION.

NOTE:
FOR LOCATION OF UTILITIES CALL
8-1-1 OR 1-800-257-7177
OR LOG ON TO
www.c98911.com
http://www.misutility.net
48 HOURS IN ADVANCE OF ANY WORK
IN THIS VICINITY
INFORMATION CONCERNING UNDERGROUND
UTILITIES WAS OBTAINED FROM AVAILABLE
RECORDS BUT THE CONTRACTOR MUST
DETERMINE THE EXACT LOCATION AND
ELEVATION OF THE MANS BY DIGGING TEST PITS
BY HAND AT ALL UTILITY CROSSINGS WELL IN
ADVANCE OF THE START OF EXCAVATION.

NOTE: STORMWATER, GRADING, STORM DRAIN, AND PAVING PLANS SUBJECT TO CHANGE / APPROVAL BY PRINCE GEORGE'S COUNTY DPHE. REFER TO APPROVED PERMIT PLANS FOR CONSTRUCTION.

MELFORD
LIMITED DETAILED SITE PLAN
LDSP # DSP-24010
PRINCE GEORGE'S COUNTY, MD
7TH ELECTION DISTRICT
MAP 0047 - F4
WSSC 200 FOOT MAP: 207NE15



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
LANDSCAPE ARCHITECT UNDER THE LAWS OF
THE STATE OF MARYLAND.
LICENSE NO. 4170
EXPIRATION DATE: 10.11.26

KEY PLAN



SCALE

AS-SHOWN

No.	DATE	BY	Description

DRAWN BY: JCT
APPROVED BY: PMS
CHECKED BY: RL
DATE: JAN. 2025

TITLE
MELFORD
LIMITED
DETAILED SITE PLAN
COVER

DEWBERRY JOB NO. 50128009



03/10/2025
PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
LANDSCAPE ARCHITECT UNDER THE LAWS OF
THE STATE OF MARYLAND.
LICENSE NO. 4170
EXPIRATION DATE: 10.11.26

KEY PLAN



SCALE
0 50' 100'
SCALE: 1"=50'

No.	DATE	BY	Description

REVISIONS

DRAWN BY JCT
APPROVED BY PMS
CHECKED BY RL
DATE JAN. 2025

TITLE
**MELFORD
LIMITED
DETAILED SITE PLAN
PLAN**

DEWBERRY JOB NO. 50128009



FOR ENTITLEMENT PURPOSES ONLY. NOT FOR CONSTRUCTION.

NOTE
FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777 OR LOG ON TO www.ci811.com http://www.misutility.net
48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY

INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF THE MAINS BY DIGGING TEST FITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF THE START OF EXCAVATION.

NOTE: STORMWATER, GRADING, STORM DRAIN, AND PAVING PLANS SUBJECT TO CHANGE / APPROVAL BY PRINCE GEORGES COUNTY DPE. REFER TO APPROVED PERMIT PLANS FOR CONSTRUCTION.



F
E
D
C
B
A

1 2 3 4 5 6

C:\0128009\CAD\CADD\MMP\CDSP-24010\LDSP-24010\LDSP-24010.dwg, 8/22/2024, 2:22:50 PM, ARCH LUL BHEAF ET (3/10/2024, 4:2:00) (sheet)

MELFORD
LIMITED DETAILED SITE PLAN
LDSP # DSP-24010
PRINCE GEORGES COUNTY, MD
7TH ELECTION DISTRICT
MAP 0047 - F4
WSSC 200 FOOT MAP: 207NE15

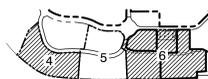


03/10/2025

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
LANDSCAPE ARCHITECT UNDER THE LAWS OF
THE STATE OF MARYLAND.

LICENSE NO. 4170
EXPIRATION DATE: 10.11.26

KEY PLAN



SCALE
0 50' 100'
SCALE: 1"=50'

No.	DATE	BY	Description

REVISIONS

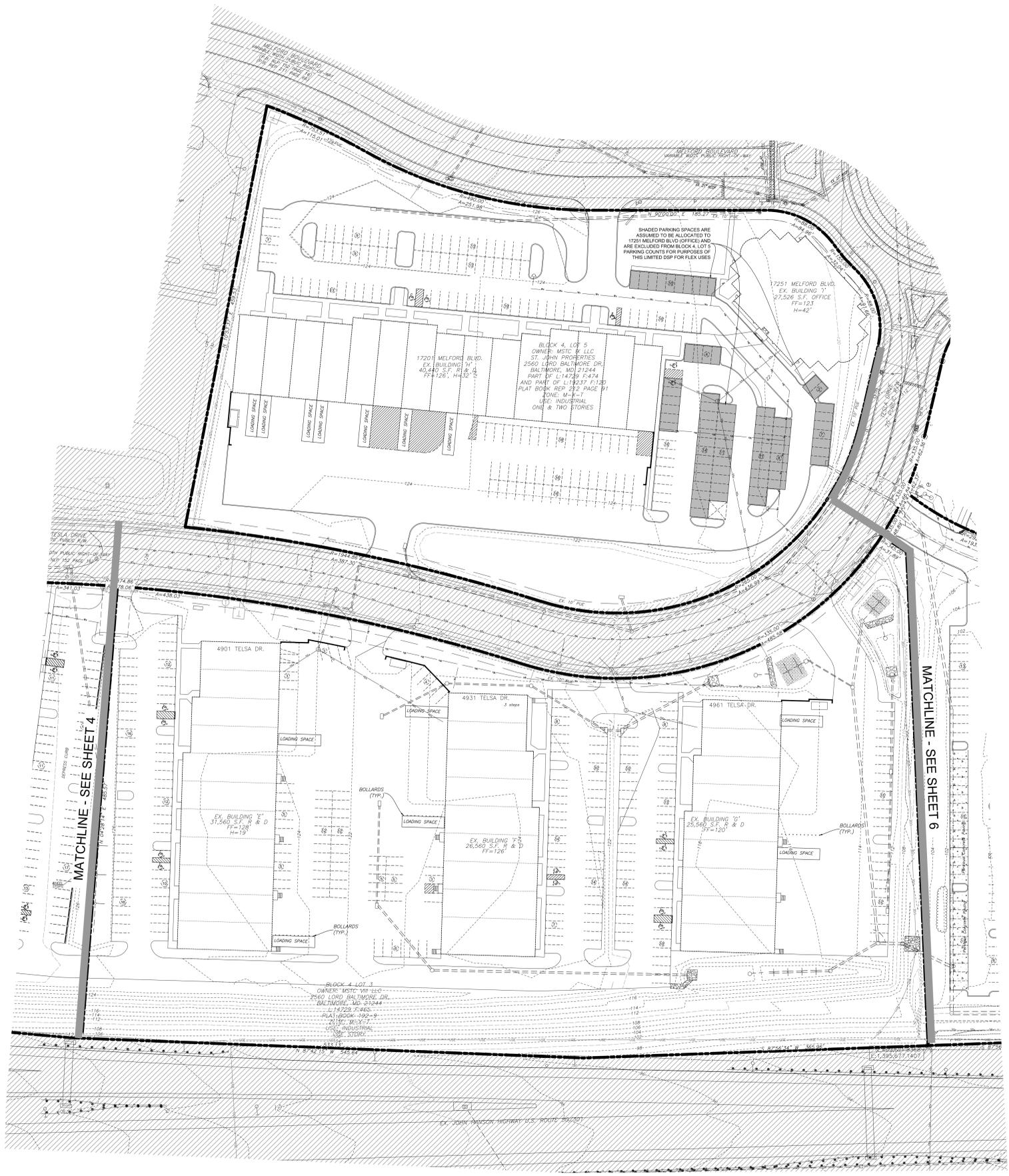
DRAWN BY JCT
APPROVED BY PMS
CHECKED BY RL
DATE JAN. 2025

TITLE
MELFORD
LIMITED
DETAILED SITE PLAN
PLAN

DEWBERRY JOB NO. 50128009

5

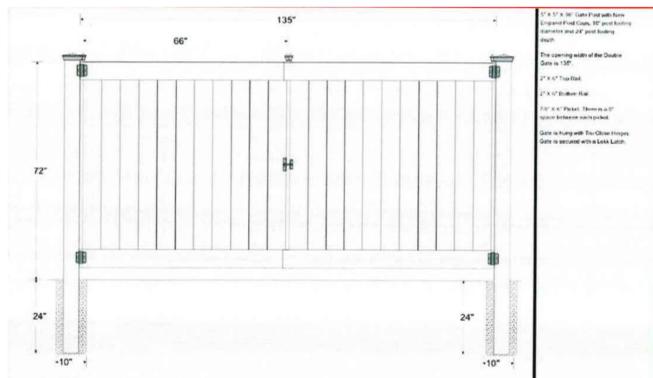
SHEET NO. 5 OF 8



FOR ENTITLEMENT PURPOSES ONLY. NOT FOR CONSTRUCTION.

NOTE
FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777 OR LOG ON TO www.ci@811.com http://www.misutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY
INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF THE MANS BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF THE START OF EXCAVATION.

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FENCE & DECK CONNECTION
RESIDENTIAL & COMMERCIAL

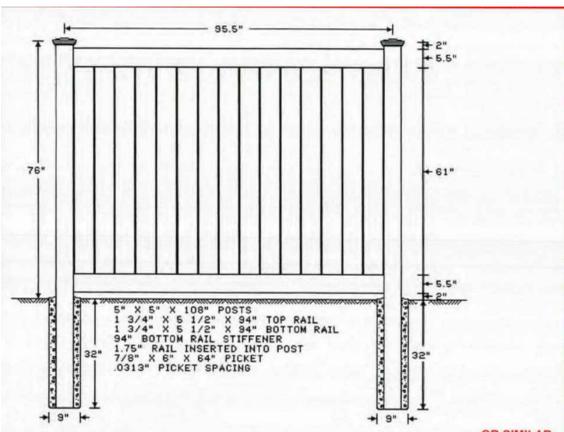
Fence & Deck Connection
8057 Veterans Hwy
Millersville, MD 21108
(410) 969-4444

72" X 135" PVC Double Drive Gate

Drawn: 2/22/2021
File:

OR SIMILAR

- 1**
7
- 72"X135" PVC MAINTENANCE GATE**
SCALE: NTS
- NOTE:
- COLOR: WHITE OR TAN
 - INSTALLATION PER MANUFACTURERS SPECIFICATIONS.
 - SHOP DRAWING SHALL BE SUBMITTED AND APPROVED BY PRINCE GEORGE'S COUNTY, OWNER, OR OWNERS AGENT, PRIOR TO CONSTRUCTION.
 - SUBJECT TO GEOTECHNICAL AND STRUCTURAL RECOMMENDATIONS BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MARYLAND.
 - OR APPROVED EQUIVALENT EQUAL.



FENCE & DECK CONNECTION
RESIDENTIAL & COMMERCIAL

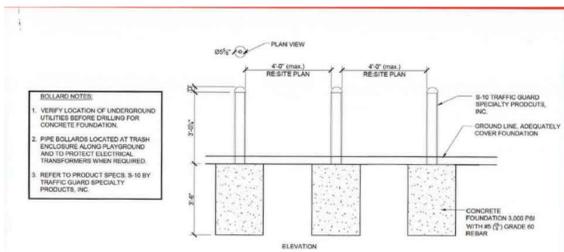
Fence & Deck Connection
8057 Veterans Hwy
Millersville, MD 21108
(410) 969-4444

6' VINYL PRIVACY FENCE

Drawn BY: 02/22/21
REVISED: 02/22/21
SCALE: 1/2" = 1'-0"
FILE: 1 of 1

OR SIMILAR

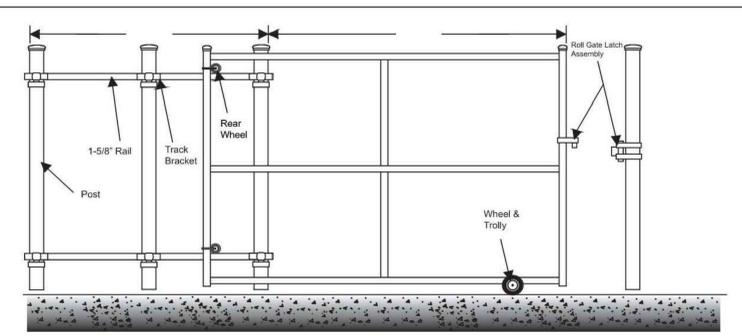
- 2**
7
- 6' VINYL PRIVACY FENCE**
SCALE: NTS
- NOTE:
- COLOR: WHITE OR TAN
 - INSTALLATION PER MANUFACTURERS SPECIFICATIONS.
 - SHOP DRAWING SHALL BE SUBMITTED AND APPROVED BY PRINCE GEORGE'S COUNTY, OWNER, OR OWNERS AGENT, PRIOR TO CONSTRUCTION.
 - SUBJECT TO GEOTECHNICAL AND STRUCTURAL RECOMMENDATIONS BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MARYLAND.
 - OR APPROVED EQUIVALENT EQUAL.



10 SHAFT FOOTING BOLLARD (DISTANCE > 4'-0")
SCALE: 1/2" = 1'-0"

OR SIMILAR

- 3**
7
- 6" BOLLARD**
SCALE: NTS
- NOTE:
- INSTALLATION PER MANUFACTURERS SPECIFICATIONS.
 - SHOP DRAWING SHALL BE SUBMITTED AND APPROVED BY PRINCE GEORGE'S COUNTY, OWNER, OR OWNERS AGENT, PRIOR TO CONSTRUCTION.
 - SUBJECT TO GEOTECHNICAL AND STRUCTURAL RECOMMENDATIONS BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MARYLAND.
 - OR APPROVED EQUIVALENT EQUAL.



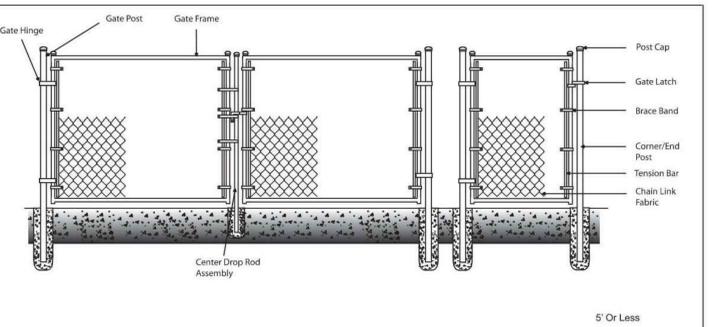
STEPHENS PIPE & STEEL SPS Standard Chainlink Systems

Typical Roll Gate

Project: Joshua Stidham
Drawing NO: RL-G-

REVISD 07-11-06

- 4**
7
- TYPICAL ROLL GATE**
SCALE: NTS
- NOTE:
- INSTALLATION PER MANUFACTURERS SPECIFICATIONS.
 - SHOP DRAWING SHALL BE SUBMITTED AND APPROVED BY PRINCE GEORGE'S COUNTY, OWNER, OR OWNERS AGENT, PRIOR TO CONSTRUCTION.
 - SUBJECT TO GEOTECHNICAL AND STRUCTURAL RECOMMENDATIONS BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MARYLAND.
 - OR APPROVED EQUIVALENT EQUAL.



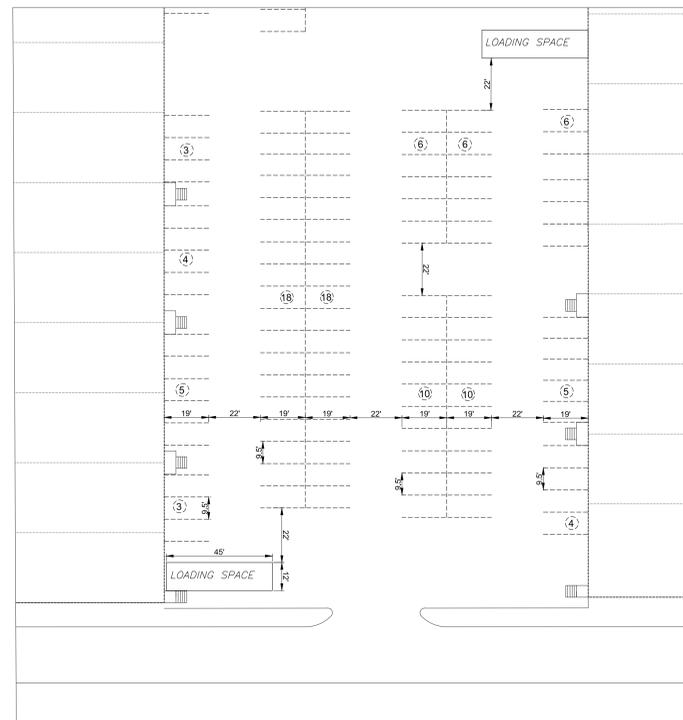
STEPHENS PIPE & STEEL Standard Chain Link Fencing

Standard ChainLink Gate Detail

Project: Joshua Stidham
Drawing NO: SPS-CL-16R2-SMALL

Last Revised: 10-03-06

- 5**
7
- STANDARD CHAIN LINK FENCING**
SCALE: NTS
- NOTE:
- INSTALLATION PER MANUFACTURERS SPECIFICATIONS.
 - SHOP DRAWING SHALL BE SUBMITTED AND APPROVED BY PRINCE GEORGE'S COUNTY, OWNER, OR OWNERS AGENT, PRIOR TO CONSTRUCTION.
 - SUBJECT TO GEOTECHNICAL AND STRUCTURAL RECOMMENDATIONS BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MARYLAND.
 - OR APPROVED EQUIVALENT EQUAL.



- 6**
7
- TYPICAL TRUCK COURT PARKING STRIPING DETAIL**
SCALE: 1" = 30'
- NOTE:
- MAY BE DONE ON AS NEEDED BASIS AT TIME OF TENANT FIT OUT.
 - IF TRUCK COURT IS CONVERTED TO ADDITIONAL PARKING, MINIMUM REQUIRED LOADING SPACES MUST BE MAINTAINED PURSUANT TO PRINCE GEORGE'S COUNTY ZONING ORDINANCE.

NOTE:
FOR LOCATION OF UTILITIES CALL
8-1-1 OR 1-800-257-7177
OR LOG ON TO
www.ci@811.com
http://www.misutility.net
48 HOURS IN ADVANCE OF ANY WORK
IN THIS VICINITY

INFORMATION CONCERNING UNDERGROUND
UTILITIES WAS OBTAINED FROM AVAILABLE
RECORDS BUT THE CONTRACTOR MUST
DETERMINE THE EXACT LOCATION AND
ELEVATION OF THE MANS BY DIGGING TEST PITS
BY HAND AT ALL UTILITY CROSSINGS WELL IN
ADVANCE OF THE START OF EXCAVATION.

THESE PLANS ARE NOT VALID OR
APPROVED UNLESS STAMPED BY THE
AGENCY SHOWN HERE.



Dewberry Engineers Inc.
4601 FORBES BOULEVARD
SUITE 300
LANSDALE, MD 20706
301.731.0591
301.731.0188 (FAX)
www.dewberry.com

APPLICANT
ST. JOHN PROPERTIES, INC.
2560 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244

CONTACT
MR. KENNETH FINDLEY
410-369-1298
KFindley@sjpi.com

MELFORD LIMITED DETAILED SITE PLAN
LDSP # DSP-24010
PRINCE GEORGES COUNTY, MD
7TH ELECTION DISTRICT
MAP 0047 - F4
WSSC 200 FOOT MAP-207NE15

SEAL

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
LANDSCAPE ARCHITECT UNDER THE LAWS OF
THE STATE OF MARYLAND.
LICENSE NO. 4170
EXPIRATION DATE: 10.11.26

KEY PLAN

SCALE

AS-SHOWN

No.	DATE	BY	Description
REVISIONS			
DRAWN BY: JCT			
APPROVED BY: PMS			
CHECKED BY: RL			
DATE: JAN. 2025			

TITLE
MELFORD LIMITED DETAILED SITE PLAN
SITE DETAILS

DEWBERRY JOB NO. 50128009



March 14, 2025

MEMORANDUM

TO: David Myerholtz, Planner III, Urban Design Section, Development Review Division

VIA: N. Andrew Bishop, Planner IV, Long-Range Planning Section, Community Planning Division *NAB*

VIA: Kierre McCune, Supervisor, Master Plans and Studies Section, Community Planning Division *KM*

FROM: Thomas Lester, Planner IV, Master Plans and Studies Section, Community Planning Division *TEL*

SUBJECT: DSP-24010 Melford Town Center (Block 4 & 6)

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 3 of the Prior Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Detailed Site Plan for property located outside of an overlay zone.

Planning Area: 71B

Community: City of Bowie

Location: Located at the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301).

Size: 51.83 acres

Existing Uses: Industrial

Future Land Use: Mixed-Use

Proposal: Approval of shared parking and within the existing flex space buildings and re-purposing of loading spaces on site. This limited Detailed Site Plan also includes the installation of bollards, play equipment, and fencing in a truck court for day care uses within the flex space.

Zoning: Town Activity Center - Edge

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

Applicable Zoning Ordinance: Prior Zoning Ordinance

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: The 2014 *Plan Prince George's 2034 Approved General Plan* places this application in a Local Center. **Bowie Local Town Center** is identified as one of 26 Local Centers on the Prince George's County Growth Policy Map (p. 18). "Local Centers are focal points for development and civic activities based on their access to transit or major highways. The plan contains recommendations for directing medium- to medium-high residential development along with limited commercial uses to these locations, rather than scatter them throughout the Established Communities." (p. 19)

The Plan 2035 Center Classification System (Table 16, p. 108) further describes Bowie Town Center (Local) as one of five Town Centers (Local) as "A range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall, the Centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. These centers typically have a walkable core or town center." (p. 108)

Master Plan: The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* recommends **Mixed-Use land use** for the subject property.

Analysis: *The proposed use conforms with the recommended land use because the introduction of daycare use to the existing flex space adds to the overall mix of uses within the Melford community.*

The master plan recommends the following policies and strategies to advance the intent and purpose of the plan:

Land Use

- **Policy LU 5** Reinforce Bowie Local Town Center as the focal point of Bowie-Mitchellville and Vicinity by concentrating new development with a mix of uses (p. 63).
 - **LU 5.5** Melford should continue to develop pursuant to its approved Conceptual Site Plans (p. 63).

Analysis: *The application conforms with Strategy LU 5.5, which emphasizes that Melford should be developed in accordance with its approved Conceptual Site Plans (CSP-06002 and subsequent amendment CSP-06002-01). The subject application proposes a minor modification to the initial conceptual site plan, and it is anticipated that minor adjustments may occur throughout the development process. If these modifications remain consistent with the overarching intent and objectives of the original conceptual plan, they are permissible under this strategy. The project maintains adherence to the overall concept, ensuring that it continues to support the established vision for Melford's development.*

Transportation and Mobility

- **Policy TM 1** All streets serving properties in Plan 2035-designated Centers and/or zoned for commercial, multifamily, or mixed uses should incorporate active

transportation and pedestrian/bicycle safety features, attractive streetscaping, and modern stormwater management best practices (p. 112).

- **TM 1.1** Reconstruct all existing streets in the following locations to the appropriate urban street design standard within the 2017 Prince George's County Urban Street Design Standards or most up-to-date County-approved urban street standards. Roadways maintained by the Maryland Department of Transportation State Highway Administration are to follow context-driven design guidelines for urban areas: Bowie Local Town Center (p. 112).
- **Policy TM 2** All streets in Bowie-Mitchellville and Vicinity should accommodate traffic at Plan 2035-recommended levels of service (LOS) (p. 113).
 - **TM 2.1** Design all streets in Bowie Local Town Center and the BSU MARC Campus Center to allow operation at LOS E or the appropriate Plan 2035 Center Level of Service (p. 113).
- **Policy TM 11** Diversify how parking is provided to create a vibrant and connected built environment (p. 127).
 - **TM 11.5** Include on-street parking on all new and reconstructed streets at Bowie Local Town Center and BSU MARC Campus Center (p. 127).

Analysis: *This application is limited in scope and proposes minor modifications to a developed property within the Melford development. The proposal is consistent with prior applications and provides a flexible parking option that improves vehicular circulation and repurposes unused loading spaces parking at the existing flex space buildings. No new or modified transportation infrastructure is proposed with this application.*

- **Policy TM 3** Enhance active transportation infrastructure to create greater quality of life and attract businesses and employees (p. 113).
 - **TM 3.1** Ensure all streets in Bowie-Mitchellville and Vicinity's Centers and Established Communities have sidewalks (p. 113).
 - **TM 3.3** Provide marked crosswalks on all legs of all intersections (p. 113).
- **Policy TM 9** Create a pedestrian-priority environment at locations with anticipated high-level pedestrian activity (p. 126).
 - **TM 9.1** Implement pedestrian-priority improvements, including, but not limited to, tactile pavers and other special materials, painted intersections, raised intersections, and countdown clocks, or diagonal crossings at the following intersections: All new intersections constructed in the Bowie Local Town Center (p. 126).

Analysis: *The Melford development is constructed with at least four-foot-wide sidewalks along main roads including Tesla Drive, Howerton Way, and Melford Boulevard. The shared parking proposed with this application will improve the efficiency of the existing businesses and does not impact any existing intersections where pedestrian improvements would be recommended.*

Housing and Neighborhoods

- **Policy HN 3** Encourage exterior home improvements that enhance the appearance and perceived safety of neighborhoods (p. 154).

- **HN 3.3** Implement Crime Prevention Through Environmental Design (CPTED) strategies with new and redeveloped projects that include unobstructed pedestrian-friendly sidewalks, well-lit parking areas, building entrances and yards, and well-maintained landscaping and common areas (p. 155).

Analysis: *Staff recommend that the applicant work with the Urban Design Section to determine if the site selection for the proposed play area aligns with general CPTED principles that promote the safety of the users.*

- **Policy HD 5** Create an inviting, walkable public realm that serves as a framework for a dynamic, mixed-use destination (p. 163).
 - **HD 5.4** Locate utility lines underground, whenever feasible (p. 163).

Analysis: *This application is limited in scope and does not modify existing infrastructure. Nonetheless, the Melford development was developed with utility lines placed underground where feasible.*

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

SMA/Zoning: The 2024 Approved Bowie-Mitchellville and Vicinity Sectional Map Amendment retained the subject property into the Town Activity Center – Edge (TAC-E) Zone.



Countywide Planning Division
Historic Preservation Section

301-952-3680

February 24, 2025

MEMORANDUM

TO: David Myerholtz, Urban Design Section, Development Review Division

VIA: Thomas Gross, Planning Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **Age**

SUBJECT: DSP-24010 Melford Town Center – Blocks 4 and 6

The subject property comprises 51.83 acres and is located south of Melford Boulevard and Tesla Drive, in Bowie. The subject property is zoned Mixed Used Transportation-Oriented (M-X-T), per the prior Zoning Ordinance, and is within the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* area. The subject Limited Detailed Site Plan proposes shared parking within existing flex space buildings; the option to repurpose unused truck/loading spaces in the rear of flex space buildings for vehicle parking, and the option to install bollards, play equipment and fencing in a truck court for day care uses occupying the flex space.

The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* contains goals and policies related to historic preservation (pages 156-165) and the Melford Historic Site (71B-016). However, these are not specific to the subject application.

The subject property is currently developed, and the subject application proposes minimal ground disturbance. The subject property does not contain and is not adjacent to, any designated Prince George's County Historic Sites or resources. Historic Preservation staff recommends approval of DSP-24010, Melford Town Center Blocks 4 and 6, with no conditions.



March 18, 2025

MEMORANDUM

TO: David Myerholtz, Urban Design Review Section, Development Review Division

FROM: *BAP* Benjamin Patrick, Transportation Planning Section, Countywide Planning Division

VIA: *NS* Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-24010 Melford Town Center Block 4 & 6

Prior Conditions of Approval

The site is subject to Conceptual Site Plan (CSP)-06002-01, while portions of the site are subject Preliminary Plan of Subdivision (PPS) 4-07055, and various DSP and Specific Design Plan (SDP) approvals. The relevant conditions of approval related to transportation adequacy, access, and circulation from prior approvals remain in effect upon approval of the subject application.

Comment: The current application proposes standard details related to the truck court parking areas generally located south of Melford Boulevard and Tesla Drive. There is no increase in the total square footage evaluated under prior approvals and the Transportation Planning Section (TPS) find that the proposal is within the established trip cap.

Master Plan Compliance

This application is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (BMVMP).

Master Plan Roads

The site's frontage along Melford Boulevard, Howerton Way, and Tesla Drive are not identified as master planned roadways in the MPOT or BMVMP. The current application proposes standard details related to the truck court parking areas located outside of the public right-of-way (ROW).

Master Plan Pedestrian and Bike Facilities

There are no recommended master planned facilities in either the MPOT or 2022 BMVMP for the current application. In general, sidewalks exist along Melford Boulevard, Howerton Way, and Tesla Drive that facilitate a continuous network of sidewalks throughout the subject site.

Transportation Planning Review

Zoning Ordinance Compliance

Section 27-283 of the Prince George’s County Zoning Ordinance (Ordinance) provides guidance for detailed site plans. The section references the following design guidelines described in Section 27-274(a):

(2) Parking, loading, and circulation

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

(ix) Pedestrian and vehicular routes should generally be separate and clearly marked.

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques

(xi) Barrier-free pathways to accommodate the handicapped should be provided

Comment: Staff recommend any proposed surface parking that provides efficient vehicular and pedestrian circulation. Loading areas should be located strategically to minimize conflicts. Also provide marked and separated pedestrian and vehicular routes. All vehicular drive aisles shall be a minimum of 22 feet wide to accommodate two-way vehicular traffic and emergency vehicles.

Additionally, Section 27-546 discusses transportation requirements in the M-X-T Zone and are copied below.

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

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

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

Comment: Staff recommend that crosswalks for pedestrians be provided spanning vehicular travel lanes that are clearly marked and separated where applicable. Any proposed revisions by individual tenants to parking areas shall include the entire parking area and clearly identify loading spaces, striping details, and pedestrian facilities both proposed and existing.

Any revisions to loading areas may require an updated truck turning plan to address circulation at the time of building permit.

Recommendations

Based on the findings presented above, staff conclude that the vehicular, pedestrian, and bicycle access and circulation for this plan are acceptable, consistent with the site design guidelines pursuant to Section 27, and meets the findings for pedestrian and bicycle transportation purposes if the following conditions are met:

1. At the time of permit, the applicant and the applicant's heirs, successors, and/or assigns shall show these facilities as part of the site plan:

- a. Clearly identify loading spaces, striping details, and pedestrian facilities both proposed and existing.
- b. Designated pathways for pedestrians throughout the site to all uses and through surface parking lots.
- c. Provide crosswalks spanning vehicular travel lanes throughout the site.
- d. Any modifications that substantially alter the circulation on site are required to submit updated truck turning plan.



March 14, 2025

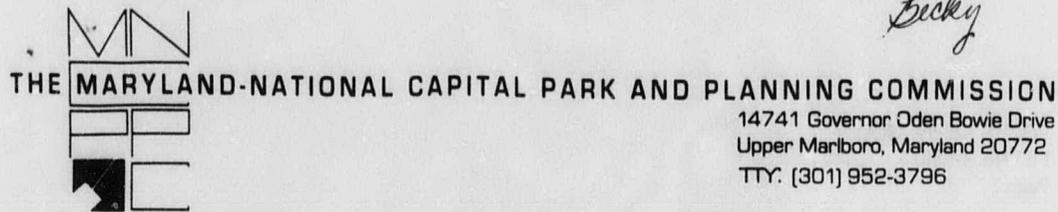
MEMORANDUM

TO: David Myerholtz, Planner III, Urban Design Section

FROM: Alice Jacobs, Planning Technician III, Permit Review Section *AJS*

SUBJECT: DSP-24010 – Melford Town Center

1. The Permit Review Section offers no comments on this application at this time. The property is zoned M-X-T and the standards are set by the Planning Board.



Becky

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

PGCPB No. 99-28(A)

File No. 4-98076

AMENDED RESOLUTION

WHEREAS, Science Center Asso., et al., are the owners of a 153.20-acre parcel of land known as Maryland Science and Technical Center (Parcels A-C, E-H, Block 1; Parcels B and C, Block 2; Parcels A-D, Block e; Parcels A, D and E, Block 4), said property being in the 7th Election District of Prince George's County, Maryland, and being zoned E-I-A; and

WHEREAS, on November 20, 1998, University of Maryland Foundation, et al., filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 16 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-98076, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on February 4, 1999, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on February 4, 1999, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

WHEREAS, by letter dated May 26, 2000, Lisa L. Jackson, attorney for the applicant, requested a waiver of the Planning Board Rules of Procedure and a reconsideration of Condition 12 of the original approval; and

WHEREAS, on June 22, 2000, the Planning Board approved a waiver of the rules and approved the reconsideration request; and

WHEREAS, the Planning Board finds that the imposition of the original Condition 12, requiring a security and maintenance agreement was an error in that it was not an appropriate tool to ensure the continued maintenance and security of the historic site; and

WHEREAS, the Planning Board heard testimony from the applicant, staff and the City of Bowie regarding the merits of amending original Condition 12, on September 28, 2000; and

WHEREAS, after hearing the testimony, the Planning Board agreed that Condition 12 should be amended, based on revised findings included in this amended resolution.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree

Underlining denotes addition

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File No. 4-98076
Page 2

Conservation Plan (TCPI/44/98), and further APPROVED Preliminary Plat of Subdivision 4-98076 with the following conditions:

1. Development of this site shall be in conformance with the approved Basic Plan (A-9401) and the approved Comprehensive Design Plan (CDP-8601), as amended or otherwise provided.
2. Development of this site shall be in conformance with the approved stormwater management concept plan. The approval number and date shall be added to the preliminary plat prior to signature approval.
3. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP I/44/98) or as modified by the Type II TCP. The following note shall be placed on the Final Plat of Subdivision:

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/44/98), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."

4. With the approval of specific design plans, a Type II Tree Conservation Plan shall be approved.
5. Prior to the issuance of any permit which impacts wetland buffer, streams, waters of the U.S. or waters of the State, the applicant shall provide the Natural Resources Division with evidence that all Federal and State approvals have been obtained.
6. A minimum buffer of 50 feet in width shall be shown along the banks of all streams within the property and shall be expanded to include the 100-year floodplain, non-tidal wetlands, steep slopes of 25 percent and greater and slopes of 15-24 percent having soils erodibility factor 0.35 and greater. Such a buffer shall be reviewed by the Natural Resources Division prior to the Specific Design Plan approval.
7. At the time of final plat, a Conservation Easement shall be described by bearings and distances. The conservation easement shall contain all 100-year floodplain and stream buffers and be reviewed by the Natural Resources Division prior to certificate approval. The following note shall be placed on the Plat:

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

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8. Prior to signature approval of the preliminary plat, the Type I Tree Conservation Plan shall be revised as follows:
 - a. The TCP shall reflect off-site mitigation and not a fee-in-lieu.
 - b. A note shall be added to the TCP indicating that, if off-site mitigation is not feasible at the time of Type II approval, then a fee-in-lieu would be used for portion of the requirement.
9. Prior to signature approval, the preliminary plat shall be revised as follows:
 - a. The road labeled "Old Crain Highway" shall be relabelled "Old Crain Drive."
 - b. Plat references and acreage shall be provided for the IDA parcel, the Census Bureau parcel and the State of Maryland parcel in Pod 4.
10. The following note shall be placed on the final plat:

"An automatic fire suppression system shall be provided in all proposed buildings."
11. Prior to signature approval of the preliminary plat, the applicant shall demonstrate that Condition 14 of the Comprehensive Design Plan approval (CDP-8601) has been satisfied which requires approved floodplain for streams draining watersheds "B" and "C."
12. [Prior to signature approval of this preliminary plat, the applicant, his heirs, successors and/or assigns shall provide evidence of a security and maintenance agreement for the protection of the Melford House and grounds which, with the advice from the Historic Preservation Commission, shall be acceptable to the Planning Board and/or its designee. The maintenance agreement may be modified with the approval of the Planning Board and/or its designee. This agreement may be terminated upon approval of the Planning Board.]

Prior to signature approval, the applicant, his heirs, successors and/or assigns shall provide evidence that the following items have either been implemented or constructed:

- a. Maintenance of utilities and fire insurance (submit copy of annual advance payment and contract).
- b. A burglar alarm system, with motion detectors and intrusion sensors on all windows and doors of the house (submit copy of contract).

[Brackets] denote deletion
Underlining denotes addition

c. Installation of 'No Trespassing' signs at the street, and on existing fencing around the 2.7-acre environmental setting.

13. *Plat for Black 1* The final plat shall include a note that building permit applications shall include evidence that there is a tenant in the Melford House, or that it has been vacant for not more than 45 days, or a six-foot high, black vinyl-clad fence shall be required around the outbuildings and cemetery, or some other deterrent acceptable to the Historic Preservation Section.
14. To ensure that the design concepts, scale and setbacks of development are consistent with protecting views between Melford and the cemetery, Specific Design Plan submissions in the impact review area shall include detailed elevation drawings and cross-sectional views between these historic features.
15. *Black 1 Plat* Coincident with the submission of the first Specific Design Plan application for development within Parcels 1B through F, a Restoration and Adaptive Reuse Plan for the Melford House Historic Site shall be submitted to and approved by the Planning Board or its designee with the advice from the Historic Preservation Commission.
16. Coincident with the submission of the first Specific Design Plan application for development within Parcels 1B through F, a plan for the overall protection and maintenance of the cemetery shall be submitted, in accordance with the Subdivision Regulations for cemeteries (Section 24-135.2).
17. Any further development of the subject site that would generate more than 2,200 AM and 2,605 PM trips will require the submission of a new preliminary plat with a new traffic impact study.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located in the northeast MD 3/US 50 interchange in the City of Bowie.
3. Basic Plan A-9401 was approved on January 12, 1982. A Comprehensive Design Plan, CDP-8601, was approved on July 7, 1988. Preliminary Plat 4-88030 was approved on July 7, 1988. That preliminary plat was deemed to be in conformance with the CDP and Basic Plan. The current preliminary plat before the Planning Board presents a lotting pattern, internal road network and transportation system interface generally similar to the previously approved preliminary plat. Therefore, the proposed preliminary plat is in conformance with the CDP and Basic Plan. Conditions attached to the approval of the Basic Plan and CDP do not specifically pertain to the preliminary plat stage.

4. This site is partially wooded and is characterized with relatively moderate terrain sloping toward the east and west into tributaries of the Patuxent River. The site is pervaded with wetlands, floodplain steep slopes, and some questionable soils. The preliminary plat should reflect correctly the Patuxent River Primary Management Area Preservation Area limits. The predominant soil types on-site are Shrewsbury, Adelpia, Collington and Ochlockonee series. These soil types generally exhibit slight to severe limitations to development due to perched water table, impeded drainage and flood hazard.

The site is subject to the provisions of the Prince George's County Conservation Ordinance. The entire site is more than 40,000 square feet and contains more than 10,000 square feet of woodland. A review of the Forest Stand Delineation and Type I Tree Conservation Plan indicates that all the necessary information and required minimum woodland conservation are provided. However, the approval of a fee-in-lieu for 5.35 acres would require further review and consideration of other options. The fee-in-lieu option remains the least desirable, so staff recommend that off-site preservation be increased. The Tree Conservation Plan could be improved to preserve all of the priority conservation area within the Patuxent River Primary Management Area Preservation Area.

The Forest Stand Delineation is acceptable and the Type I Tree Conservation Plan (TCP/44/98) is approved. However, the TCP needs to be revised to reflect off-site mitigation and not the fee-in-lieu. Also a note should be added to the Tree Conservation Plan indicating that, if off-site mitigation is not feasible at the time of Type II approval, a fee-in-lieu would be used for a portion of the requirement.

5. The *Master Plan for Bowie-Collington-Mitchellville and Vicinity* recommends several land uses for the Science and Technology Center property. With regard to that portion of the property undergoing resubdivision, the plan recommended land uses are as follows:

- Lot 1A - Retail
- Lots 1B, 1C, 1E, 1F, 1H - Office
- Lot 1G - Historic Site
- Lot 2B (part) - Retail
- Remainder - Employment, Private Open Space or Stormwater Management

Retail activities in the Science and Technology Center are addressed as follows:

"Given the existing and approved retail activities in the City of Bowie, any retail activities in this area should be permitted only to serve employee-generated needs."

The plan shows two highway proposals. One is an interchange of Melford Boulevard with Route 50. The other is a connecting road from Melford Boulevard to a proposed transit station on the south side of US 50. However, each of these is to the east of the portion of the property covered by this subdivision. The plan raises no other master plan issues.

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6. In accordance with Section 24-134(a) of the Subdivision Regulations, the subdivision is exempt from the mandatory park dedication requirements because the property is in a nonresidential zone.
7. There are no master plan trails issues associated with this property.
8. This preliminary plat application is related to Stage 1B development of CDP-8601. When Stage 1 was scheduled for development, the applicant had submitted a preliminary plat (4-88030) which was approved with conditions in 1988. On or about September 17, 1998, the applicant met with the project coordinator of the Transportation Planning Division for discussion of this development. Consequently, the project coordinator had approved and signed a scoping agreement. A traffic impact study was submitted together with this preliminary plat application to the Transportation Planning Division for review.

It is understood that construction of a grade separated interchange at MD 3 and Belair Drive, as identified in the resolution for CDP-8601 and 4-88030, has been completed. The access points with grade separation at the intersection of Belair Drive and MD 3 satisfies Condition #4 of CDP-8601. This access point is sufficient to handle the egress and ingress traffic volume generated by the Stage 1B development.

The internal traffic circulation for this application is consistent with the engineering map submitted on June 1, 1986 by the applicant and is acceptable.

A total of 1,950,000 square feet of development was approved for Stage 1B development. The traffic study associated with the approval of Preliminary Plat 4-88030 established 2,319 AM and 2,717 PM peak hour trips with the 1,950,000 square feet of development approved for Stage 1B. Since that plan approval, 240,000 square feet of development has been built on this site. However, based upon the existing traffic volume counts submitted by the consultant, the previous development generates 119 AM peak hour and 112 PM peak hour trips. The analysis concludes that 2,200 AM and 2,605 PM trips are left for the Stage 1 development.

The traffic generated by the proposed preliminary plan would impact the US 50/MD 3 interchange, specifically the ramp to and from southbound MD 3 and ramp to northbound MD 3.

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined Level-of-Service D (LOS D) as the lowest acceptable operating condition on the transportation system at signalized intersections and two-lane highway links at least two miles in length between signalized intersections. The ramp to and from southbound MD 3 and the ramp to northbound MD 3, when analyzed with the total future traffic as developed using the *Guidelines*, were found to be operating acceptably:

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Ramp to/from SB MD 3				
	AM Peak Hour		PM Peak Hour	
	CLV	LOS	CLV	LOS
Existing Traffic	272	A	319	A
Background Traffic*				
Total Traffic	509	A	907	A

*In accordance with the TPD data, no approved development projects are found in the vicinity that may cause an immediate adverse impact on the intersection.

Ramp to/from NB MD 3				
	AM Peak Hour		PM Peak Hour	
	CLV	LOS	CLV	LOS
Existing Traffic	163	A	910	A
Background Traffic*				
Total Traffic	308	A	920	A

*In accordance with the TPD data, no approved development projects are found in the vicinity that may cause an immediate adverse impact at the intersection.

Therefore, adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved with a condition limiting the traffic generated by the property to 2,200 AM and 2,605 PM peak hour trips. Any further development of the subject site that would generate more than 2,200 AM and 2,605 PM trips will require the submission of a new preliminary plat with a new traffic impact study. The adequacy of access roads will be re-evaluated in accordance with requirements of CDP-8601. By imposing this condition, it is understood that 240,000 square feet of development, known as the IDA Building and the Census Building, exist on the property as of the date of this transportation memorandum. Also, it is understood that the trip generation rates inferred for the existing development are unique to the existing development, and will not be utilized in assessing the impact of future proposals. This condition, and all transportation related findings, pertain only to Stage 1 development. All conditions of CDP-8601 pertaining to Stage 2 development remain in effect.

9. The proposal is exempt from the requirements of Section 24-122.02 of the Subdivision Regulations for adequacy of public schools because the property is in a nonresidential zone and no dwelling units are proposed.
10. The Countywide Planning Section has reviewed the subdivision plans for adequacy of public facilities and concluded the following:
 - a. The existing fire engine service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service response time of 6.28 minutes, which is beyond the 3.25-minute response time guideline.
 - b. The existing ambulance service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service response time of 6.28 minutes, which is beyond the 4.25-minute response time guideline.
 - c. The existing paramedic service at Allentown Road Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 5.85 minutes, which is within the 7.25-minute response time guideline.
 - d. The existing ladder truck service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service response time of 11.09 minutes, which is beyond the 4.25-minute response time guideline.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed above, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

11. The proposed development is within the service area of the District II-Bowie police station. In accordance with Section 24-122.01(c)(1)(A) and (B) of the Subdivision Regulations of Prince George's County, the staff concludes that the existing County police facilities will be adequate to serve the proposed Maryland Science and Technology Center development. This police facility will adequately serve the proposed subdivision.
12. The Health Department has reviewed the application and offers several standard comments relating to wells and septic systems. The Health Department requires that all wells and septic systems be located on the preliminary plat. Though not included as a condition of approval, the applicant should be aware that any abandoned wells and septic systems will need to be backfilled or pumped and sealed in accordance with COMAR 26.04.04.

The Health Department also notes that a raze permit will be required prior to demolition of any of the buildings on the site. All materials, including hazardous materials, in the buildings must be removed and stored or discarded properly. Any debris must be removed prior to building permit approval.

13. The property is within the City of Bowie; therefore, the City has jurisdiction over stormwater management. Stormwater management facilities are partially constructed on the site. To ensure that development of this site does not result in on-site or downstream flooding, development must be in accordance with an approved stormwater concept plan.
14. Historic Site 71B-16 (Melford) and its cemetery, listed in the National Register of Historic Places, are located on Parcel 1. Melford is a brick plantation house distinguished by a two-and-a-half story, semicircular projecting bay, built in the 1840s by Richard Duckett. The Environmental Setting of this Historic Site is in two non-contiguous parts: 2.7158 acres comprising the house, its outbuildings and terraced gardens, and 1.1309 acres to the north, which comprises the Duckett family cemetery.

Condition 6 of the approval of the Basic Plan (A-9401) established the Environmental Setting to protect the character of Melford:

"Prior to or as part of the submittal of a Comprehensive Design Plan for the subject parcel, an environmental setting shall be determined for the historic site (Melford) to define the relationship between the site and the proposed development. Building heights, landscaping, and the open space character of the development shall be determined to protect the character of the historic site."

The Basic Plan also established CDP Consideration 12 relating to Melford:

"CDP approval should impose height limits in appropriate areas to protect the views and vistas for Melford and the Patuxent River."

The first Comprehensive Design Plan for this property (CDP 8601) included Conditions 18 and 19 which relate to the Historic Site:

"Approval of the Impact Review Area for Melford, as shown by the applicant;"

"To ensure that the design concepts, scale and setbacks are consistent with protecting Melford and its environmental setting, Specific Design Plan (Phase III) submissions should include detailed elevation drawings and cross-sectional views of the surrounding development."

The area around and between the two parts of the Environmental Setting (12.7517) is designated as the Impact Review Area (IRA), allowing architectural review by Historic Preservation staff of any development within this area.

Preliminary Plat 4-88030 was approved with the following conditions:

- 2a. Label the cemetery site as a parcel.
- 2i. Label the Historic Site's Impact Review Area line in Block 1.

A subsequent CDP case (9003), which never received a final approval, addressed a number of security, maintenance and preservation and adaptive use concerns. The recommended historic preservation conditions included the following:

- *Prior to signature approval of the Comprehensive Deign Plan, a Security and Maintenance Agreement for the Melford House Historic Site (71B-16) shall be prepared by the applicant and approved by the Planning Board or its designee (Historic Preservation Commission). The agreement shall include:*
 - a. *Maintenance of utilities to the house and fire insurance.*
 - b. *Retention of a tenant in the house. The applicant shall confer with the Historic Preservation Commission to assure that a responsible tenant is found for the house.*
 - c. *Fencing and burglar alarm system if a tenant cannot be found who is satisfactory to the Historic Preservation Commission.*
 - d. *The property will be subject to inspection by the Department of Environmental Resources to insure compliance.*
 - e. *Appropriate "No Trespassing" signs placed.*
 - f. *Security fencing of the cemetery.*
- *Within six months of approval of CDP-9003 or prior to the first SDP application for Pod 1, whichever comes first, a Building Repair and Stabilization Plan for the Melford House shall be prepared by a registered architect with historic preservation experience, and shall be submitted to and approved by the Planning Board or its designee (Historic Preservation Commission). The plan shall include:*
 - a. *An existing condition report identifying problems.*
 - b. *A detailed description on how problems will be repaired. This work is subject to preparation of a Historic Area Work Permit and approval by the Historic Preservation Commission.*
 - c. *An implementation schedule, detailing when the work will be completed.*
 - d. *A proposal for maintenance of the grounds around the house and cemetery.*

The property will be subject to inspection by the Department of Environmental Resources to insure compliance. No SDP for the developments within the Center shall be processed if the said Plan is not produced within the required time frame, and if the applicant is not keeping the property maintained in accordance with the Security and Maintenance Agreement.

Prior to the SDP application for the development within Pod 1 or for the development within Phase 2, whichever comes first, a Restoration and Adaptive Reuse Plan for the Melford House Historic Site shall be submitted to and approved by the Planning Board or its designee (Historic Preservation Commission). The plan shall include:

- a. *A plan for the restoration of Melford House.*
- b. *A plan for restoration of the grounds around the house.*
- c. *A plan for the treatment of the cemetery.*
- d. *A proposed adaptive reuse.*
- e. *An implementation schedule, detailing when the work will be completed.*

No SDP for the proposed developments within the Center shall be processed if said plan is not implemented in accordance with the approved schedule.

With this background, the Historic Preservation Commission (HPC) reviewed the subject application at its January 19, 1999 meeting and the following are its findings, conclusions and recommendations to the Planning Board.

The subject plan lays out six lots as part of Parcel 1: Lots 1A, 1B and 1C are located in the westerly portion and have access from Melford Boulevard on the west; the cemetery is included in the westerly portion of Lot 1D, and has access from Curie Drive on the east; Lot E also has access from Curie Drive on the east; Lot 1F, the largest and southernmost part of Parcel 1, includes the Melford House, its outbuildings and terraced gardens, the 2.7158-acre Environmental Setting.

The previous owner, SOP M Limited Partnership, evicted the tenant in September 1997; after negotiations with the HPC and staff, SOP M entered into an agreement with the Historic Preservation Section of the M-NCPPC regarding security and maintenance of the historic house and grounds, as stated in the letter from Phyllis Nash of SOP M to Gail Rothrock of the Historic Preservation Section, dated December 15, 1997. This agreement included the following:

- a. Security: Coverage was set up with Rollins: keypad panel in entrance hall, master security control box in basement; motion detector sensors and intrusion sensors.
- b. Fire/freeze protection: smoke detectors, heat detectors, low temperature sensors.
- c. Maintenance of house and grounds: regular inspections several times per week of roof, gutters, and foundations; undertaking of necessary repairs based on inspections; regular lawn maintenance; snow and tree-limb removal as needed.

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Based on this agreement, SOP M accomplished, early in 1998, essential roof repairs which have put a stop to the serious water damage that had previously been occurring. SOP M had also undertaken several other essential repairs.

The HPC noted that one of the purposes of the Subdivision Regulations is "To protect historic resources listed on the Inventory of Historic Resources of the adopted and approved *Historic Sites and Districts Plan*" [Subtitle 24-104(a)(11)]. Moreover, Subtitle 24-135.1(b)(2) requires retention of natural features which contribute to the preservation of an historic resource.

In spite of the security arrangements, the historic Melford house recently (January 1-3, 1999) suffered serious damage to the masonry walls because of frozen pipes resulting from a failed heat sensor; this recent experience highlights the fact that even the best security system cannot protect the resource as well as an on-site tenant; i.e. that moth-balling an historic resource is an insufficient method of preservation. Because of this fact, and because a history of verbal expressions of good intentions by a number of owners have not guaranteed Melford's restoration, staff recommended the following condition to ensure that the restoration would take place:

- The restoration/renovation work on the Melford House and grounds, along with the establishment of its adaptive use(s) shall be approved, and construction started, prior to the approval of any other Specific Design Plan for land within Parcels 1A-1F (28.8439 acres), Parcels 2B and 2C (18.9638 acres) and Parcel 2F (3.7388 acres). This condition does not prevent the Planning Board from altering this timing as part of another future Specific Design Plan submission in the above-cited areas, if it finds that a later timing will not substantially impair the intent of this condition.

The HPC, after discussion, and in an effort to alert the applicant to this anticipated expense, found it appropriate to delay the requirement of this proposed initiation of work; the HPC will, however, expect the applicant to propose a restoration plan, a time table and adaptive use by the time of the next development submission.

Historic Preservation Conclusions

The configuration of lots in Parcel 1 provides for individual access onto major roads without creating unnecessary interior roads, which is necessary for the preservation of Melford and its cemetery.

The new owner should retain and continue the same or comparable security and maintenance agreement arranged between M-NCPPC and the former owner, as spelled out in the letter from Phyllis Nash of SOP M to Gail Rothrock of the Historic Preservation Commission, dated December 15, 1997.

The Historic Preservation Commission should review any development plans within the IRA, to ensure retention of the viewshed between the historic house and the cemetery.

To ensure the preservation of the Melford house, restoration/renovation work should be started and completed in the early stages of development of the Maryland Science and Technology Center. To this end, a proposed plan, timetable and proposed adaptive use should be submitted prior to future plan submittals.

The applicant should provide a plan for the overall protection and maintenance of the cemetery, in accordance with the Subdivision Regulations for cemeteries.

15. The City of Bowie offers a recommendation of approval subject to three conditions. The City's letter is in the file and included with this report. Condition 1 is a transportation related condition that caps the square footage of the proposed development to 1.95 million square feet and sets a system for tracking the trips in different phases of development. Staff believes this condition is unnecessary. The staff recommendation, as discussed in the Transportation Section of this report, included trip caps for the entire property.

City recommended Condition 2 incorporates several conditions from the previously approved preliminary plat. Many of the original conditions have been fulfilled or are superseded by this new application. Staff concurs that the conditions regarding floodplain approvals should be carried forward. However, the City also recommends building restriction lines be clearly identified on the preliminary plat. This is unnecessary as building restriction lines are set by approval of the Comprehensive Design Plan.

Condition 3 in the City's letter required several modifications to the preliminary plat. Many of these are reflected in the revised plat submitted by the applicant. However, staff concurs that the following modifications are necessary and should be accomplished prior to signature approval of the preliminary plat:

- a. The Road labeled "Old Crain Highway" should be relabelled "Old Crain Drive."
- b. Plat references and acreage should be provided for the IDA parcel, the Census Bureau parcel and the State of Maryland parcel in Pod 4.

16. Original Condition 12 was established as a means of ensuring that certain security and maintenance measures were undertaken by the applicant to preserve the Melford house, grounds and cemetery in accordance with the Subdivision Regulations. The creation of a security and maintenance agreement was thought to be the most appropriate mechanism to accomplish this goal. However, upon further review, staff and the applicant agree that it may not be the best tool. Therefore, the Planning Board modifies Condition 12 to remove the security and maintenance agreement.

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However, the goal of preserving and protecting the historic Melford House, grounds and cemetery remains. Staff has identified several measures that can be taken to accomplish this goal. These are listed in staff's recommended revised Condition 12. They include security fencing, burglary alarms, no trespassing signs, and maintenance of utilities and fire insurance. A new condition requiring these measures can accomplish the same goal without placing the burden of an agreement on the applicant or the Commission.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Brown, with Commissioners Eley, Brown, and Hewlett voting in favor of the motion and with Commissioner Lowe absent, at its regular meeting held on Thursday, September 28, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of November 2000.

Trudye Morgan Johnson
Executive Director

By *Frances J. Guertin*
Frances J. Guertin
Planning Board Administrator

TMJ:FJG:jd:ve

APPROVED AS TO LEGAL SUFFICIENCY.

George Johnson
M-NCPPC Legal Department

Date 10/23/00

Underlining denotes addition

MN
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



PGCPB No. 01-80

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

File No. SDP-0103

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on April 26, 2001, regarding Specific Design Plan SDP-0103 for Maryland Science and Technology Center, Parcels 2F, 4A and 4E, the Planning Board finds:

1. Location - The subject property is located in the northeast quadrant of the intersection of Crain Highway (US 3) and John Hanson Highway (US 50). The site is bounded to the north by an existing subdivision of single-family detached dwellings Zoned R-A, and the Patuxent River Park; to the east by the US Air Force Transmitter Station located in Anne Arundel County; to the south by the US 50 right-of-way; and to the west by the US 3 right-of-way.
2. The Proposed Development - The purpose of this Specific Design Plan is for approval of construction of five single-story office/research and development/warehouse buildings. The subject parcels, 2F, 4A and 4E, have frontage on Science Drive and Telsa Court. Each parcel will have two vehicular access points from either Science Drive or Telsa Court. Both office buildings will be centrally located on their respective parcels with parking and/or loading located around the entire perimeter of each structure. The plan includes site and landscape plans.
3. Background - The *Bowie-Collington-Mitchellville and Vicinity Master Plan* (1991) recognized the 1982 rezoning of the subject property to employment/institutional as the approved land use for the subject property. The Sectional Map Amendment (1991) was approved and retained the E-I-A zoning for the subject property. In a memorandum (D'Ambrosi to Jordan) dated April 9, 2001, master plan issues pertaining to the subject application and the proposed development are raised. See Finding No.11 for a detailed discussion of the noted issue.
4. The Approved Basic Plan - On January 25, 1982, the District Council approved Zoning Map Amendment Application and Basic Plan No. A-9401 for the subject property, with ten (10) conditions (Zoning Ordinance No. 2-1982). This Zoning Map Amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. The Specific Design Plan is in conformance with the approved Basic Plan. Specific conditions which warrant discussion regarding conformance of the Specific Design Plan with the Basic Plan are considered below:

1. **If any direct access to the subject property is not entirely within the subject property, a proper legal arrangement shall be drawn which ensures the continued use of access for the life of the project.**

Comment : The said condition has been satisfied. See Finding No. 10 for further discussion.

2. **Exterior building surfaces facing any public street, or the east or north property lines, shall not be constructed of cinder block or corrugated metal material.**

Comment : Neither cinder block, nor corrugated metal is proposed as exterior finish material for the buildings to be constructed as part of this Specific Design Plan.

4. **Open space areas, including flood plain, internal buffering, landscaping areas, building setbacks, and recreational areas shall include no less that 25 percent of the gross tract area.**

Comment : Staff believes the intent of the subject condition was to ensure that, within the context of the overall development, 25 percent or 117 acres, will be preserved as open space upon final build-out of all phases, parcels, pods, etc. Although the subject Specific Design Plan submitted is for only two parcels, 3A and 3B, the applicant has documented that an area of approximately 33 percent of the combined total parcel areas will be preserved as open space. This condition does not apply to individual parcels or Specific Design Plans, but more so to the calculations for the overall development of 466 acres.

5. **All buildings shall be set back at least 100 feet from the existing right-of-way of Routes 3 and 50.**

Comment : The proposed development plan meets the said setback standards. The condition has been satisfied.

5. **The Approved Comprehensive Design Plan - On July 7, 1986, the District Council approved Comprehensive Design Plan, CDP-8601, affirming the prior Planning Board decision (PGCPB. No. 86-107), for the Maryland Science and Technology Center, with twenty-seven (27) conditions and two (2) considerations. The proposed Specific Design Plan is generally in conformance with the approved Comprehensive Design Plan. The Specific Design Plan, when modified by the conditions described below, will be in conformance with the approved Comprehensive Design Plan. Specific conditions which warrant discussion regarding conformance of the Specific Design Plan with the Comprehensive Design Plan are considered below:**

- ii. **All structures shall be fully equipped with automatic fire extinguisher systems in accordance with the National Fire Protection Association (NFPA) Standard 13 and all applicable County laws to alleviate the negative impact. In addition, pursuant to Subtitle 27 of the Prince George's County Code, all documents, maps and drawings in the CDP shall be amended where necessary, to reflect above said condition and be submitted to the Planning Board or its designee prior to signature approval;**

Comment : It is recommended that a note be added to the plan that states, "All structures shall be fully equipped with automatic fire extinguisher systems in accordance with the National Fire Protection Association (NFPA) Standard 13 and all applicable County laws."

- iii. **Stage 1A be approved conditioned on the construction of an upgraded at-grade intersection at Maryland 3/existing Melwood entrance. Maximum of 400,000 square feet of office space or equivalent traffic generating development;**

Comment : The said condition has been satisfied. See Finding No. 10 for further discussion.

6. **Street dedication be provided as follows:**

- (a) **Main spine road - 120-foot arterial.**
- (b) **Main collector roads - minimum 70-foot commercial-industrial roadway.**
- (c) **Traffic circles, minimum 35 feet from roadway centerline.**

Comment : The said condition has been satisfied. See Finding No. 10 for further discussion.

7. **A concentrated effort to minimize impact of developments on Belair Drive will be included in the traffic study for condition 3;**

Comment : The said condition has been satisfied. See Finding No. 10 for further discussion.

8. **Direct access to the subject property which is not entirely within the subject property, will require a proper legal arrangement be drawn up which ensures the continued use of access for the life of the project;**

Comment: The said condition has been satisfied. See Finding No. 10 for further discussion.

11. **The stormwater management concept should be amended to indicate that on-site infiltration of the first one inch of runoff will be provided wherever soil conditions permit;**

Comment: The subject property is within the limits of the City of Bowie, thus the stormwater management review and approval is the responsibility of the municipality. The said condition has been satisfied as evidenced by the attached letter (Gorski to Minert) dated November 28, 2000.

21. **Beech Tree Lane access shall at least be restricted to only right-turn in and right-turn out traffic;**

Comment: The said condition has been satisfied. See Finding No. 10 for further discussion.

22. **An architectural committee shall be established prior to SDP approval and shall include one (1) designee by the City of Bowie;**

Comment: The required committee has been established, and the City of Bowie holds one vote with respect to all proposed development for the subject property. The said committee has reviewed the development proposal, and voted approval as submitted.

24. **The internal pedestrian path system proposed in the CDP shall be in addition to the path system required in association with the road system;**

Comment: Pedestrian paths, both internal and in conjunction with the proposed road system, have been provided. The condition has been satisfied.

25. **A treed landscaped area shall be maintained and augmented by the applicant along the entire Route 50 (I-68) and Route 3 frontage. This shall include augmenting any landscaping to be lost during highway improvements;**

Comment: The applicant is proposing a treed landscape yard, minimum 50-foot-wide, along the entire frontage of US 3. The condition has been satisfied.

26. **The applicant and/or Prince George's County shall be responsible for landscaping at least a 12-foot-wide median, except for left turn lanes, within the main collector road. Responsibility for landscaping and maintenance shall be determined prior to an SDP approvals, and;**

Comment : The applicant has stated that an agreement has been reached with the City of Bowie in which the city will provide landscaping, and maintenance of said landscaping, within both the public and private rights-of-way. The condition has been satisfied.

27. **The applicant shall work with the Maryland-National Capital Park and Planning Commission Parks Department to find a location for at least two (2) full-sized softball fields to be temporarily built on the 466-acre site during Stage 1. During Stage 2, an evaluation of the fields usage shall be prepared and a determination as to the need of on-site or off-site facilities shall be made.**

Comment : The said softball fields were a request of the City of Bowie during the time of the Comprehensive Design Plan review, and were to be provided as a supplement to the city's recreational facilities system. Subsequent to the request, new facilities have been constructed within the city, as evidenced by a letter from the city staff (Minert to Asan) to M-NCPPC Parks and Recreation dated April 6, 2001. Furthermore, the letter states that additional fields are currently being planned within the city and will likely be constructed in the near future. Therefore, the required ballfields are no longer necessary, and the applicant and the City of Bowie have come to an agreement with respect to the provision of additional recreational amenities on the site in lieu of the required ballfield construction. Given the changes in the city's needs with respect to recreational facilities since the Comprehensive Design Plan was approved, both the Planning Department and the Department of Parks and Recreation are in support of the substitution of recreational facilities, specifically landscaping, benches, trash receptacles, and a trail around the perimeter of the lake/pond that will be constructed upon development of Pods 2B and 2C, as an equitable trade-off for relief from the requirement of constructing the said ballfields which are no longer needed. The condition has been satisfied.

6. **The Approved Preliminary Plat - The Preliminary Plat, 4-99076, was approved by the Planning Board on September 28, 2000 with seventeen (17) conditions (PGCPB No. 99-28A). The overall lotting pattern, circulation pattern and access points shown on the site plan are in general conformance with the approved Preliminary Plat. Specific conditions which warrant discussion regarding conformance of the Specific Design Plan with the Preliminary Plat are considered below:**

1. **Development of this site shall be in conformance with the approved Basic Plan (A-9401) and the approved Comprehensive Design Plan (CDP-8601), as amended or otherwise provided.**

Comment : The subject development proposal is in conformance with both the approved Basic Plan and Comprehensive Design Plan. See Findings No. 4 and 5 above for further discussion.

4. **With the approval of specific design plans, a Type II Tree Conservation Plan shall be approved.**

Comment : The subject application was referred to the Environmental Planning Section. See Finding No. 9 for further discussion.

6. **A minimum buffer of 50 feet in width shall be shown along the banks of all streams within the property and shall be expanded to include the 100-year floodplain, non-tidal wetlands, steep slopes of 25 percent and greater slopes of 15-24 percent having soils erodibility factor 0.35 and greater. Such a buffer shall be reviewed by the Natural Resources Division prior to the Specific Design Plan approval.**

Comment : No streams are in proximity to the subject development pods, 2F, 4A and 4E. The condition is not applicable to this application.

14. **To ensure that the design concepts, scale and setbacks of development are consistent with protecting views between Melford and the cemetery, Specific Design Plans in the impact review area shall include detailed elevation drawings and cross-sectional views between those historic features.**

Comment : The subject development pods are north and south of Melford and the cemetery, and are a minimum of approximately 400 linear feet away from the cemetery which is nearest the pods. The subject development pods are not within the impact review area. The condition is not applicable to this application.

17. **Any further development of the subject site that would generate more than 2,200 AM and 2,605 PM trips will require the submission of a new preliminary plat with a new traffic impact study.**

Comment : The said condition has been satisfied. See Finding No. 10 for further discussion.

7. The development data for the subject property is as follows:

**MARYLAND SCIENCE AND TECHNOLOGY CENTER
 PARCELS 2F, 4A & 4E**

Zone	E-I-A
Gross Area	
Parcel 2F	3.74 acres
Parcel 4A	7.18 acres
Parcel 4E	5.98 acres
Total	16.90 acres
 Maximum Building Height	 19 feet
 Parcel 2F	
Total Parking Spaces Required	
1 spc./250 sq. ft. of 1st 2000 sq. ft. of building	8 spaces
1 spc./400 sq. ft. above 1st 2000 sq. ft.	72 spaces
Total	80 spaces
 Total Parking Spaces Provided	 155 spaces
 Handicapped Parking Spaces Required	 6 spaces
 Handicapped Parking Spaces Provided	 6 spaces
 Loading Spaces Required	 1 spaces
 Loading Spaces Provided	 1 spaces
 Interior Green Required	
8 percent of parking lot area	5,040 sq. ft.
 Interior Green Provided	 6,930 sq. ft.
 Parcel 4A	
Total Parking Spaces Required (Office)	
1 spc./250 sq. ft. of 1 st 2000 sq. ft. of building	8 spaces
1 spc./400 sq. ft. above 1st 2000 sq. ft.	103 spaces
Total	111 spaces
 Total Parking Spaces Required (Warehouse)	
3 spcs./1 st 1500 sq. ft. of building	3 spaces
1 spc./ea.additional 1500 sq. ft. of building	12 spaces
Total	15 spaces

Total Parking Spaces Provided	162 spaces
Handicapped Parking Spaces Required	6 spaces
Handicapped Parking Spaces Provided	8 spaces
Loading Spaces Required	3 spaces
Loading Spaces Provided	12 spaces
Interior Green Required 8 percent of parking lot area	4,308 sq. ft.
Interior Green Provided	4,308 sq. ft.
Parcel 4E	
Total Parking Spaces Required (Office)	
1 spc./250 sq. ft. of 1 st 2000 sq. ft. of building	8 spaces
1 spc./400 sq. ft. above 1st 2000 sq. ft.	102 spaces
Total	110 spaces
Total Parking Spaces Required (Warehouse)	
3 spcs./1 st 1500 sq. ft. of building	3 spaces
1 spc./ea.additional 1500 sq. ft. of building	12 spaces
Total	15 spaces
Total Parking Spaces Provided	130 spaces
Handicapped Parking Spaces Required	5 spaces
Handicapped Parking Spaces Provided	8 spaces
Loading Spaces Required	3 spaces
Loading Spaces Provided	12 spaces
Interior Green Required 8 percent of parking lot area	4,430 sq. ft.
Interior Green Provided	4,430 sq. ft.

8. Conformance with the Requirements of the Zoning Ordinance in the E-I-A Zone, including the Requirements of the Prince George's County *Landscape Manual* - The

subject application is in general conformance with Section 27-501 of the Zoning Ordinance which regulates development in the E-I-A Zone.

Sections 4.2, Commercial and Industrial Landscape Strip Requirements, 4.3, Parking Lot Requirements, and 4.4, Screening Requirements apply to the subject site. The landscape plans are in full conformance with the requirements of the *Landscape Manual* with respect to Sections 4.2 and 4.3. It is questionable as to whether the standards of Section 4.4, Screening Requirements, have been met.

Section 4.4a. requires the following:

“All loading areas, loading docks, vehicular lanes providing access to the above, and service or maintenance areas shall be screened from land in a residential zone and all adjacent public roads.”

- a. Parcel 2F is located at the intersection of Science Drive and Curie Drive. The proposed building for the said parcel is linear, and the proposed loading space is located at the east end of the parcel approximately 35 feet away from the building adjacent to the Curie Drive right-of-way. A landscape yard that varies in width from 25-40 feet is located between the proposed loading space and the public right-of-way. Landscaping is proposed at the perimeter of the loading area and parking compound. Some shrubs and shade trees are proposed to be sited next to the loading spaces, and along the perimeter of the adjacent parking compound, in an effort to provide screening, but no evergreen trees are proposed next to, or at the perimeter of the parking compound adjacent to the loading space. The proposed screening does not meet the minimum standard per Section 4.4 of the Landscape Manual on Parcel 2F. It is recommended that a double staggered row of evergreen trees be provided along the east and south perimeter of the parking compound at Parcel 2F, generally around the loading space and trash dumpster compound. Quantities and location of evergreen trees to be provided should be determined by staff of the Urban Design Section as designee of the Planning Board.
- b. Parcels 4A and 4E proposes to provide four buildings, all of which have parking located at the entrance frontage with the common area at the rear of, and between each of the two sets of buildings proposed to be used as the loading and service area. The plans provide for individual screen walls to be erected at the corners of each building, and located at the respective loading entrance drives along the adjacent right-of-way with evergreen trees proposed between the said screen walls and the right-of-way. The proposed approach to screening the loading areas for Parcels 4A and 4E is acceptable, but neither the site plans nor the architectural elevations indicate the height or composition of the proposed screen walls. Assessment of compliance with the requirements of Section 4.4 is not possible without specific information with respect to the

height and composition of the proposed screen walls. It is recommended that specific height and material information be provided on the plans and elevations. Revisions to the wall height and materials may be required.

- c. The buildings on Parcels 4A and 4E will be visible from the adjacent major thoroughfare, Route 50 to the south. The proposed siting of the buildings on the parcels is such that the loading and trash dumpster compound may be visible from Route 50 if adequate landscaping and/or screening is not provided. The applicant has proposed evergreen trees along the edge of the loading and trash dumpster compound that is adjacent to the Route 50 right-of-way. The proposed landscape screening is not adequate, and does not meet the minimum requirements of Section 4.4. Therefore, it is recommended that a double staggered row of evergreen trees be provided along the south perimeter of the parking compound at Parcels 4A and 4E, generally along the perimeter of the loading space and trash dumpster compound. Quantities and location of evergreen trees to be provided should be determined by staff of the Urban Design Section as designee of the Planning Board.

Section 4.4b. Requires the following:

“All dumpsters, trash pads, and trash collection or storage areas shall be carefully located and oriented on the site to be as inconspicuous as possible. They shall be screened from all adjoining properties.....”

- d. The subject plan provides one trash dumpster compound for Parcel 2F. The proposed dumpster is located adjacent to the loading space at the end of each building. As previously stated above in Finding No. 8.a., staff does not believe that adequate screening has been provided for this service area with respect to the perimeter of the parking compound along the adjacent right-of-way. The plan shows some type of fence enclosure at the perimeter of the dumpster, but does not specify the fence height, material, etc. It is recommended that elevations and details be provided of the trash dumpster enclosure. The dumpster enclosure must meet the minimum standards of Section 4.4.
9. Environmental Planning - The subject application was referred to the Environmental Planning Section for review, and in a memorandum (Metzger to Jordan) dated March 28, 2001, the following comments were provided:

“This site was previously evaluated by the Environmental Planning Section in conjunction with the review and approvals of Preliminary Plan of Subdivision 4-98076, TCPI/44/98, and TCPII/36/99.

“Site Description

“The subject property is located in the northeast quadrant of the MD3/US50 interchange in the City of Bowie. The site is characterized with relatively steep slopes and rolling terrain ranging from 100'-140' in elevation, and drains into unnamed tributaries of the Patuxent River. Parcel 2F is not currently wooded. Parcels 4A and 4E contain about 6 acres of woodland and some areas that are open grasslands. The predominant soil types on-site are Adelphi, Collington and Shrewsbury. These soil types generally exhibit slight to moderate limitations to development due to steep slopes except in areas of Shrewsbury series due to high water table, impeded drainage and poor drainage. According to the Sewer Service and Water Service maps produced by DER, the property is in categories W-3 and S-3. There are no floodplains, streams, Waters of the US, wetlands, erodible soils and noise issues identified on the site. There are no Marlboro clays, scenic or historic roads located on or adjacent to the subject property.

“Environmental Review

“1. “The site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square in size and contains more than 10,000 square feet of woodland. This site has an approved Type II Tree Conservation Plan (TCPII/36/99) last revised and approved October 30, 2000. The approved TCPII shows parcel 2F to not be wooded and as a result no clearing is proposed. The plan also shows parcels 4A and 4E to contain 6.01 areas of woodland to be cleared. The Woodland Conservation Ordinance requirements are being met by on-site preservation of woodland located elsewhere on the site. The site plan is in conformance with the approved Type II Tree Conservation Plan.

“2. The site is adjacent to an existing Stormwater Management Pond to the west of lot 4A which serves the area. Evidence of the Stormwater Management Concept plan approval is required prior to the approval of the site plan.”

The Environmental Planning Section recommends approval of the subject application. See the Recommendation Section of this staff report for conditions.

10. Transportation - The subject application was referred to the Transportation Planning Section for review, and in a memorandum (Masog to Jordan) dated April 9, 2001, the following comments were provided:

“The transportation staff has reviewed issues regarding the development of the subject site and the larger Maryland Science & Technology Center (total of 466 acres) in conjunction with A-9401, CDP-8601, and Preliminary Plat of Subdivision 4-88030. Since those plans were approved, approximately 240,000 square feet of space has been constructed within the Maryland Science and Technology Center. The Preliminary Plat and CDP approvals established a square footage cap for the initial phase of 1.95 million

square feet. Preliminary Plat of Subdivision 4-98076 affirmed a trip cap of 2,200 AM and 2,605 PM peak hour vehicle trips for all remaining development on the site.

“There are a number of transportation-related conditions on earlier development review stages; these are reviewed in detail below:

“CDP-8601 (Conditions):

- “3. Required upgrading of MD 3/Belair Drive/Melford Boulevard prior to development, up to a maximum of 400,000 square feet. The intersection has been replaced with an interchange. OK.
- “4. Required an interchange at MD 3/Belair Drive/Melford Boulevard for development beyond 400,000 square feet and up to 1,950,000 square feet. The interchange is complete and open to traffic. OK.
- “5. Required new traffic study after 1991 or after completion of improvements to US 50. A new traffic study was prepared in 1998 and reviewed in conjunction with Preliminary Plat of Subdivision 4-98076. OK.
- “6. Established dedication widths for internal streets. All streets have been dedicated in accordance with this condition. OK.
- “7. Required that the impact of development along Belair Drive be minimized. This has been done by limiting access to Melford Boulevard, and this plan complies by having all access to Lots 3A and 3B from Science Court. OK.
- “8. Required the completion of documents establishing legal access to the property. This was done prior to the initial development on the property. OK.
- “9. Required setbacks to accommodate planned US 50 improvements. All improvements to US 50 have been constructed. OK.
- “20. Established requirement for a new traffic study prior to Stage 2 development. The subject development is within Stage 1B, and therefore this condition does not apply.
- “21. Restricted the Beech Tree Lane access to a right-in right-out. This access is not within the area of the subject application.

“Preliminary Plat of Subdivision 4-98076 (Condition):

- “17: Established a trip cap for remaining development, based upon roadway improvements which existed in 1998 and 240,000 square feet of existing develop-

ment, of 2,200 AM and 2,605 PM peak hour trips. The addition of 300,000 square feet of office space would generate 600 AM and 555 PM peak hour vehicle trips, leaving 1,600 AM and 2,050 PM peak hour trips (note: there is a pending application SDP-0103 for 153,250 square feet of flex space).

“Vehicular and pedestrian access within the site is acceptable. Adequate right-of-way in accordance with the Master Plan exists along MD 3 and US 50.

“As noted previously, the subject property is part of a larger project which has completed Stage 1B roadway improvements in the area pursuant to a finding of adequate public facilities made in 1988 for Preliminary Plat of Subdivision 4-88030. Insofar as the basis for that finding is still valid, and in consideration of the materials discussed earlier in this memorandum, the transportation staff finds that the subject property will be adequately served within a reasonable period of time with transportation facilities which are existing, programmed, or which will be provided as a part of the development if the development is approved. Furthermore, the submitted plans are in conformance with past approved plans, including the approved Comprehensive Design Plan.”

11. Urban Design - The Urban Design Section has reviewed the site plan and finds that the proposed architecture for the subject parcels will provide buildings that will be compatible and complementary to each other, the proposed office buildings of SDP-0103, and the existing government facilities, the US Census and Defense Information, in the employment park with respect to material and articulation. Furthermore, the buildings will offer some relief in terms of scale and mass to those existing and proposed in SDP-0103. The buildings on Parcels 4A and 4E will be visible from the adjacent major thoroughfare, Route 50 to the south. The proposed buildings will employ materials identical to that provided on the four-story office buildings at Parcels 3A and 3B designed with continuous glass curtain walls that wrap around the entire structure at each floor, accented by brick bands and polished steel columns. The subject buildings employ the materials differently, in that the brick is the dominant material with spandrel glass provided at all proposed tenant spaces. The proposed spandrel glass does not wrap any of the entire buildings, and the exterior columns are finished in the polished steel as they are in the proposed office buildings at Parcels 3A and 3B. The reversal in use of material provides a visual connection between all proposed buildings, while helping to define a general architectural hierarchy.

The subject plan does not provide signage.

- a. As noted in Finding No. 3, the Community Planning Division had some concerns with the subject application. Specifically, the designation of warehouse as a proposed use. The following are Community Planning referral comments:

“A review of the application resulted in identifying the following planning issues. The site data sheet indicates that 30 percent of the development of

Parcel 4A is proposed to be warehouse. It is the staff's understanding the applicant uses the warehouse term to refer to unleased office space because the interior space is open and unfinished. This terminology, even though it is a matter of semantics, is not a suitable description of this space and can be misleading. The master plan recommends that this property be given high priority in marketing efforts for a successful quality employment park and development. The connotation between warehouse and high quality employment park is different. To dispel any misunderstanding of the type of development that is proposed it is recommended that reference to the "warehouse" be removed."

Staff concurs that references to, or approval of, a warehouse use can not only be misleading, but introduce an unintended use into an employment park that the master plan has designated as high in standard and quality. Conversely, the applicant has stated that the term warehouse, with respect to their facilities, is used only for tracking purposes and is defined as any available unleased tenant space. It is the applicant's contention there was not any intent for the subject development to be used as warehouse storage, nor would they rent it or allow it to be used as such. Staff believes an appropriate resolution to this issue would be that the applicant provide written documentation for the file as to how the term warehouse is defined and applied with respect to their facilities, and provide a note on the plan stating bulk warehouse shall not be allowed within the subject development, and thus the said requirements are recommended as conditions of approval.

It should be noted that the City of Bowie took no issue to the use of the term warehouse given the applicant's explanation.

12. The subject application was referred to the Growth Policy and Public Facilities Planning Section for review, and in a memorandum (Williams to Jordan) dated May 8, 2000, the following comments were provided:

"In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department recommends that all commercial structures be fully sprinkled in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

"The proposed site is within the service area of District II- Bowie. Staff concludes that the existing County's police facilities will be adequate to serve the subject property."

13. Referrals: The subject application was referred to all applicable agencies and divisions; no significant issues were identified. Minor plan revisions were recommended or additional information was requested by the Permit Review Section in a memorandum (Bakka to Jordan) dated March 19, 2001. See conditions 1.f.-i. in the Recommendation

Section of this staff report for the Permit Review concerns. Minor plan revisions were recommended or additional information was requested by the Department of Parks and Recreation (DPR) in a memorandum dated April 16, 2001. See conditions 1.y. and 2. in the Recommendation Section of this staff report for the DPR concerns. Designated roadway improvements within the right-of-way will be addressed by the City of Bowie at the time of the review of permits.

14. The subject plan was referred to the City of Bowie and in a letter (Robinson to Hewlett) dated February 23, 2001, comments and recommended conditions of approval were provided. See the Recommendation Section of this staff report for conditions.
15. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties. Furthermore, there is an existing stormwater management pond on site and the City of Bowie has approved the proposed stormwater management concept as demonstrated by the letter (Gorski to Minert) dated November 28, 2000.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Specific Design Plan for the above-described land, subject to the following conditions:

1. Prior to certification, the Detailed Site Plan and/or the Tree Conservation Plan shall be revised as follows:
 - a. Provide a note on the plan that states, "All structures shall be fully equipped with automatic fire extinguisher systems in accordance with the National Fire Protection Association (NFPA) Standard 13 and all applicable County laws."
 - b. Provide a double staggered row of evergreen trees along the east and south end of the parking compound at Parcel 2F, generally across from both loading spaces and trash dumpster compounds. Quantities and location of evergreen trees to be provided shall be determined by staff of the Urban Design Section as designee of the Planning Board.
 - c. Provide height and materials of proposed screen walls at Parcels 4A and 4E on the site plans and architectural elevations.
 - d. Provide a double staggered row of evergreen trees along the south perimeter of the parking compound at Parcels 4A and 4E, generally along the perimeter of the loading space and trash dumpster compound. Quantities and location of evergreen trees to be provided shall be determined by staff of the Urban Design Section as designee of the Planning Board.

- e. Provide elevations and details of the proposed fencing at the trash dumpster enclosure at Parcel 2F.
- f. Provide written documentation as to how the term “warehouse” is defined and applied with respect to their facilities, and provide a note on the plan stating bulk warehouse shall not be allowed within the subject development.
- g. Provide the dimensions of the proposed building located on Parcel 2F.
- h. Label all van accessible spaces for the physically handicapped on the site plan and account for the amount provided in the parking tabulation.
- i. Demonstrate compliance with Section 4.4 of the *Landscape Manual* with respect to Screening Requirements for all proposed mechanical equipment.
- j. Demonstrate compliance with Section 4.3c of the *Landscape Manual* with respect the number of shade trees required for interior green. Revise all schedules and landscape plans accordingly.
- k. Provide the property lines and loading spaces on all landscape plans.
- l. Demonstrate compliance with Sections 4.2 and 4.3 of the *Landscape Manual* where applicable and provide the appropriate schedules accordingly.
- m. Provide calculations for open space on all parcels, Per Section 27-501 of the Zoning Ordinance.
- n. Identify the proposed uses on the cover sheet and site plans.
- o. Provide dimensions, and demonstrate compliance with all setback requirements for each building on all parcels.
- p. Provide one accessible route for the physically handicapped from each building to the public road.
- q. Indicate all shade trees to be a minimum height of 12-14 feet.
- r. Include Red Cedar, American Holly, and Arborvitae as proposed species on the landscape plans and in the plant list.
- s. Remove all notation of signage. Complete signage information, including but not limited to location, type, size, lettering style, lighting, etc. must be provided in a subsequent SDP application.

- t. Provide a note that states no flags or banners shall be mounted, suspended or otherwise displayed from the buildings or permitted on each individual building site, except for one standard size American flag.
 - u. Provide two (2) benches at the end of the pathway in the pocket park adjacent to the stormwater management pond on Parcel 2F.
 - v. Extend the sidewalk in the Science Drive right-of-way directly to the building at each vehicular entrance on Parcel 2F. Furthermore, at the said sidewalk intersection with the internal parking drive aisles, all crosswalks shall have a simulated brick treatment, be identified on each plan and details shall be provided.
 - w. Coordinate the building height notes on the cover sheet with the architectural elevations for Parcel 2F
 - x. All downspouts shall be covered with materials matching that of the building at Parcel 2F.
 - y. Remove the paved area located north of the 15 parking stalls in front of building C.
 - z. All roof-mounted HVAC equipment shall be screened with angled screen walls.
2. Prior to certification the Key Map on sheet C-1 shall be revised to show that 96 acres along the Patuxent River shall be dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC). Furthermore, a note shall be added stating that 96 acres of the 100-year floodplain area along the Patuxent River shall be dedicated to the M-NCPPC at Stage II of the development.
3. The Department of Parks and Recreation and Urban Design Review staff shall work with the City of Bowie and the applicant to coordinate improvements around the lake/pond which will be constructed upon development of Pods 2B and 2C. The said improvements shall include landscaping, benches, trash receptacles, and a trail.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Lowe, with Commissioners Eley, Lowe, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 26, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of April 2001.

Trudye Morgan Johnson
Executive Director



By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JJ:rmk

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department
Date 4/30/01



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

PGCPB No. 99-28(A)

File No. 4-98076

AMENDED RESOLUTION

WHEREAS, Science Center Asso., et al., are the owners of a 153.20-acre parcel of land known as Maryland Science and Technical Center (Parcels A-C, E-H, Block 1; Parcels B and C, Block 2; Parcels A-D, Block e; Parcels A, D and E, Block 4), said property being in the 7th Election District of Prince George's County, Maryland, and being zoned E-I-A; and

WHEREAS, on November 20, 1998, University of Maryland Foundation, et al., filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 16 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-98076, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on February 4, 1999, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on February 4, 1999, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

WHEREAS, by letter dated May 26, 2000, Lisa L. Jackson, attorney for the applicant, requested a waiver of the Planning Board Rules of Procedure and a reconsideration of Condition 12 of the original approval; and

WHEREAS, on June 22, 2000, the Planning Board approved a waiver of the rules and approved the reconsideration request; and

WHEREAS, the Planning Board finds that the imposition of the original Condition 12, requiring a security and maintenance agreement was an error in that it was not an appropriate tool to ensure the continued maintenance and security of the historic site; and

WHEREAS, the Planning Board heard testimony from the applicant, staff and the City of Bowie regarding the merits of amending original Condition 12, on September 28, 2000; and

WHEREAS, after hearing the testimony, the Planning Board agreed that Condition 12 should be amended, based on revised findings included in this amended resolution.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree

Conservation Plan (TCPI/44/98), and further APPROVED Preliminary Plat of Subdivision 4-98076 with the following conditions:

1. Development of this site shall be in conformance with the approved Basic Plan (A-9401) and the approved Comprehensive Design Plan (CDP-8601), as amended or otherwise provided.
2. Development of this site shall be in conformance with the approved stormwater management concept plan. The approval number and date shall be added to the preliminary plat prior to signature approval.
3. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP I/44/98) or as modified by the Type II TCP. The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/44/98), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

4. With the approval of specific design plans, a Type II Tree Conservation Plan shall be approved.
5. Prior to the issuance of any permit which impacts wetland buffer, streams, waters of the U.S. or waters of the State, the applicant shall provide the Natural Resources Division with evidence that all Federal and State approvals have been obtained.
6. A minimum buffer of 50 feet in width shall be shown along the banks of all streams within the property and shall be expanded to include the 100- year floodplain, non-tidal wetlands, steep slopes of 25 percent and greater and slopes of 15-24 percent having soils erodibility factor 0.35 and greater. Such a buffer shall be reviewed by the Natural Resources Division prior to the Specific Design Plan approval.
7. At the time of final plat, a Conservation Easement shall be described by bearings and distances. The conservation easement shall contain all 100-year floodplain and stream buffers and be reviewed by the Natural Resources Division prior to certificate approval. The following note shall be placed on the Plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation is prohibited without prior written consent from the M-NCPPC Planning Director or Designee. The removal of hazardous trees, limbs, branches and trunks is allowed.”

8. Prior to signature approval of the preliminary plat, the Type I Tree Conservation Plan shall be revised as follows:
 - a. The TCP shall reflect off-site mitigation and not a fee-in-lieu.
 - b. A note shall be added to the TCP indicating that, if off-site mitigation is not feasible at the time of Type II approval, then a fee-in-lieu would be used for portion of the requirement.
9. Prior to signature approval, the preliminary plat shall be revised as follows:
 - a. The road labeled "Old Crain Highway" shall be relabelled "Old Crain Drive."
 - b. Plat references and acreage shall be provided for the IDA parcel, the Census Bureau parcel and the State of Maryland parcel in Pod 4.
10. The following note shall be placed on the final plat:

"An automatic fire suppression system shall be provided in all proposed buildings."
11. Prior to signature approval of the preliminary plat, the applicant shall demonstrate that Condition 14 of the Comprehensive Design Plan approval (CDP-8601) has been satisfied which requires approved floodplain for streams draining watersheds "B" and "C."
12. [Prior to signature approval of this preliminary plat, the applicant, his heirs, successors and/or assigns shall provide evidence of a security and maintenance agreement for the protection of the Melford House and grounds which, with the advice from the Historic Preservation Commission, shall be acceptable to the Planning Board and/or its designee. The maintenance agreement may be modified with the approval of the Planning Board and/or its designee. This agreement may be terminated upon approval of the Planning Board.]

Prior to signature approval, the applicant, his heirs, successors and/or assigns shall provide evidence that the following items have either been implemented or constructed:

- a. Maintenance of utilities and fire insurance (submit copy of annual advance payment and contract).
- b. A burglar alarm system, with motion detectors and intrusion sensors on all windows and doors of the house (submit copy of contract).

c. Installation of 'No Trespassing' signs at the street, and on existing fencing around the 2.7-acre environmental setting.

13. The final plat shall include a note that building permit applications shall include evidence that there is a tenant in the Melford House, or that it has been vacant for not more than 45 days, or a six-foot high, black vinyl-clad fence shall be required around the outbuildings and cemetery, or some other deterrent acceptable to the Historic Preservation Section.
14. To ensure that the design concepts, scale and setbacks of development are consistent with protecting views between Melford and the cemetery, Specific Design Plan submissions in the impact review area shall include detailed elevation drawings and cross-sectional views between these historic features.
15. Coincident with the submission of the first Specific Design Plan application for development within Parcels 1B through F, a Restoration and Adaptive Reuse Plan for the Melford House Historic Site shall be submitted to and approved by the Planning Board or its designee with the advice from the Historic Preservation Commission.
16. Coincident with the submission of the first Specific Design Plan application for development within Parcels 1B through F, a plan for the overall protection and maintenance of the cemetery shall be submitted, in accordance with the Subdivision Regulations for cemeteries (Section 24-135.2).
17. Any further development of the subject site that would generate more than 2,200 AM and 2,605 PM trips will require the submission of a new preliminary plat with a new traffic impact study.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located in the northeast MD 3/US 50 interchange in the City of Bowie.
3. Basic Plan A-9401 was approved on January 12, 1982. A Comprehensive Design Plan, CDP-8601, was approved on July 7, 1988. Preliminary Plat 4-88030 was approved on July 7, 1988. That preliminary plat was deemed to be in conformance with the CDP and Basic Plan. The current preliminary plat before the Planning Board presents a lotting pattern, internal road network and transportation system interface generally similar to the previously approved preliminary plat. Therefore, the proposed preliminary plat is in conformance with the CDP and Basic Plan. Conditions attached to the approval of the Basic Plan and CDP do not specifically pertain to the preliminary plat stage.

4. This site is partially wooded and is characterized with relatively moderate terrain sloping toward the east and west into tributaries of the Patuxent River. The site is pervaded with wetlands, floodplain steep slopes, and some questionable soils. The preliminary plat should reflect correctly the Patuxent River Primary Management Area Preservation Area limits. The predominant soil types on-site are Shrewsbury, Adelpia, Collington and Ochlockonee series. These soil types generally exhibit slight to severe limitations to development due to perched water table, impeded drainage and flood hazard.

The site is subject to the provisions of the Prince George's County Conservation Ordinance. The entire site is more than 40,000 square feet and contains more than 10,000 square feet of woodland. A review of the Forest Stand Delineation and Type I Tree Conservation Plan indicates that all the necessary information and required minimum woodland conservation are provided. However, the approval of a fee-in-lieu for 5.35 acres would require further review and consideration of other options. The fee-in-lieu option remains the least desirable, so staff recommend that off-site preservation be increased. The Tree Conservation Plan could be improved to preserve all of the priority conservation area within the Patuxent River Primary Management Area Preservation Area.

The Forest Stand Delineation is acceptable and the Type I Tree Conservation Plan (TCPI/44/98) is approved. However, the TCP needs to be revised to reflect off-site mitigation and not the fee-in-lieu. Also a note should be added to the Tree Conservation Plan indicating that, if off-site mitigation is not feasible at the time of Type II approval, a fee-in-lieu would be used for a portion of the requirement.

5. The *Master Plan for Bowie-Collington-Mitchellville and Vicinity* recommends several land uses for the Science and Technology Center property. With regard to that portion of the property undergoing resubdivision, the plan recommended land uses are as follows:

- Lot 1A - Retail
- Lots 1B, 1C, 1E, 1F, 1H - Office
- Lot 1G - Historic Site
- Lot 2B (part) - Retail
- Remainder - Employment, Private Open Space or Stormwater Management

Retail activities in the Science and Technology Center are addressed as follows:

“Given the existing and approved retail activities in the City of Bowie, any retail activities in this area should be permitted only to serve employee-generated needs.”

The plan shows two highway proposals. One is an interchange of Melford Boulevard with Route 50. The other is a connecting road from Melford Boulevard to a proposed transit station on the south side of US 50. However, each of these is to the east of the portion of the property covered by this subdivision. The plan raises no other master plan issues.

6. In accordance with Section 24-134(a) of the Subdivision Regulations, the subdivision is exempt from the mandatory park dedication requirements because the property is in a nonresidential zone.
7. There are no master plan trails issues associated with this property.
8. This preliminary plat application is related to Stage 1B development of CDP-8601. When Stage 1 was scheduled for development, the applicant had submitted a preliminary plat (4-88030) which was approved with conditions in 1988. On or about September 17, 1998, the applicant met with the project coordinator of the Transportation Planning Division for discussion of this development. Consequently, the project coordinator had approved and signed a scoping agreement. A traffic impact study was submitted together with this preliminary plat application to the Transportation Planning Division for review.

It is understood that construction of a grade separated interchange at MD 3 and Belair Drive, as identified in the resolution for CDP-8601 and 4-88030, has been completed. The access points with grade separation at the intersection of Belair Drive and MD 3 satisfies Condition #4 of CDP-8601. This access point is sufficient to handle the egress and ingress traffic volume generated by the Stage 1B development.

The internal traffic circulation for this application is consistent with the engineering map submitted on June 1, 1986 by the applicant and is acceptable.

A total of 1,950,000 square feet of development was approved for Stage 1B development. The traffic study associated with the approval of Preliminary Plat 4-88030 established 2,319 AM and 2,717 PM peak hour trips with the 1,950,000 square feet of development approved for Stage 1B. Since that plan approval, 240,000 square feet of development has been built on this site. However, based upon the existing traffic volume counts submitted by the consultant, the previous development generates 119 AM peak hour and 112 PM peak hour trips. The analysis concludes that 2,200 AM and 2,605 PM trips are left for the Stage 1 development.

The traffic generated by the proposed preliminary plan would impact the US 50/MD 3 interchange, specifically the ramp to and from southbound MD 3 and ramp to northbound MD 3.

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined Level-of-Service D (LOS D) as the lowest acceptable operating condition on the transportation system at signalized intersections and two-lane highway links at least two miles in length between signalized intersections. The ramp to and from southbound MD 3 and the ramp to northbound MD 3, when analyzed with the total future traffic as developed using the *Guidelines*, were found to be operating acceptably:

Ramp to/from SB MD 3				
	AM Peak Hour		PM Peak Hour	
	CLV	LOS	CLV	LOS
	Existing Traffic	272	A	319
Background Traffic*				
Total Traffic	509	A	907	A

*In accordance with the TPD data, no approved development projects are found in the vicinity that may cause an immediate adverse impact on the intersection.

Ramp to/from NB MD 3				
	AM Peak Hour		PM Peak Hour	
	CLV	LOS	CLV	LOS
	Existing Traffic	163	A	910
Background Traffic*				
Total Traffic	308	A	920	A

*In accordance with the TPD data, no approved development projects are found in the vicinity that may cause an immediate adverse impact at the intersection.

Therefore, adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved with a condition limiting the traffic generated by the property to 2,200 AM and 2,605 PM peak hour trips. Any further development of the subject site that would generate more than 2,200 AM and 2,605 PM trips will require the submission of a new preliminary plat with a new traffic impact study. The adequacy of access roads will be re-evaluated in accordance with requirements of CDP-8601. By imposing this condition, it is understood that 240,000 square feet of development, known as the IDA Building and the Census Building, exist on the property as of the date of this transportation memorandum. Also, it is understood that the trip generation rates inferred for the existing development are unique to the existing development, and will not be utilized in assessing the impact of future proposals. This condition, and all transportation related findings, pertain only to Stage 1 development. All conditions of CDP-8601 pertaining to Stage 2 development remain in effect.

9. The proposal is exempt from the requirements of Section 24-122.02 of the Subdivision Regulations for adequacy of public schools because the property is in a nonresidential zone and no dwelling units are proposed.
10. The Countywide Planning Section has reviewed the subdivision plans for adequacy of public facilities and concluded the following:
 - a. The existing fire engine service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service response time of 6.28 minutes, which is beyond the 3.25-minute response time guideline.
 - b. The existing ambulance service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service response time of 6.28 minutes, which is beyond the 4.25-minute response time guideline.
 - c. The existing paramedic service at Allentown Road Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 5.85 minutes, which is within the 7.25-minute response time guideline.
 - d. The existing ladder truck service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service response time of 11.09 minutes, which is beyond the 4.25-minute response time guideline.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed above, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

11. The proposed development is within the service area of the District II-Bowie police station. In accordance with Section 24-122.01(c)(1)(A) and (B) of the Subdivision Regulations of Prince George's County, the staff concludes that the existing County police facilities will be adequate to serve the proposed Maryland Science and Technology Center development. This police facility will adequately serve the proposed subdivision.
12. The Health Department has reviewed the application and offers several standard comments relating to wells and septic systems. The Health Department requires that all wells and septic systems be located on the preliminary plat. Though not included as a condition of approval, the applicant should be aware that any abandoned wells and septic systems will need to be backfilled or pumped and sealed in accordance with COMAR 26.04.04.

The Health Department also notes that a raze permit will be required prior to demolition of any of the buildings on the site. All materials, including hazardous materials, in the buildings must be removed and stored or discarded properly. Any debris must be

13. The property is within the City of Bowie; therefore, the City has jurisdiction over stormwater management. Stormwater management facilities are partially constructed on the site. To ensure that development of this site does not result in on-site or downstream flooding, development must be in accordance with an approved stormwater concept plan.

14. Historic Site 71B-16 (Melford) and its cemetery, listed in the National Register of Historic Places, are located on Parcel 1. Melford is a brick plantation house distinguished by a two-and-a-half story, semicircular projecting bay, built in the 1840s by Richard Duckett. The Environmental Setting of this Historic Site is in two non-contiguous parts: 2.7158 acres comprising the house, its outbuildings and terraced gardens, and 1.1309 acres to the north, which comprises the Duckett family cemetery.

Condition 6 of the approval of the Basic Plan (A-9401) established the Environmental Setting to protect the character of Melford:

“Prior to or as part of the submittal of a Comprehensive Design Plan for the subject parcel, an environmental setting shall be determined for the historic site (Melford) to define the relationship between the site and the proposed development. Building heights, landscaping, and the open space character of the development shall be determined to protect the character of the historic site.”

The Basic Plan also established CDP Consideration 12 relating to Melford:

“CDP approval should impose height limits in appropriate areas to protect the views and vistas for Melford and the Patuxent River.”

The first Comprehensive Design Plan for this property (CDP 8601) included Conditions 18 and 19 which relate to the Historic Site:

“Approval of the Impact Review Area for Melford, as shown by the applicant;”

“To ensure that the design concepts, scale and setbacks are consistent with protecting Melford and its environmental setting, Specific Design Plan (Phase III) submissions should include detailed elevation drawings and cross-sectional views of the surrounding development.”

The area around and between the two parts of the Environmental Setting (12.7517) is designated as the Impact Review Area (IRA), allowing architectural review by Historic Preservation staff of any development within this area.

Preliminary Plat 4-88030 was approved with the following conditions:

- 2a. Label the cemetery site as a parcel.

- 2i. Label the Historic Site’s Impact Review Area line in Block 1.

A subsequent CDP case (9003), which never received a final approval, addressed a number of security, maintenance and preservation and adaptive use concerns. The recommended historic preservation conditions included the following:

- *Prior to signature approval of the Comprehensive Deign Plan, a Security and Maintenance Agreement for the Melford House Historic Site (71B-16) shall be prepared by the applicant and approved by the Planning Board or its designee (Historic Preservation Commission). The agreement shall include:*
 - a. *Maintenance of utilities to the house and fire insurance.*
 - b. *Retention of a tenant in the house. The applicant shall confer with the Historic Preservation Commission to assure that a responsible tenant is found for the house.*
 - c. *Fencing and burglar alarm system if a tenant cannot be found who is satisfactory to the Historic Preservation Commission.*
 - d. *The property will be subject to inspection by the Department of Environmental Resources to insure compliance.*
 - e. *Appropriate "No Trespassing" signs placed.*
 - f. *Security fencing of the cemetery.*
- *Within six months of approval of CDP-9003 or prior to the first SDP application for Pod 1, whichever comes first, a Building Repair and Stabilization Plan for the Melford House shall be prepared by a registered architect with historic preservation experience, and shall be submitted to and approved by the Planning Board or its designee (Historic Preservation Commission). The plan shall include:*
 - a. *An existing condition report identifying problems.*
 - b. *A detailed description on how problems will be repaired. This work is subject to preparation of a Historic Area Work Permit and approval by the Historic Preservation Commission.*
 - c. *An implementation schedule, detailing when the work will be completed.*
 - d. *A proposal for maintenance of the grounds around the house and cemetery.*

The property will be subject to inspection by the Department of Environmental Resources to insure compliance. No SDP for the developments within the Center shall be processed if the said Plan is not produced within the required time frame, and if the applicant is not keeping the property maintained in accordance

- *Prior to the SDP application for the development within Pod 1 or for the development within Phase 2, whichever comes first, a Restoration and Adaptive Reuse Plan for the Melford House Historic Site shall be submitted to and approved by the Planning Board or its designee (Historic Preservation Commission). The plan shall include:*
 - a. *A plan for the restoration of Melford House.*
 - b. *A plan for restoration of the grounds around the house.*
 - c. *A plan for the treatment of the cemetery.*
 - d. *A proposed adaptive reuse.*
 - e. *An implementation schedule, detailing when the work will be completed.*

No SDP for the proposed developments within the Center shall be processed if said plan is not implemented in accordance with the approved schedule.

With this background, the Historic Preservation Commission (HPC) reviewed the subject application at its January 19, 1999 meeting and the following are its findings, conclusions and recommendations to the Planning Board.

The subject plan lays out six lots as part of Parcel 1: Lots 1A, 1B and 1C are located in the westerly portion and have access from Melford Boulevard on the west; the cemetery is included in the westerly portion of Lot 1D, and has access from Curie Drive on the east; Lot E also has access from Curie Drive on the east; Lot 1F, the largest and southernmost part of Parcel 1, includes the Melford House, its outbuildings and terraced gardens, the 2.7158-acre Environmental Setting.

The previous owner, SOP M Limited Partnership, evicted the tenant in September 1997; after negotiations with the HPC and staff, SOP M entered into an agreement with the Historic Preservation Section of the M-NCPPC regarding security and maintenance of the historic house and grounds, as stated in the letter from Phyllis Nash of SOP M to Gail Rothrock of the Historic Preservation Section, dated December 15, 1997. This agreement included the following:

- a. Security: Coverage was set up with Rollins: keypad panel in entrance hall, master security control box in basement; motion detector sensors and intrusion sensors.
- b. Fire/freeze protection: smoke detectors, heat detectors, low temperature sensors.
- c. Maintenance of house and grounds: regular inspections several times per week of roof, gutters, and foundations; undertaking of necessary repairs based on inspections; regular lawn maintenance; snow and tree-limb removal as needed.

Based on this agreement, SOP M accomplished, early in 1998, essential roof repairs which have put a stop to the serious water damage that had previously been occurring. SOP M had also undertaken several other essential repairs.

The HPC noted that one of the purposes of the Subdivision Regulations is "To protect historic resources listed on the Inventory of Historic Resources of the adopted and approved *Historic Sites and Districts Plan*" [Subtitle 24-104(a)(11)]. Moreover, Subtitle 24-135.1(b)(2) requires retention of natural features which contribute to the preservation of an historic resource.

In spite of the security arrangements, the historic Melford house recently (January 1-3, 1999) suffered serious damage to the masonry walls because of frozen pipes resulting from a failed heat sensor; this recent experience highlights the fact that even the best security system cannot protect the resource as well as an on-site tenant; i.e. that moth-balling an historic resource is an insufficient method of preservation. Because of this fact, and because a history of verbal expressions of good intentions by a number of owners have not guaranteed Melford's restoration, staff recommended the following condition to ensure that the restoration would take place:

- The restoration/renovation work on the Melford House and grounds, along with the establishment of its adaptive use(s) shall be approved, and construction started, prior to the approval of any other Specific Design Plan for land within Parcels 1A-1F (28.8439 acres), Parcels 2B and 2C (18.9638 acres) and Parcel 2F (3.7388 acres). This condition does not prevent the Planning Board from altering this timing as part of another future Specific Design Plan submission in the above-cited areas, if it finds that a later timing will not substantially impair the intent of this condition.

The HPC, after discussion, and in an effort to alert the applicant to this anticipated expense, found it appropriate to delay the requirement of this proposed initiation of work; the HPC will, however, expect the applicant to propose a restoration plan, a time table and adaptive use by the time of the next development submission.

Historic Preservation Conclusions

The configuration of lots in Parcel 1 provides for individual access onto major roads without creating unnecessary interior roads, which is necessary for the preservation of Melford and its cemetery.

The new owner should retain and continue the same or comparable security and maintenance agreement arranged between M-NCPPC and the former owner, as spelled out in the letter from Phyllis Nash of SOP M to Gail Rothrock of the Historic Preservation Commission, dated December 15, 1997.

The Historic Preservation Commission should review any development plans within the IRA, to ensure retention of the viewshed between the historic house and the cemetery.

To ensure the preservation of the Melford house, restoration/renovation work should be started and completed in the early stages of development of the Maryland Science and Technology Center. To this end, a proposed plan, timetable and proposed adaptive use should be submitted prior to future plan submittals.

The applicant should provide a plan for the overall protection and maintenance of the cemetery, in accordance with the Subdivision Regulations for cemeteries.

15. The City of Bowie offers a recommendation of approval subject to three conditions. The City's letter is in the file and included with this report. Condition 1 is a transportation related condition that caps the square footage of the proposed development to 1.95 million square feet and sets a system for tracking the trips in different phases of development. Staff believes this condition is unnecessary. The staff recommendation, as discussed in the Transportation Section of this report, included trip caps for the entire property.

City recommended Condition 2 incorporates several conditions from the previously approved preliminary plat. Many of the original conditions have been fulfilled or are superseded by this new application. Staff concurs that the conditions regarding floodplain approvals should be carried forward. However, the City also recommends building restriction lines be clearly identified on the preliminary plat. This is unnecessary as building restriction lines are set by approval of the Comprehensive Design Plan.

Condition 3 in the City's letter required several modifications to the preliminary plat. Many of these are reflected in the revised plat submitted by the applicant. However, staff concurs that the following modifications are necessary and should be accomplished prior to signature approval of the preliminary plat:

- a. The Road labeled "Old Crain Highway" should be relabelled "Old Crain Drive."
 - b. Plat references and acreage should be provided for the IDA parcel, the Census Bureau parcel and the State of Maryland parcel in Pod 4.
16. Original Condition 12 was established as a means of ensuring that certain security and maintenance measures were undertaken by the applicant to preserve the Melford house, grounds and cemetery in accordance with the Subdivision Regulations. The creation of a security and maintenance agreement was thought to be the most appropriate mechanism to accomplish this goal. However, upon further review, staff and the applicant agree that it may not be the best tool. Therefore, the Planning Board modifies Condition 12 to remove the security and maintenance agreement.

However, the goal of preserving and protecting the historic Melford House, grounds and cemetery remains. Staff has identified several measures that can be taken to accomplish this goal. These are listed in staff's recommended revised Condition 12. They include security fencing, burglary alarms, no trespassing signs, and maintenance of utilities and fire insurance. A new condition requiring these measures can accomplish the same goal without placing the burden of an agreement on the applicant or the Commission.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Brown, with Commissioners Eley, Brown, and Hewlett voting in favor of the motion and with Commissioner Lowe absent, at its regular meeting held on Thursday, September 28, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of November 2000.

Trudye Morgan Johnson
Executive Director

Frances J. Guertin
By Frances J. Guertin
Planning Board Administrator

TMJ:FJG;jd:ve

APPROVED AS TO LEGAL SUFFICIENCY.

George Johnson
M-NCPPC Legal Department

Date 10/23/00

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 18, 2002, regarding Specific Design Plan SDP-0201 for Maryland Science & Technology Center, the Planning Board finds:

1. Location—The subject property is located in the northeast quadrant of the intersection of Crain Highway (US 3) and John Hanson Highway (US 50). The site is bounded to the north by an existing subdivision of single-family detached units zoned R-A, and the Patuxent River Park; to the east by the U.S. Air Force Transmitter Station located in Anne Arundel County; to the south by the US 50 right-of-way; and to the west by the US 3 right-of-way.

2. The Proposed Development—The purpose of this Specific Design Plan is for approval of construction of three single-story office/research and development/warehouse buildings on Lot 3, Block 4. The lot has frontage on Telsa Court. Each building will have two vehicular access points from Telsa Court. The buildings will be centrally located on their respective parcels with parking and/or loading located around the entire perimeter of each structure. The plan includes site and landscape plans. The applicant originally submitted plans to develop Lots 2 and 3, Block 2 and Lot 4, Block 4, but has since withdrawn those lots from the application.

3. Background—The *Bowie-Collington-Mitchellville and Vicinity Master Plan* (1991) recognized the 1982 rezoning of the subject property to employment/institutional as the approved land use. The Sectional Map Amendment (1991) was approved and retained the E-I-A zoning for the subject property. In a memorandum dated April 22, 2002 (D'Ambrosi to Wagner), the following master plan recommendations are applicable to the site:
 - “High Standard of Design—The University of Maryland Science and Technology Center (UMS&TC) property is recommended to be retained in the E-I-A Zone and conforms to a high standard of design in terms of buildings, landscaping and overall relationships. The development of this property is controlled by an approved Comprehensive Design Plan and an approved preliminary subdivision for the westerly portion of the property. Future development shall be in accordance with these approved plans. However, in the event modifications are warranted, they will be subject to public hearings;

 - “Superior Quality Research and Development Complex—Diligent attention by the City of Bowie, County and State must persist to ensure that the proffered commitments to developing a superior quality research and development complex, incorporating a range of academic elements and guided by approved design conditions is adhered to;

- **“Showcase Employment Area—This ‘showcase’ employment area should be given high priority in marketing efforts as considerable public commitments have been made to provide the necessary public infrastructure for a successful quality employment park.”**

4. **The Approved Basic Plan—**On January 25, 1982, the District Council approved Zoning Map Amendment Application and Basic Plan No. A-9401 for the subject property, with ten conditions (Zoning Ordinance No. 2-1982). This Zoning Map Amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. The Specific Design Plan is in conformance with the approved Basic Plan. Specific conditions which warrant discussion regarding conformance of the Specific Design Plan with the Basic Plan are considered below:

2. **Exterior building surfaces facing any public street, or the east or north property lines, shall not be constructed of cinder block or corrugated metal material.**

Comment : Neither cinder block nor corrugated metal is proposed as exterior finish material for the buildings to be constructed as part of this Specific Design Plan.

5. **All buildings shall be set back at least 100 feet from the existing right-of-way of Routes 3 and 50.**

Comment : The proposed development plan meets the setback standards.

5. **The Approved Comprehensive Design Plan—**On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Planning Board decision (PGCPB No. 86-107), for the Maryland Science and Technology Center, with 27 conditions and 2 considerations. The proposed Specific Design Plan is generally in conformance with the approved Comprehensive Design Plan. The Specific Design Plan, when modified by the conditions described below, will be in conformance with the approved Comprehensive Design Plan. Specific conditions which warrant discussion regarding conformance of the Specific Design Plan with the Comprehensive Design Plan are considered below:

2. **All structures shall be fully equipped with automatic fire extinguisher systems in accordance with the National Fire Protection Association (NFPA) Standard 13 and all applicable County laws to alleviate the negative impact. In addition, pursuant to Subtitle 27 of the Prince George’s County Code, all documents, maps and drawings in the CDP shall be amended where necessary, to reflect above said condition and be submitted to the Planning Board or its designee prior to signature approval;**

Comment: A note has been added to the plan that states, “All structures shall be fully equipped with automatic fire extinguisher systems in accordance with the National Fire Protection Association (NFPA) Standard 13 and all applicable county laws.” However, this requirement should also be added as a condition to the Recommendation section.

11. **The stormwater management concept should be amended to indicate that on-site infiltration of the first one inch of runoff will be provided wherever soil conditions permit;**

Comment: The subject property is within the limits of the City of Bowie, thus the stormwater management review and approval are the responsibility of the municipality. Stormwater Management Concept Plan FWA-88390.60 has been approved by the City of Bowie's engineer.

24. **The internal pedestrian path system proposed in the CDP shall be in addition to the path system required in association with the road system;**

Comment: Pedestrian paths, both internal and in conjunction with the proposed road system, have been provided. The condition has been satisfied.

25. **A treed landscaped area shall be maintained and augmented by the applicant along the entire Route 50 (I-68) and Route 3 frontage. This shall include augmenting any landscaping to be lost during highway improvements;**

Comment: The applicant is proposing a treed landscape yard, minimum 50-foot-wide, along the entire frontage of US 3 and US 50 (I-68). The condition has been satisfied.

26. **The applicant and/or Prince George's County shall be responsible for landscaping at least a 12-foot-wide median, except for left turn lanes, within the main collector road. Responsibility for landscaping and maintenance shall be determined prior to an SDP approvals, and;**

Comment: The applicant has stated that an agreement has been reached with the City of Bowie in which the city will provide landscaping, and maintenance of said landscaping, within both the public and private rights-of-way. The condition has been satisfied.

27. **The applicant shall work with the Maryland-National Capital Park and Planning Commission Parks Department to find a location for at least two (2) full-sized softball fields to be temporarily built on the 466-acre site during Stage 1. During Stage 2, an evaluation of the fields usage shall be prepared and a determination as to the need of on-site or off-site facilities shall be made.**

Comment: The softball fields were a request of the City of Bowie during the time of the Comprehensive Design Plan review, and were to be provided as a supplement to the city's recreational facilities system. Subsequent to the request, new facilities have been constructed or are under construction within the city; therefore, the required ballfields are no longer necessary. With the approval of the previous SDP-0103 and SDP-0104, the applicant and the City of Bowie came to an agreement with respect to the provision of additional recreational amenities on the site in lieu of the required ballfield construction.

Given the changes in the city's needs with respect to recreational facilities since the Comprehensive Design Plan was approved, both the Planning Department and the Department of Parks and Recreation supported the substitution of recreational facilities, specifically landscaping, benches, trash receptacles, and a trail around the perimeter of the lake/pond, which are currently under construction. The condition has been satisfied.

6. The Approved Preliminary Plan—The Preliminary Plan, 4-99076, was approved by the Planning Board on September 28, 2000, with 17 conditions (PGCPB No. 99-28A). The overall lotting pattern, circulation pattern and access points shown on the site plan are in general conformance with the approved Preliminary Plan. Specific conditions which warrant discussion regarding conformance of the Specific Design Plan with the Preliminary Plan are considered below:

1. **Development of this site shall be in conformance with the approved Basic Plan (A-9401) and the approved Comprehensive Design Plan (CDP-8601), as amended or otherwise provided.**

Comment: The subject development proposal is in conformance with both the approved Basic Plan and Comprehensive Design Plan. See Findings 4 and 5 above for further discussion.

4. **With the approval of specific design plans, a Type II Tree Conservation Plan shall be approved.**

Comment: The subject application was referred to the Environmental Planning Section. See Finding 9 for further discussion.

6. **A minimum buffer of 50 feet in width shall be shown along the banks of all streams within the property and shall be expanded to include the 100-year floodplain, non-tidal wetlands, steep slopes of 25 percent and greater slopes of 15-24 percent having soils erodibility factor 0.35 and greater. Such a buffer shall be reviewed by the Natural Resources Division prior to the Specific Design Plan approval.**

Comment: No streams are in proximity to the subject development pod. The condition is not applicable to this application.

14. **To ensure that the design concepts, scale and setbacks of development are consistent with protecting views between Melford and the cemetery, Specific Design Plans in the impact review area shall include detailed elevation drawings and cross-sectional views between those historic features.**

Comment: The subject development pod is south of Melford and the cemetery, and is approximately 800 linear feet away from the Melford houses. The subject development pod is not within the impact review area. The condition is not applicable to this application.

17. **Any further development of the subject site that would generate more than 2,200 AM and 2,605 PM trips will require the submission of a new preliminary plat with a new traffic impact study.**

Comment: The condition has been satisfied. See Finding 10 for further discussion.

7. The development data for the subject property is as follows:

**MARYLAND SCIENCE AND TECHNOLOGY CENTER
 Lot 3, Block 4**

Zone	E-I-A
Gross Area	9.07 acres
Maximum Building Height	19 feet
Total Floor Area (3 buildings)	83,680 sq. ft.
70% Office	58,576 sq. ft.
30% Warehouse	25,104 sq. ft.
 Parking Spaces Required:	
<u>Office:</u>	
1 sp/250 sq. ft. of 1st 2000 sq. ft. of building	8 spaces
1 sp/400 sq. ft. above 1st 2000 sq. ft.	142 spaces
 <u>Warehouse:</u>	
3 sp/1500 sq. ft. of 1 st 1500 sq. ft. of building	3 spaces
1 sp/1500 sq. ft. of 23,604 sq. ft.	16 spaces
Total Parking Spaces Required	169 spaces
Total Parking Spaces Provided	197 spaces
 Handicapped Parking Spaces Required	 6 spaces
Handicapped Parking Spaces Provided	12 spaces
Loading Spaces Required	3 spaces
Loading Spaces Provided	14 spaces

8. Conformance with the Requirements of the Zoning Ordinance in the E-I-A Zone, including the Requirements of the Prince George's County *Landscape Manual*—The subject application is in general conformance with Section 27-501 of the Zoning Ordinance, which regulates development in the E-I-A Zone.

The site is subject to Sections 4.2, Commercial and Industrial Landscape Strip Requirements, 4.3, Parking Lot Requirements, and 4.4, Screening Requirements. The landscape plans are in full compliance with the requirements of the *Landscape Manual* except for Section 4.4, Screening Requirements.

Section 4.4a. requires the following:

“All loading areas, loading docks, vehicular lanes providing access to the above, and service or maintenance areas shall be screened from land in a residential zone and all adjacent public roads.”

The buildings on Lot 3 will be visible from the adjacent major thoroughfare, US 50 to the south. The proposed siting of the buildings on the parcels is such that the loading and trash dumpster compound may be visible from US 50 if adequate landscaping and/or screening is not provided. The applicant has proposed evergreen trees along the edge of the loading and trash dumpster compound that is adjacent to the US 50 right-of-way. The proposed landscape screening is not adequate, and does not meet the minimum requirements of Section 4.4. Therefore, it is recommended that a double staggered row of evergreen trees be provided along the south perimeter of the parking compound, generally along the perimeter of the loading space and trash dumpster compound. Quantities and location of evergreen trees to be provided should be determined by staff of the Urban Design Section as designee of the Planning Board.

9. Environmental Planning—The subject application was referred to the Environmental Planning Section for review, and in a memorandum dated April 4, 2002 (Markovich to Wagner), the following comments were provided:

The Environmental Planning Section has reviewed the above referenced Specific Design Plan stamped as accepted on March 13, 2002. SDP-0201 has been found to address the environmental constraints for this site and is recommended for approval.

Background

The lots included in this application were previously reviewed by the Environmental Planning Section in conjunction with the Basic Plan, A-9401; the Comprehensive Design Plan, CDP-8601; the Preliminary Plan of Subdivision, 4-98076; the Type I Tree Conservation Plan, TCPI/44/98; and the Type II Tree Conservation Plan, TCPII/36/99; which were approved.

Site Description

The lot consists of 9.07 acres and is part of a larger property totaling 466.62 acres in the E-I-A Zone. The property is located on the northeast quadrant of the intersection of US 50 and US 301. A review of the available information indicates that no streams, wetlands, 100-year floodplain, severe slopes, or areas of steep slopes with highly erodible soils are found to occur on Lot 3. Although US 50 and US 301 have been identified as transportation-related noise generators, there are no adverse impacts to the commercial uses included in this application. The soils found to occur according to the Prince George's County Soil Survey include Adelphia fine sandy loam, Collington fine sandy loam, mixed alluvial land, Ochlockonee sandy loam. The mixed alluvial land and the Adelphia soils have limitations with respect to high water tables and impeded drainage. According to available information, Marlboro clay is not found to occur in the vicinity of this property. The sewer and water service categories are S-3 and W-3. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this property. This property is located in the Patuxent River watershed and in the Developing Tier as reflected in the adopted Biennial Growth Policy Plan.

Environmental Conditions of Approval to be Addressed at Specific Design Plan

The approval of the Comprehensive Design Plan by the District Council and the approval of the Preliminary Plan of Subdivision by the Planning Board included numerous conditions, several of which dealt with environmental issues that were to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the Specific Design Plan are addressed below. The respective conditions are in **bold** type face and the associated comments are in standard type face.

Comprehensive Design Plan, CDP-8601

10. **The Phase III (SDP) submittal for Pod 7 should determine the extent to which nontidal wetlands in this area will be disturbed and how this disturbance can be mitigated by wetland replacement and/or enhancement projects.**

Pod 7 is located adjacent to the Patuxent River and is not included in this application.

Preliminary Plan of Subdivision, 4-98076; PGCPB No. 99-28

4. **With the approval of specific design plans, a Type II Tree Conservation Plan shall be approved.**

A Type II Tree Conservation Plan was approved for the entire 466.62-acre property following a grading violation which occurred on a portion of the site which is not the subject of this application. At that time generalized limits of disturbance were identified for each of the parcels included in this application. The limits of disturbance identified at that time avoided disturbances to the Patuxent River Primary Management Area (PMA). The plans as submitted conform to the previously approved Type I Tree Conservation Plan, TCPI/44/98, and Type II Tree Conservation Plan, TCPII/36/99.

5. **Prior to the issuance of any permit which impacts wetland buffer, streams, Waters of the U.S. or Waters of the State, the applicant shall provide the Natural Resources Division with evidence that all Federal and State approvals have been obtained.**

No wetlands, wetland buffers, streams, or Waters of the U.S. are proposed to be disturbed by this application.

6. **A minimum buffer of 50 feet in width shall be shown along the banks of all streams within the property and shall be expanded to include the 100-year floodplain, nontidal wetlands, steep slopes of 25 percent and greater and slopes of 15-24 percent having soils erodibility factor 0.35 and greater. Such a buffer shall be reviewed by the Natural Resources Division prior to the Specific Design Plan approval.**

The features described by this condition comprise the Patuxent River Primary Management Area (PMA). Because there are no streams located on or adjacent to Lot 3, Block 4, this condition does not apply.

Environmental Review

- a. A Forest Stand Delineation (FSD) was submitted and approved for these lots in conjunction with the review of the Preliminary Plan of Subdivision, 4-98076.

Discussion: No additional information is required for the Forest Stand Delineation.

- b. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site, and there are prior Tree Conservation Plan approvals. The Specific Design Plan as submitted with this

application is consistent with TCPII36/99 as previously approved. The limits of the Woodland Conservation Tree Save Area have been accurately reflected on the Specific Design Plan as a Forest Conservation Easement.

Discussion: No further information or revisions are necessary.

10. The Transportation Planning Section has reviewed the Specific Design Plan (SDP) application referenced above. The subject property consists of approximately 9.07 acres of land in the E-I-A Zone. The property is at the northeast corner of MD 3 and US 50 within the City of Bowie. The applicant proposes 83,680 square feet of office space on Lot 3 of Block 4.

The transportation staff has reviewed issues regarding the development of the subject site and the larger Maryland Science & Technology Center (total of 466 acres) in conjunction with A-9401, CDP-8601, and Preliminary Plan of Subdivision 4-88030. Since those plans were approved, approximately 540,000 square feet of space has been constructed within the Maryland Science and Technology Center (including 300,000 square feet which was approved under SDP-0103 and SDP-0104). The Preliminary Plan and CDP approvals established a square footage cap for the initial phase of 1.95 million square feet. Preliminary Plan of Subdivision 4-98076 affirmed a trip cap of 2,200 AM and 2,605 PM peak hour vehicle trips for all remaining development on the site.

300,000
square feet

1,532,500

There are a number of transportation-related conditions on earlier development review stages; these are reviewed in detail below:

CDP-8601:

- Condition 3. Required upgrading of MD 3/Belair Drive/Melford Boulevard prior to development, up to a maximum of 400,000 square feet. The intersection has been replaced with an interchange. OK.
- Condition 4. Required an interchange at MD 3/Belair Drive/Melford Boulevard for development beyond 400,000 square feet and up to 1,950,000 square feet. The interchange is complete and open to traffic. OK.
- Condition 5. Required new traffic study after 1991 or after completion of improvements to US 50. A new traffic study was prepared in 1998 and reviewed in conjunction with Preliminary Plan of Subdivision 4-98076. OK.
- Condition 6. Established dedication widths for internal streets. All streets have been dedicated in accordance with this condition. OK.
- Condition 7. Required that the impact of development along Belair Drive be minimized. This has been done by limiting access to Melford Boulevard. Lot 3 does not front on Melford Boulevard.

- Condition 8. Required the completion of documents establishing legal access to the property. This was done prior to the initial development on the property. OK.
- Condition 9. Required setbacks to accommodate planned US 50 improvements. All improvements to US 50 have been constructed. OK.
- Condition 20. Established requirement for a new traffic study prior to Stage 2 development. The subject development is within Stage 1B, and therefore this condition does not apply.
- Condition 21. Restricted the Beech Tree Lane access to a right-in right-out. This condition is complete.

Preliminary Plan of Subdivision 4-98076:

- Condition 17: Established a trip cap for remaining development, based upon roadway improvements which existed in 1998 and 240,000 square feet of then-existing development, of 2,200 AM and 2,605 PM peak hour trips. Since that time, SDP-0104 approved 300,000 square feet of office space generating 600 AM and 555 PM peak hour vehicle trips, and SDP-0103 approved 153,250 square feet of flex space generating 112 AM and 115 PM peak hour trips. The subject application proposes 83,680 square feet of what is termed R&D space. From the parking computations on the plan, this is intended to be a mix of office space (2/3) and warehouse space (1/3). Therefore, staff has determined that the proposed plan would generate 127 AM and 118 PM peak hour trips, leaving 1,361 AM and 1,817 PM peak hour trips.

Vehicular and pedestrian access within the site is acceptable. Adequate right-of-way in accordance with the Master Plan exists along MD 3 and US 50.

As noted previously, the subject property is part of a larger project which has completed Stage 1B roadway improvements in the area pursuant to a finding of adequate public facilities made in 1988 for Preliminary Plan of Subdivision 4-88030. Insofar as the basis for that finding is still valid, and in consideration of the materials discussed earlier in this memorandum, the transportation staff finds that the subject property will be adequately served within a reasonable period of time with transportation facilities which are existing, programmed, or which will be provided as a part of the development if the development is approved. Furthermore, as long as the access modification associated with Condition 7 of the Basic Plan is made, the submitted plans are in conformance with past approved plans, including the approved Comprehensive Design Plan.

11. Urban Design—The Urban Design Section has reviewed the site plan and finds that the proposed architecture for the subject parcels will provide buildings that will be compatible and complementary to each other, the proposed office buildings of SDP-0103, and the existing government facilities, the U.S. Census and Defense Information, in the employment park, with respect to

material and articulation. The proposed buildings will employ materials identical to those provided on the existing flex/office buildings that are designed with continuous glass curtain walls that wrap around the entire structure at each floor, accented by brick bands and polished steel columns.

12. The subject application was referred to the Growth Policy and Public Facilities Planning Section for review, and in a memorandum (Williams to Wagner) dated April 29, 2002, the following comments were provided:

Fire Service

The existing fire engine service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service response time of 6.28 minutes, which is beyond the 3.25-minute response time guideline.

The existing ambulance service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service response time of 6.28 minutes, which is beyond the 4.25-minute response time guideline.

The existing paramedic service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 5.85 minutes, which is within the 7.25-minute response time guideline.

The existing ladder truck service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service response time of 11.09 minutes, which is beyond the 4.25-minute response time guideline.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department recommends that a fire suppression system be installed in all commercial structures in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

Police Services

The proposed development is within the service area of District II -Bowie. Staff of the Growth Policy and Public Facilities Planning Section conclude that the existing police facilities will be adequate to serve the proposed science and technology center.

13. The subject plan was referred to the City of Bowie and in a letter dated April 19, 2002 (Robinson to Hewlett), the Bowie City Council recommends disapproval of the Specific Design Plan because, in their opinion, "The request for flex-space at the MSTC is excessive and incompatible

with the high tech character envisioned for this site.” This recommendation was based on the original application for flex-office buildings on Lots 2 and 3, Block 2, and Lots 3 and 4, Block 4, for a total of 210,040 square feet of flex-office space. Subsequent to the City Council hearing, the applicant, by letter dated June 28, 2002 (Benitez to Wagner), withdrew Lots 2 and 3, Block 2, and Lot 4, Block 4, from the application, leaving Lot 3, Block 4, with three flex-office buildings consisting of a total of 83,680 square feet.

14. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties. The applicant has obtained approval of a Stormwater Management Concept Plan, FWA-88390.60, from the City of Bowie’s engineer.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Specific Design Plan for the above-described land, subject to the following conditions:

1. Prior to certification, the Detailed Site Plan shall be revised to provide a double staggered row of evergreen trees along the south end of the parking compound, generally across from the proposed loading spaces. Quantities and location of evergreen trees to be provided shall be determined by staff of the Urban Design Section as designee of the Planning Board.
2. In order to alleviate the negative impact on fire and rescue services due to the inadequate service, the Fire Department recommends that a fire suppression system be installed in all commercial structures in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Lowe, with Commissioners Eley, Lowe, Scott, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 18, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of September 2002.

Trudye Morgan Johnson
Executive Director

By *Frances J. Guertin*
Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:wrc

APPROVED AS TO LEGAL SUFFICIENCY.

George Johnson
M-NCPRC, Legal Department

Date 8/14/02



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 TTY: (301) 952-3796

PGCPB No. 05-235

File No. SDP-0402

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on November 17, 2005, regarding Specific Design Plan SDP-0402 for Maryland Science and Technology Center, the Planning Board finds:

1. **Request:** The purpose of this specific design plan is for a 40,440 square-foot, one-story flex-office building and a 22,000 square-foot, two-story office building on Lot 5, Block 4, consisting of 5.56 acres in the E-I-A Zone. The Planning Board previously approved a specific design plan for infrastructure (SDP-0203) for the site.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	E-I-A	E-I-A
Use(s)	Vacant	Office
Acreage	5.56	5.56
Lots	1	1
Parcels	N/A	N/A
Square Footage	0	62,440
Parking Spaces:	REQUIRED	PROPOSED
Office	139	178
Of which are HC spaces	5	5
Van-Accessible Spaces	2	4
Loading Spaces:	4	16

3. **Location:** The Maryland Science and Technology Center is located in the northeast quadrant of the intersection of Crain Highway (MD 3) and John Hanson Highway (US 50). The site is located at the intersection of Melford Boulevard and Telsa Drive.

4. **Design Features:** The site is located in Pod 4, which is designated for technology support in the comprehensive design plan. Lot 5 is the last lot to be developed in that block. The proposal consists of two separate buildings—a one-story, primarily brick with standing-seam metal roof, flex office building consisting of 40,440 square feet and a two-story, all brick with standing-seam

metal roof, office building consisting of 22,000 square feet. The applicant has also revised the alignment of Melford Boulevard with this application and proposes a new traffic circle at the intersection of Melford Boulevard and Telsa Drive. The two-story office building will front on the traffic circle and the flex-office building will front on Melford Boulevard.

COMPLIANCE WITH EVALUATION CRITERIA

4. **The Approved Basic Plan:** On January 25, 1982, the District Council approved Zoning Map Amendment Application and Basic Plan A-9401 for the subject property, with ten conditions (Zoning Ordinance 2-1982). The zoning map amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. The specific design plan is in conformance with the approved basic plan.
5. **The Approved Comprehensive Design Plan:** On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Planning Board decision (PGCPB No. 86-107), for the Maryland Science and Technology Center, with 27 conditions and two considerations. The proposed specific design plan (SDP) is in conformance with all aspects of the approved comprehensive design plan (CDP). The CDP designated Pod 4 (Block 4) as the location in the center for technology support which is commonly referred to as flex-office space.
6. **Preliminary Plan, 4-98076:** The preliminary plan was approved by the Planning Board on September 28, 2000 (Resolution PGCPB 99-28(A)). The specific design plan is in conformance with the preliminary plan. For further discussion of environmental and transportation conditions of the preliminary plan, see Findings 10 and 11 below.
7. **The Zoning Ordinance:** The specific design plan is in conformance with the requirements of Section 27-501 of the Zoning Ordinance governing development in the E-I-A Zone and the requirements of the *Landscape Manual*.
8. The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development. See Findings 11 and 12 below for a discussion of transportation and public facilities adequacy.
9. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties. The lot has an approved stormwater management concept plan (FWA 88390.60) by the City of Bowie.

Referrals

10. In a memorandum dated November 1, 2005, the Environmental Planning Section offered the following comments:

The Environmental Planning Section has reviewed the above referenced specific design plan and the Type II Tree Conservation Plan (TCPII/36/99-05), stamped as received on October 26, 2005. The Environmental Planning Section recommends approval of SDP-0402 and TCPII/36/99-05.

Background

The Environmental Planning Section previously reviewed Basic Plan A-9401 and Comprehensive Design Plan CDP-8601. The Environmental Planning Section also previously reviewed the area that is the subject of this application as part of Preliminary Plan of Subdivision 4-98076, Specific Design Plan SDP-0201, and Type I Tree Conservation Plan TCPI/44/98. All of these plans were approved.

A Type II tree conservation plan was approved for the entire site in 1999. The approved TCPII was intended to show all the environmental features or existing features on the site associated with the scope of review in 4-98076 (generally the area west of Curie Drive). The subject revision to TCPII/36/99 is the 2005 revision.

The current SDP application is for Lot 5 of Block 4. This application is for the construction of two buildings; a one-story, 40,000 square foot office identified as Building "H" and a two-story flex-office building totaling 22,440 square feet shown as Building "I."

Site Description

Lot 5 of Block 4 is located in the southwest portion of the 466.62-acre Maryland Science and Technology Center site that is zoned E-I-A. Lot 5 of Block 4 totals 5.56 acres and is located along the south side of Melford Drive, the west side of Curie Drive, and the north side of Telsa Drive. The larger Science and Technology Center property is located in the northeast quadrant of the intersection of US 50 and US 3/301. Based on available information, there are no regulated natural resources such as a stream, areas of 100-year floodplain and wetlands associated with Lot 5 of Block 4. Based on 1998 air photos and shortly thereafter, when a forest stand delineation was prepared, the subject site is not wooded. Two nearby highways, US 50 and US 3/301, are transportation-related noise generators; however, no adverse impacts to the use are anticipated in this application in relation to US 301 because the site is a considerable distance from this highway. Noise impacts in relation to US 50 are anticipated depending on the uses of the flex-office building. The predominant soils found to occur, according to the *Prince George's County Soil Survey*, include four types within the Collington fine sandy loam series. There are no development constraints associated with the Collington soils based on the proposed land use. According to available information, Marlboro clay is not found to occur in the vicinity of this property. Based on available information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened and endangered species found to occur in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of this property. The site drains to an unnamed tributary in the vicinity of the site and

directly to the Patuxent River to the east. The property is in the Bowie and Vicinity Planning Area and in the Developing Tier in the 2002 adopted General Plan.

Environmental Conditions of Approval to be Addressed at Specific Design Plan

The approval of the comprehensive design plan by the District Council, and the approval of the preliminary plan of subdivision by the Planning Board, included numerous conditions, several of which dealt with environmental issues to be addressed during subsequent reviews. One environmental condition to be addressed during the review of the specific design plan is listed below. This respective condition is in bold type; the associated comments and recommended conditions are in standard type face.

Preliminary Plan of Subdivision, 4-98076; PGCPB No. 99-28

- 4. With the approval of specific design plans, a Type II Tree Conservation Plan shall be approved.**

A Type II Tree Conservation Plan, TCP/II/36/99, was approved for the entire 466.62-acre property following a clearing violation that occurred on a portion of the site several years ago. At that time, generalized limits of disturbance were identified for the parcel in this application. One revision needed to SDP-0402 is addressed in the environmental review section of this memorandum.

Comment: Three other environmental-related conditions associated with previous plan approvals are associated with the overall site. However, two of these conditions are parcel or pod specific, and do not relate to the area within SDP-0402. A third condition relates to wetlands associated with the overall site; however, the area within SDP-0402 does not have regulated features, such as wetlands, associated with it.

Environmental Review

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

1. This portion of the overall site was included in a forest stand delineation (FSD) submitted in conjunction with the review of Preliminary Plan of Subdivision 4-98076. Parcel 5 of Block 4 is not a wooded area of the overall site.

Comment: No further information regarding the FSD is required.

2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because tree conservation plans have been previously approved that cover the overall property. A Type II tree conservation plan is required with the

approval of a specific design plan. A revised TCPII has been submitted and reviewed. This application represents the "-05" revisions to TCPII/36/99.

The proposed TCPII includes acreage in Phase I of the overall site that has been previously calculated in a phased worksheet. Because the subject portion of the overall site does not have woodland associated with it, the development proposal is generally consistent with the site's overall Type I tree conservation plan. A site visit was conducted as part of this review and to date the site has been cleared in conformance with the previously approved TCPII.

Comment: No additional information is required with regard to the TCPII at this time.

3. The site is located inside the City of Bowie's stormwater management review authority. A copy of stormwater management concept approval 02-0103-207NE15, issued in March 2002, was included in the submittal.

Comment: No further information regarding stormwater management is required.

11. In a memorandum dated August 31, 2005 (Masog to Wagner), the Transportation Planning Section offered the following comments:

The Transportation Planning Section has reviewed the specific design plan application referenced above. The subject property consists of approximately 5.56 acres of land in the E-I-A Zone. The property is at the northeast corner of MD 3 and US 50 within the City of Bowie. The plan proposes offices and a training center on Lot 5 of Block 4. Specifically, the plan proposes 62,440 square feet of office and light industrial space within two buildings.

The transportation staff has reviewed issues regarding the development of the subject site and the larger Maryland Science and Technology Center (total of 466 acres) in conjunction with A-9401, CDP-8601, and Preliminary Plan of Subdivision 4-88030. Since those plans were approved, there has been considerable development within the Maryland Science and Technology Center. The preliminary plan and CDP approvals established a square footage cap for the initial phase of 1.95 million square feet. Preliminary Plat of Subdivision 4-98076 affirmed a trip cap of 2,200 AM and 2,605 PM peak-hour vehicle trips for all remaining development on the site.

There are a number of transportation-related conditions on earlier development review stages; these are reviewed in detail below:

CDP-8601:

- Condition 3. Required upgrading of MD 3/Belair Drive/Melford Boulevard prior to development, up to a maximum of 400,000 square feet. The intersection has been replaced with an interchange. OK.

- Condition 4. Required an interchange at MD 3/Belair Drive/Melford Boulevard for development beyond 400,000 square feet and up to 1,950,000 square feet. The interchange is complete and open to traffic. OK.
- Condition 5. Required new traffic study after 1991 or after completion of improvements to US 50. A new traffic study was prepared in 1998 and reviewed in conjunction with Preliminary Plan of Subdivision 4-98076. OK.
- Condition 6. Established dedication widths for internal streets. All streets have been dedicated in accordance with this condition. OK.
- Condition 7. Required that the impact of development along Belair Drive be minimized. This has been done by limiting access to Melford Boulevard. The plan does propose access onto Medford Boulevard. A past plan for this same site showed multiple access points onto Medford Boulevard, and the comment was made at that time that one driveway would be acceptable but that additional driveways would need to be relocated or closed. In consideration of the past comments, the driveway shown is acceptable. OK.
- Condition 8. Required the completion of documents establishing legal access to the property. This was done prior to the initial development on the property. OK.
- Condition 9. Required setbacks to accommodate planned US 50 improvements. All improvements to US 50 have been constructed. OK.
- Condition 20. Established requirement for a new traffic study prior to Stage 2 development. The subject development is within Stage 1B, and, therefore, this condition does not apply.
- Condition 21. Restricted the Beech Tree Lane access to a right-in right-out. This condition is complete.

Preliminary Plan of Subdivision 4-98076:

Condition 17: Established a trip cap for remaining development based upon roadway improvements that existed in 1998 and 240,000 square feet of then-existing development, of 2,200 AM and 2,605 PM peak-hour trips. Since that time, the following approvals have occurred:

SDP	Location Lot/Block	Development Quantity	Status	AM Trip Generation	PM Trip Generation
Pre-1998		240,000 sq. ft.	Built	119	112
SDP-0103	Lot 4/2 Lot 1/4	153,250 sq. ft.	Built	112	115

	Lot 2/4				
SDP-0104	Lot 1/3 Lot 2/3	300,000 sq. ft.	Approved	600	555
SDP-0201	Lot 3/4	83,680 sq. ft.	Built	127	118
SDP-0203/1	Lot 2/2 Lot 3/2	81,600 sq. ft.	Under Construction	163	151
SDP-0405	Parcel 2E	125,000 sq. ft.	Approved	250	231
SDP-0405	Parcel 2E	156-student training center	Approved	26	31
Total		1092530 sq. ft.		1,397	1,313

The subject application is for a total of 62,440 square feet, with 48,286 square feet of office space and 14,154 square feet of warehouse space. The resulting peak-hour trip generation for the office component would be 97 AM and 89 PM trips. The resulting peak-hour trip generation for the warehouse component would be 6 AM and 6 PM trips. With the subject application and the previous approvals, the site would generate 1,500 AM and 1,408 PM peak-hour trips. This remains within the cap.

Vehicular and pedestrian access within the site is acceptable. Adequate right-of-way in accordance with the master plan exists along MD 3 and US 50.

As noted previously, the subject property is part of a larger project that has completed Stage 1B roadway improvements in the area pursuant to a finding of adequate public facilities made in 1988 and in 1998 for Preliminary Plans of Subdivision 4-88030 and 4-98076. Insofar as the basis for those findings is still valid, and in consideration of the materials discussed earlier in this memorandum, the transportation staff finds that the subject property will be adequately served within a reasonable period of time with transportation facilities that are existing, programmed, or will be provided as a part of the development if the development is approved. Furthermore, the submitted plans are in conformance with previously approved plans, including the approved comprehensive design plan.

12. In a memorandum dated August 18, 2005 (Izzo to Wagner), the Public Facilities Planning Section offered the following comments:

The Historic Preservation and Public Facilities Planning Section has reviewed the specific design plan and concluded the following:

The existing fire engine service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road has a service response time of 6.28 minutes, which is beyond the 3.25-minute response time guideline.

The existing ambulance service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road has a service response time of 6.28 minutes, which is beyond the 4.25-

minute response time guideline.

The existing paramedic service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Road has a service response time of 5.85 minutes, which is within the 7.25-minute response time guideline.

The existing ladder truck service at Glenn Dale Fire Station, located at 11900 Glenn Dale Boulevard, has a service response time of 11.09 minutes, which is beyond the 4.25-minute response time guideline.

The adopted and approved FY 2005-2010 CIP contains a project LK510650 for a new fire station to be constructed in the City of Bowie. This proposed station is planned to open in 2011 and will serve this development within the recommended response times

The above findings are in conformance with the *Approved Public Safety Master Plan* (1990) and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

Police: The proposed development is within the service area of District II-Bowie. As of 1/2/2005, the county had 1,302 sworn officers and 43 student officers in the academy, for a total of 1,345 personnel, which is within the standard of 1,278 officers. This police facility will adequately serve the population generated by the proposed development.

13. In a memorandum dated August 23, 2005 (Bienenfeld to Wagner), the archeology staff offered the following comments:

Phase I (Identification) archeological investigations are recommended on the above-referenced property. Over one dozen prehistoric and historic archeological sites surround the parcel. These include: Site 18PR167 and Site 18PR153, to the south; Site 18PR164, to the north (historic Melford), and sites 18PR28, and 18PR29, to the east of the property.

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994), and report preparation should follow MHT guidelines and the *American Antiquity* or *Society of Historical Archaeology* style guide. Archeological excavations shall be spaced along a regular 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.

14. In a memorandum dated October 11, 2005 (Mayor Robinson to Chairman Hewlett), the City of Bowie recommends approval of the specific design plan subject to conditions, which have been included in the recommendation section below.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/36/99-05), and further APPROVED Specific Design Plan SDP-0402 for the above-described land, subject to the following conditions:

1. Prior to certification, the following revisions shall be made:
 - a. On the two-story office building, the applicant shall provide an entrance feature on the rear elevation fronting on the Melford Boulevard/Telsa Drive traffic circle. A sidewalk shall be provided to connect the front and both sides of the office building with the parking area in the rear.
 - b. The architecture shall provide brick colors identical or complementary to those used for the newer R&D buildings along Melford Boulevard (Block 4, Lots 3 and 4).
 - c. The location, fixture details and pole height of the proposed parking lot lighting shall be provided. The applicant shall provide the same lighting fixtures as provided elsewhere on the MSTC site. General Note 16 shall be revised to state that timing devices will be installed.
 - d. All downspouts shall be covered with material matching that of the building and all roof-mounted HVAC equipment be completely screened from view.
 - e. The landscape plan shall be revised to include the following:
 - i. The white pine shall be replaced with red cedar.
 - ii. The Foster holly shall be replaced with American holly.
 - iii. The pin oaks located along the sidewalk of Telsa Drive shall be replaced with willow oaks.
 - f. The applicant shall provide signage details for both buildings. Staff and the applicant shall work together to develop an acceptable signage package for the site prior to signature approval of the SDP.
 - g. The site data notes shall be revised to reflect the accurate building square footages.
 - h. Roll-up door materials shall match roof materials in color (green patina).
 - i. The replacement of garage doors with tinted glass windows is encouraged.
 - j. The following note shall be placed on the site plan:

“An automatic fire suppression system shall be provided in all proposed buildings.”

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Eley, with Commissioners Squire, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, November 17, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of November 2005.

Trudye Morgan Johnson
Executive Director

By *Frances J. Guertin*
Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk

APPROVED AS TO LEGAL SUFFICIENCY.

Burge Johnson
M-NCPPC Legal Department

Date 11/18/05

SDP-0402 BLOCK 4, LOT 4

CYNTHIA FINTON
2614 KENHILL DRIVE
BOWIE MD 20715

5/6/05

MARTHA AINSWORTH
16500 ABBEY DRIVE
BOWIE MD 20715

5/6/05

BRUCE D PLETSCH
16520 ABBEY DRIVE
BOWIE MD 20715

9/20/05

MIE PROPERTIES INC
5720 EXECUTIVE DR
BALTIMORE MD 21228

9/20/05

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THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
(301) 952-3600

March 27, 2015

RE: **CSP-06002-01 Melford**
St. John Properties, Inc., Applicant



NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on March 23, 2015.

CERTIFICATE OF SERVICE

This is to certify that on March 27, 2015, this notice and attached Council Order was mailed, postage prepaid, to all persons of record.

A handwritten signature in black ink that reads "Redis C. Floyd".

Redis C. Floyd
Clerk of the Council

Case No.: CSP-06002-01 Melford

Applicant: St. John Properties, Inc.

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

ORDER OF APPROVAL WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that application CSP 06002-01, requesting approval for 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, and 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000 additional square feet of office space as amendments to an approved conceptual site plan ("CSP") with 1,807,874 square feet of approved office / research and development uses, in order to create an integrated, mixed-use development known as Melford, located in the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50 / 301), within Planning Area 71B, Council District 4, be and the same is hereby APPROVED, subject to conditions.

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

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

PROCEDURAL HISTORY

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

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

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

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

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

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

FINDINGS AND CONCLUSIONS

The Subject Property

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

Space (R-O-S) Zone, the Patuxent River Park; to the east by the Patuxent River and the U.S. Air Force transmitter station located in Anne Arundel County; to the south by the John Hanson Highway (US 50/301) right-of-way and a small vacant property in the Open Space (O-S) Zone; and to the west by the Robert S. Crain Highway (MD 3) right-of-way.

Prior History of the Property

On January 25, 1982, the District Council approved Zoning Map Amendment (Basic Plan) A-9401 for the subject property, with ten conditions (Zoning Ordinance 2-1982). In so doing, the zoning map amendment rezoned the property from the R-A and O-S Zones to the Employment and Institutional Area (E-I-A) Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, subject to 27 conditions and two considerations, consistent with the disposition recommendation of the Planning Board for the Maryland Science and Technology Center forth in PGCPB Resolution No. 86-107.

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

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

Subject Development Request

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

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

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

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

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

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

Four (4) neighborhoods are created by the two main boulevards: the northwest neighborhood, southwest neighborhood, southeast neighborhood, and northeast neighborhood, along with the commercial district on the west side of Melford Boulevard. Where the two main boulevards intersect, Applicant proposes a village plaza that will include a monumental feature that will also serve as a focal point for Melford Village. The east-west boulevard, as proposed, will terminate at an amphitheater on the eastern end, adjacent to an existing stormwater pond that Applicant proposes for reconfiguration as an amenity feature. *See* PGCPB No. 14-128, at 3; 10/30/2014 TSR, at 5; App. Just'n Stmt., at 4.

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

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

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

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

Next, as to recreational facilities, while the record includes no specific list on-site private recreational facilities proposed for the subject development, the proposal does include identified potential amenity spaces and opportunity area designations within each neighborhood area. *See* PGCPB No. 14-128, at 6; 10/30/2014 TSR, at 6. Such designations include plazas; special facilities, such as fitness centers and pools; resource parks, such as historic and natural areas; pocket parks; waterfront parks around the existing stormwater management ponds; and senior amenities within the senior multifamily buildings. *See* PGCPB No. 14-128, at 6; 10/30/2014 TSR, at 6.

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

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

Community Principles & Forms

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

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

Neighborhood Patterns

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

Architectural Principles and Forms

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

Melford House Preservation & Rehabilitation

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

Landscape Principles & Forms

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

Design Review Committee Policies & Procedures

This section details the Melford Village Design Review Committee (DRC) and its policies and procedures, which the applicant intends to create to enforce the minimum design standards for Melford Village. The applicant intends for the DRC to review proposals prior to seeking approval from the City of Bowie and Prince George's County. While this could be a helpful process for the applicant to

maintain their desired quality of development, the Planning Board cannot require or enforce such an arrangement, or its policies or procedures. The DRC will also not replace the official city or county processes required for any new development within the limits of the CSP. Therefore, this section should be moved to an appendix in the book and be clearly labeled as such. Introductory language should be provided stating that this section was created by the applicant for their own use and is not endorsed or required by the Planning Board. A condition regarding this issue has been included in this approval.

Definitions

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

Appendices

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

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

Applicable Zoning Ordinance Requirements

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

§ 27-547(b), Table of Uses.

(1) Commercial:

All types of Offices and Research, Eating or Drinking Establishments, many types of retail, and eating and drinking establishments are permitted in the M-X-T Zone. The submitted CSP proposes office and retail space and residential development.

(7) Residential / Lodging:

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

Footnote 7

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

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

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

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

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

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

See § 27-547(d), Zoning Ordinance.

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

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

- (a) Maximum floor area ratio (FAR):
 - (1) Without the use of the optional method of development -- 0.40 FAR; and
 - (2) With the use of the optional method of development -- 8.00 FAR.
- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.
- (c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.
- (d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional

buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

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

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

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

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

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

(j) As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was

conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

See § 27-548, Zoning Ordinance.

- “(a) Maximum floor area ratio (FAR):**
(1) Without the use of the optional method of development—0.40 FAR; and
(2) With the use of the optional method of development—8.0 FAR.”

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

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

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

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

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

“(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.”

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

“(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.”

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

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

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

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

“(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.”

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

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

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

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

This requirement will also be reviewed at the time of DSP application, and after access and lotting patterns are evaluated and approved pursuant to a required preliminary plan application. We further note that the CSP allows for the possibility of largely private streets

throughout the development; this may require variations at the time of preliminary plan, which may or may not be approved by Planning Board, as noted in the Technical Staff Report. Access to historic sites should be arranged via public streets. Additionally, Subtitle 24 of the Prince George's County Code requires that multifamily dwellings be served by public streets. *See* PGCPB No. 14-128, at 9; 10/30/2014 TSR, at 11.

“(h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least 1,800 square feet in size, and shall have at least 60 percent of the full front façades constructed of brick, stone, or stucco....”

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

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

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

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

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

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

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

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

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

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

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

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

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

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

See § 27-542, Zoning Ordinance.

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

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

The rationale for the rezoning of the subject property states “to promote development and redevelopment of land in the vicinity of a major interchange (US 50 and US 301), with an emphasis on a moderate- to high-density mix of office/employment/retail/hotel, residential, and parkland/open space uses.” *Id.* The subject proposal is in keeping with the recommendations of the rezoning. The area of the proposed development also includes employment uses and proposed residential uses, and we find that the proposed uses will provide desirable employment and living opportunities for the area surrounding the development project. *See* PGCPB No. 14-128, at 10; 10/30/2014 TSR, at 12; 06/06/2014 App. Just’n Stmt., at 41.

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

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

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

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

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

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

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

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

While bus service is not necessary for transportation adequacy, future bus service would be a benefit to future residents, employers, and employees. Future bus service, if determined to be feasible, could provide useful connections between the subject site and other area destinations, such as the Bowie Town Center, the City of New Carrollton, and the neighboring City of Crofton. We also find that, at time of preliminary plan of subdivision consideration by Planning Board, Applicant should evaluate the provision of a circulator or shuttle bus throughout Melford, which may serve to connect the site of the proposed development to destinations, major employers, commuter bus lots, or mass transit. *See* 11/13/2014 Tr. *See also* PGCPB No. 14-128, at 11.

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

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

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

Applicant testified and the Planning Board finds that the mixed-use proposal would not be possible had not the County determined during the 2006 Bowie and Vicinity SMA that the M-X-T Zone would assist in implementing the envisioned re-positioning of Melford from strictly an employment park to a vibrant mixed-use and pedestrian oriented community. *See* PGCPB No. 14-128, at 12; 10/30/2014 TSR, at 13; App. Just'n Stmt., at 42.

The area of the CSP revision includes up to 2,500 residential units, 260,000 square feet of office space, and up to 268,500 square feet of retail space. This will be added to 1,547,874 square feet of approved and/or constructed employment uses within the boundary of the CSP. This represents a mix of uses which should operate harmoniously. *See* PGCPB No. 14-128, at 12; 10/30/2014 TSR, at 13; App. Just'n Stmt., at 42.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the

proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

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

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

§ 27-546, Zoning Ordinance.

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

The subject site was rezoned to the M-X-T Zone pursuant to the 2006 Bowie and Vicinity Master Plan and SMA; therefore, this required finding does not apply. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14.

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

The subject property is located at the intersection of two freeways (MD 3 and US 50 / 301). To the north of the M-X-T-zoned property is Sherwood Manor, a single-family detached development. To the west of the subject site across MD 3 are the Buckingham at Belair and Kenilworth at Belair subdivisions within the City of Bowie. The CSP shows office, a hotel, and research and development along the perimeter of the adjacent roadways. Due to the size and location of the proposal, it is largely self-contained. Physical integration with neighborhoods

outside of Melford is a challenge; nevertheless, the applicant indicates that a pedestrian connection along Melford Boulevard to the adjacent development on the west side of MD 3 will be established (subject to approval by the Maryland State Highway Administration (“SHA”)) to physically connect Melford to nearby residential neighborhoods. The City of Bowie also recommends a condition to this effect that will be further evaluated at the time of preliminary plan. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14–15.

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

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

From the time of the rezoning of the subject site to the M-X-T Zone, the longstanding vision for development of the Melford property contemplates a mix of moderate- to high-density office, employment, retail, hotel uses, along with residential and parkland / open space uses, which we find consistent with the components of the currently proposed development project. In its 2009 final decision as to CSP-06002, the original conceptual site plan application, the District Council found the proposed CSP to be in conformance with the applicable purposes of the zone. *See generally* 05/11/2009 Dist. Council Order of Approval. *See also* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14. Here, Planning Board found, and we concur with Planning Board’s finding based on the record evidence, that this application requesting to revise the approved conceptual plan in order to add residential, commercial, and office uses, maintains compatibility with existing and proposed development in the area. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14.

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

Based on our review of the administrative record, we further find the proposed CSP and design guidelines as to the Melford Village development establish the framework for a quality development planned in accordance with LEED-ND principles, and it is capable of sustaining an independent environment of continuing quality and stability. The arrangement and design of buildings and other improvements will continue to be evaluated with future plan approvals to ensure that the proposal remains consistent with the finding above. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14.

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

Applicant indicates that the development will be phased according to market conditions. More specific phasing information has not been provided. Phasing information should be provided as available, but no later than the first DSP within Melford Village. This phasing information may be revised with future applications. Each building phase should be designed as a self-sufficient entity while also allowing for effective integration with subsequent construction phases. *See* PGCPB No. 14-128, at 15; 10/30/2014 TSR, at 16.

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

The CSP is comprehensively designed to encourage pedestrian activity within the development. The development will include sidewalks and connections to a larger trail network. *See* PGCPB No. 14-128, at 15; 10/30/2014 TSR, at 16.

“(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other

amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial)”

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

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

We find this requirement applicable to the subject application, as it was rezoned from the E-I-A Zone to the M-X-T Zone pursuant to Zoning Change Number 2 approved in the 2006 *Bowie and Vicinity Master Plan and SMA*. Consequently, a traffic study is required for this application. *Id.* The record for the subject proposal contains a traffic impact study prepared in accordance with stated methodologies within the “Transportation Review Guidelines, Part 1” (Guidelines).dated May 30, 2014, and submitted by Applicant. In turn, the study was referred for comment to the Prince George’s County Department of Public Works and Transportation (DPW&T), SHA, and the City of Bowie. Based on the evidence within the administrative record, we concur with the finding of Planning Board that the proposed development generally meets the code requirements, provided that the development does not exceed 4,441 AM and 4,424 PM peak hour trips and that all of the associated improvements proffered are fully implemented. *See* PGCPB No. 14-128, at 16; 10/30/2014 TSR, at 17.

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

(1) The overall Melford property is approximately 431.55 acres of land in the M-X-T Zone. Based on the mix of uses being proposed, the development would generate a net total (after discounting pass-by trips and internally captured trips) of 1,834 (897 in; 937 out) AM peak hour trips, and 2,516 (1,224 in; 1,292 out)

PM peak hour trips. These trip projections were determined using the "Guidelines for the Analysis of the Traffic Impact of Development Proposal," as well as the Trip Generation Manual, 9th Edition (Institute of Transportation Engineers).

(2) The traffic generated by the proposed conceptual plan would impact the following intersections:

- MD 3 & MD 450-gas station
- Belair Drive & Ramp from MD 3 southbound
- Belair Drive & Ramp to/from MD 3 northbound
- US 301 & Gov. Bridge Road-Harbor Way
- Melford Boulevard & Science Drive (Roundabout)
- Melford Boulevard & Telsa Drive-site entrance
- Melford Boulevard & Telsa Drive-Curie Drive (Roundabout)
- Curie & Science Drive (Roundabout)

(3) None of the intersections identified in (2) above is programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program (CTP) or the Prince George's County Capital Improvement Program (CIP).

(4) The subject property is located within Transportation Service Area (TSA) 2, as defined in Plan Prince George's 2035. As such, the subject property is evaluated according to the following standards:

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

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

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

The following intersections identified in (2) above, when analyzed with the total future traffic as developed using the Guidelines, were not found to be operating at or better than the policy service level defined in (4) above:

- MD 3 & MD 450-gas station

Melford Boulevard & Science Drive (Roundabout)

Applicant has agreed to provide the following improvements to the intersections, in consideration of the findings in (5) above:

MD 3 & MD 450-gas station

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

Melford Boulevard & Science Drive (Roundabout)

Convert the existing roundabout to a traditional four-legged signalized intersection. ALL of the intersections identified in (2) above, when analyzed with the improvements identified in (6) above and total future traffic as developed using the Guidelines, were found to be operating at or better than the policy service level defined in (4) above.

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

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

This requirement is not applicable to this CSP.

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

A mixed-use planned community is not proposed.

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

(a) The Conceptual Site Plan shall be designed in accordance with the following guidelines:

(1) **General.**

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

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

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

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

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

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

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

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

- (i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;
- (ii) Entrance drives should provide adequate space for queuing;
- (iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;
- (iv) Parking areas should be designed to discourage their use as through-access drives;
- (v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;

(vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;

(vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;

(viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;

(ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and

(xi) Barrier-free pathways to accommodate the handicapped should be provided.

(3) **Lighting.**

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

(i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;

(ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;

(iii) The pattern of light pooling should be directed on-site;

(iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;

(v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and

(vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.

(4) **Views.**

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

(5) **Green area.**

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

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

(ii) Green area should link major site destinations such as buildings and parking areas;

(iii) Green area should be well-defined and appropriately scaled to meet its intended use;

(iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;

(v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;

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

(vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.

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

(6) **Site and streetscape amenities.**

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

(i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;

(ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;

(iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;

(iv) Amenities should be functional and should be constructed of durable, low maintenance materials;

(v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;

(vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and

(vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.

(7) **Grading.**

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

(i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;

(ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;

(iii) Grading and other methods should be considered to buffer incompatible land uses from each other;

(iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and

(v) Drainage devices should be located and designed so as to minimize the view from public areas.

(8) **Service areas.**

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

(i) Service areas should be located away from primary roads, when possible;

(ii) Service areas should be located conveniently to all buildings served;

(iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and

(iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.

(9) **Public spaces.**

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

(i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;

(ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;

(iii) Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;

(iv) Public spaces should be readily accessible to potential users; and

(v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.

(10) **Architecture.**

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

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

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

(11) **Townhouses and three-family dwellings.**

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

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

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

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

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

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

See § 27-274, Zoning Ordinance.

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

(1) Section 27-274(a)(2)(A), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are

encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. The subject CSP is in general conformance with this requirement. The illustrative site plan shows that, in general, surface parking is not proposed between buildings and the public rights-of-way. Additionally, the Melford Village Design Guidelines book specifies that, where practicable, parking shall be located to the rear or sides of buildings.

(2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive. Loading areas are not indicated on the CSP or the provided illustrative site plan. However, the Melford Village Design Guidelines book specifies that service areas, loading docks, and trash dumpsters shall be screened from the public view. At the time of DSP, attention should be paid to the design of loading areas so that they are visually unobtrusive as viewed from public spaces and the public right-of-way.

(3) In accordance with Section 27-274(a)(5)(A), green areas on-site should be appropriate in size, shape, location, and design. The Melford Village Design Guidelines book provides a green network map that shows a variety of types of green spaces spread throughout all four neighborhoods. At the time of DSP, attention should be paid to the specific design of these areas to make sure they are easily accessible, well-defined, and appropriately scaled for the area they are to serve.

(4) In accordance with Section 27-274(a)(6)(A), Site and streetscape amenities, the coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture will be required. A comprehensive review of streetscape amenities will occur at the time of DSP. However, the Melford Village Design Guidelines book indicates that these features will be integral elements of the streetscape and will be coordinated throughout Melford Village.

(5) A public space system should be provided to enhance the commercial and multifamily development areas in accordance with Section 27-274(a)(9), Public spaces. It is specified that these public spaces should incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system. An attractive mix of design features including focal points, such as public art, sculpture, or fountains; seating areas; specialty landscaping; and specialty paving materials should be provided throughout the spaces. The Melford Village Design Guidelines book indicates that a well-designed public space system will be provided; however, this will be fully evaluated at the time of DSP.

(6) As discussed in Section 27-274(a)(10), architecture should provide a variety of building forms, with a unified harmonious use of materials and styles. The Melford Village Design Guidelines book includes an extensive list of architectural design standards and indicates approximately six different types of

building forms that should help to ensure a quality mix is provided at the time of DSP.

(7) As discussed in Section 27-274(a)(11)(B), it is noted that groups of townhouses should be arranged at right angles to each other in a courtyard design and units should front on roadways. The submitted CSP does show such an arrangement in the majority of the townhouse areas, and this should be maintained in the future preliminary plan and DSP.

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

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

parking determination will be made at the time of DSP when an assessment of the full methodology, assumptions, and data concerning parking is prescribed pursuant to § 27-574 of the Zoning Ordinance. *Id.*

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

Applicable Comprehensive Plan Provisions

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

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

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

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

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

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

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

A range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall the centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. The centers typically have a walkable "core" or town center. Often the mix of uses is horizontal across the centers rather than vertical within individual buildings. Town Centers such as Brandywine, Konterra, and Westphalia are currently under construction and have received significant public and private investment for infrastructure improvements. These centers are envisioned to develop per the guidelines in Plan 2035 help fulfill countywide goals.

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

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

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

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

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

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

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

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

of previous approvals at the subject property, certain background developments were not included in the traffic study that formed the basis for Technical Staff analyses, followed by the subsequent approval of CSP-06002. *See* Conceptual Site Plan CSP-06002 was approved by the District Council on May 11, 2009 for the construction of a mixed-use development consisting of hotel, office, retail, restaurant, research, and development uses. The conditions of CSP-06002 are below, followed by comment. The Planning Board finds that the conditions of the subject approval entirely supersede those contained in CSP-06002.

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

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

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

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

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

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

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

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

Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

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

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

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

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

The Historic Preservation Commission (“HPC”) recommended the following revised language for existing Condition 4 to clarify the meaning of the historic vista, and how it might be protected, as follows:

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

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

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

construction should be permitted. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 5–6. Just outside of that primary view corridor, one-story buildings are permitted. The second view corridor is directed east from Melford house to the proposed East-West Boulevard and the amphitheater. Within this second view corridor, the applicant has proffered building height restrictions. The recommended language, which the Planning Board adopts, clarifies which views shall be protected and establishes techniques for the protection of the views within the defined view corridors. *Id.*

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

The HPC recommended the following revised language for existing Condition 5 to eliminate the reference to a 1986 comprehensive design plan, which has little current regulatory bearing on the subject site, and is difficult to research due to the age and condition of the CDP document. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 6. We’ve reviewed the proposed language, and we find that the language below retains the original intent:

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

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

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

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

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

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

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

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

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

Condition 8: Prior to issuance of building permits for any property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and outbuildings shall be completed prior to issuance of use and occupancy permits for any future hotel or office uses.

Based on the completion of work associated with HAWP 5-07 and HAWP 45-07, reviewed and approved by HPC, substantial rehabilitation of Melford House and its outbuildings has been completed to a residential standard. This condition is no longer necessary. Any future rehabilitation of the historic site for a nonresidential use will be carried out through another HAWP as recommended by the modified language of Condition 6 (above). *See* PGCPB No. 14-128, at 22–23; 10/30/2014 TSR, at 23.

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

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

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

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

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

Pedestrian safety features, bicycle parking, and other amenities will be addressed at the time of DSP. However, a comprehensive network of sidewalk and trail connections is reflected on the submitted CSP. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

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

A trail is proposed along the Patuxent River stream valley, including the area of the lower pond. Two trail connections are reflected on the submitted plans that connect the development site to the stream valley trail. In addition to the trail connections, a comprehensive network of sidewalks is reflected and a partial grid street network is proposed, further enhancing and promoting pedestrian access. *See* PGCPB No. 14-128, at 23–24; 10/30/2014 TSR, at 23–24. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

As indicated by the prior conditions of approval, County Council Resolution CR-11-2006 contained a number of design standards and guidelines related to the Melford property. The standards and guidelines pertaining to trail or pedestrian access approved by the District Council in Amendment 22 within CR-11-2006 are as follows:

The Conceptual Site Plan shall have an integrated network of streets, sidewalks (on all streets), and open space, public or private, and shall give priority to public space and appropriate placement of uses.

See CR-11-2006, at 40, ¶ 6.

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

See CR-11-2006, at 41, ¶ 5.

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

See CR-11-2006, at 46–47.

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

See CR-11-2006, at 47, ¶ 30.

After review of the evidence in the administrative record, we find the subject application is consistent with the above-referenced standards and guidelines. To illustrate this point, we note Applicant's inclusion of a comprehensive network of sidewalks in the subject development proposal, as well as a master plan trail along the Patuxent River, and various associated connections to the master plan trail, within the the proposed development application. *See* PGCPB No. 14-128, at 24; 10/30/2014 TSR, at 23–24. Additional areas of open space also appear to be provided, as well as various plazas and urban parks, as indicated on the Green Network exhibit. The open space appears to be accessible and visible from adjacent roadways and buildings, and the sidewalk network appears to provide pedestrian access throughout the site and to all of the appropriate destinations. *Id.*

13. The illustrative plan provided with the CSP is for illustrative purposes only and does not reflect the final layout for any purpose, including limits of disturbance. The CSP may be used as a guide for the layout to be reviewed with

the preliminary plan of subdivision or detailed site plans, but its proposed development should be modified, where development shown in the CSP is not consistent with environmental or other Master Plan considerations.

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

Condition 14: Prior to signature approval of the CSP and TCP I, the TCP I shall be revised as follows:

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

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

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

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

At the time of preliminary plan review and subsequent development applications, the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts. *See* PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.

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

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

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

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

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

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

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

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

1. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the Final Plat.
2. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.
3. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
4. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by The M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, The M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
5. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by The M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by The M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
6. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
7. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.

8. The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.

9. No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to The M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

We find that, since the land has been conveyed to M-NCPPC, this condition has been satisfied and does not need to be brought forward with the subject CSP revision. *See* PGCPB 14-128, at 26–27; 10/30/2014 TSR, at 26–27.

Condition 20: Prior to the approval of a preliminary plan or detailed site plan, the applicant shall demonstrate:

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

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

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

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

We find Applicant has complied with the requirements of this condition for the Phase II archeological investigations. As of this date, the artifacts have not been curated, and that portion of the condition should be carried forward. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28. In addition, we note the testimony by Applicant at the Planning Board hearing concerning that documentation has been received verifying that artifacts have been deposited with the Maryland Archeological Conservation Lab, as well as the evidence in the record confirming the accuracy of Applicant's statements. *Id.*

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

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

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

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

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

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

- a. Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining; and providing attractive gateways/entries and public spaces.
- b. Create outdoor amenities to include, at a minimum, such amenities as brick pavers, tree grates, decorative lighting, signs, banners, high-quality street furniture, and extensive landscaping, including mature trees.
- c. Create attractive architecture by using high-quality building materials such as stone, brick, or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes and customized shopfronts, to create a street-like rhythm.
- d. Provide attractive, quality façades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC, and other unsightly functions.
- e. Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for safe and comfortable travel; pedestrian walkways shall be separated from vehicular circulation by planting beds, raised planters, seating walls, and on-street parallel parking or structures; walking distances through parking lots shall be minimized and located to form logical and safe pedestrian crossings; and walkways shall be made more pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.
- f. Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.

g. Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.

h. Provide a hierarchy of pedestrian-scaled, high-quality, energy-efficient direct and indirect lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.

i. Create a signage package for high-quality signs and sign standards, with requirements for all retail and office tenants and owners. The standards shall address size, location, square footage, materials, logos, colors, and lighting. Any revision to existing approved signage plans shall incorporate the previously approved designs.

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

j. Eliminate all temporary signage on the site or attached to the exterior façades of a building.

k. Make retail pad sites compatible with the main retail/office/hotel component. If the retail pad sites are located along the street, parking shall be located to the rear of the pad sites.

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

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

l. Provide green areas or public plazas between pad sites.

m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features.

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

Condition 24: The research and development flex space shown in DSP-07031, if approved by the District Council, shall be the last research and development flex space approved in the M-X-T Zone at Melford.

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

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

The record evidence reveals that the width of the stream buffers shown on the Type I tree conservation plan (TCPI) is consistent with the approved natural resources inventory (NRI) for the site. *See* PGCPB 14-128, at 31; 10/30/2014 TSR, at 30. However, a revised NRI with addenda, in which all streams, wetland limits, floodplain limits are prominently identified, an update to the specimen tree list, and a forest stand delineation for areas not yet approved for clearing with accounting details as to any clearing that has already occurred, will be submitted by Applicant. Current stream buffer requirements shall be applied on the NRI and at the time of preliminary plan in defining the primary management area for the site. *Id.*

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

Condition 26: Prior to the approval of a detailed site plan, the following issues shall be addressed:

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

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

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

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

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

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

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

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

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

To this end, we find that the boundary of the subject CSP revision shall be revised to include all of the privately-owned properties that were the subject of CSP-06002. If the subject CSP boundary includes the same properties as the original CSP, then the subject approval may

entirely supersede the previous approval, and appropriately update all necessary conditions of approval. Publicly-owned properties not subject to zoning do not need to be included in the CSP boundary. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 31.

Condition 28: Detailed site plans shall provide a minimum 30-foot wide landscape buffer between the development and US 50, if research and development flex space is proposed. The buffer shall be measured from the public utility easement.

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

Condition 29: Recreation Facilities Conditions:

a. The applicant shall provide private recreational facilities as determined appropriate at the time of review of the detailed site plan (DSP). The recreational facilities shall be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.

The Prince George's County Department of Parks and Recreation ("DPR") recommends the revised language for this condition language, as follows:

"The applicant shall allocate appropriate and developable areas for the private recreational facilities on the Home Owners Association (HOA) land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division for adequacy and property siting, prior to approval of the Detailed Site Plan by the Planning Board."

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

b. Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the master planned trail on donated parkland.

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

c. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of \$250,000 for the design and construction of the Green Branch Athletic Complex.

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

d. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the public park.

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

e. The applicant shall submit three original, executed Recreational Facilities Agreements (RFA) for trail and trailhead construction to the DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by the DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

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

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

f. The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits. Upon completion of the trail and trailhead construction, M-NCPPC shall acknowledge the applicant's donation of the trail and trailhead construction by completing the appropriate Federal and State tax forms deemed acceptable by M-NCPPC.

We concur with the finding of Planning Board, and based on persuasive evidence in the administrative record, that alternative wording for the above language is appropriate. Thus, we find that, in lieu of this stated condition "f," above, Applicant shall submit a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR, at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development. *See* PGCPB 14-128, at 32-33; 10/30/2014 TSR, at 33. In other words, based on our review of the available information within the administrative record, we are persuaded that oversights in the assessment as to the trips calculated for transportation have potential significance on the actual trip cap stated for the subject proposal within the administrative record, and upon which the Planning Board and the District Council relied in the assessment of the applications. To address this issue, Applicant prepared a technical memorandum (dated September 2013), which was submitted to the administrative record; included therein is a mutually agreeable formula as a control to filter varying impact of background developments in the area, as well as a sensitivity analysis, to provide greater

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

Consequently, we find that the trip cap condition be replaced with the new trip cap of 4,441 AM and 4,424 PM peak hour trips, in accordance with the finding of Planning Board. *Id.*

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

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

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

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

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

Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

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

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

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

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

The Historic Preservation Commission (“HPC”) recommended the following revised language for existing Condition 4 to clarify the meaning of the historic vista, and how it may best be protected, as follows:

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

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

Our examination of the evidence in the administrative record further reflects support for that the CSP contains two view corridors. One connects the Melford house and the historic cemetery, within which no building construction should be permitted. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 5–6. Just outside of that primary view corridor, we note that one-story buildings are permitted. The second view corridor is directed east from Melford house to the proposed East-West Boulevard and the amphitheater. Within this second view corridor, the applicant has proffered building height restrictions. *Id.* The recommended language, which the Planning Board adopts, clarifies which views shall be protected and establishes techniques for the protection of the views within the defined view corridors. *Id.*

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

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

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

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

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

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

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

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

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

be incorporated into the proposal, to minimize adverse impacts to the historic site.

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

Condition 8: Prior to issuance of building permits for any property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and outbuildings shall be completed prior to issuance of use and occupancy permits for any future hotel or office uses.

Based on the completion of work associated with HAWP 5-07 and HAWP 45-07, reviewed and approved by HPC, substantial rehabilitation of Melford House and its outbuildings has been completed to a residential standard. This condition is no longer necessary. Any future rehabilitation of the historic site for a nonresidential use will be carried out through another HAWP as recommended by the modified language of Condition 6 (above). *See* PGCPB No. 14-128, at 22-23; 10/30/2014 TSR, at 23.

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

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

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

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

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

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

Pedestrian safety features, bicycle parking, and other amenities will be addressed at the time of DSP. However, a comprehensive network of sidewalk and trail connections is reflected on the submitted CSP. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

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

A trail is proposed along the Patuxent River stream valley, including the area of the lower pond. Two trail connections are reflected on the submitted plans that connect the development site to the stream valley trail. In addition to the trail connections, a comprehensive network of sidewalks is reflected and a partial grid street network is proposed, further enhancing and promoting pedestrian access. *See* PGCPB No. 14-128, at 23–24; 10/30/2014 TSR, at 23–24. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

As indicated by the prior conditions of approval, County Council Resolution CR-11-2006 contained a number of design standards and guidelines related to the Melford property. The standards and guidelines pertaining to trail or pedestrian access approved by the District Council in Amendment 22 within CR-11-2006 are as follows:

The Conceptual Site Plan shall have an integrated network of streets, sidewalks (on all streets), and open space, public or private, and shall give priority to public space and appropriate placement of uses.

See CR-11-2006, p. 40, at ¶ 6.

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

See CR-11-2006, p. 41, at ¶ 5.

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

See CR-11-2006, at 46–47.

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

See CR-11-2006, p. 47, at ¶ 30.

After review of the evidence in the administrative record, we find the subject application is consistent with the above-referenced standards and guidelines. To illustrate this point, we note Applicant's inclusion of a comprehensive network of sidewalks in the subject development proposal, as well as a master plan trail along the Patuxent River, and various associated connections to the master plan trail, within the the proposed development application. *See* PGCPB No. 14-128, at 24; 10/30/2014 TSR, at 23–24 Additional areas of open space also appear to be provided, as well as various plazas and urban parks, as indicated on the Green Network exhibit. The open space appears to be accessible and visible from adjacent roadways

and buildings, and the sidewalk network appears to provide pedestrian access throughout the site and to all of the appropriate destinations. *Id.*

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

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

Condition 14: Prior to signature approval of the CSP and TCP I, the TCP I shall be revised as follows:

- a. **Revise the shading patterns so that the information underneath is legible;**
- b. **Eliminate the pattern used to depict previously approved limits of disturbance and show only the limit of disturbance needed for the proposed development;**
- c. **Eliminate all clearing not necessary for the conceptual construction of the features shown;**
- d. **Revise the existing tree line per Staff Exhibit A (2006 Aerial);**
- e. **Provide labels on each cleared area, with acreage and land pod identifications; if cleared areas cross pods, divide them up so that the table on Sheet 1 can be checked for correctness;**
- f. **Revise the worksheet to reflect all cleared areas, preservation areas, etc.;**
- g. **Revise the table on Sheet 1 to fill in all the boxes;**

- h. Add the following note: "This TCP I is associated with the approval of CSP-06002; it is conceptual in nature, and is subject to further revisions with the preliminary plan of subdivision application";
- i. Revise the plans to address all other staff comments of record; and
- j. Have the revised plans signed and dated by the qualified professional who prepared them.

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

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

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

At the time of preliminary plan review and subsequent development applications, the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts. *See* PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.

Condition 16: Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbance to the stream and floodplain buffers shall be eliminated. Where buffers have been disturbed by previous approvals, they shall be reforested, wherever possible. The TCP I associated with the preliminary plan will be evaluated for impacts to these buffers for the installation of stormwater management outfalls, as

necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.

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

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

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

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

Our review of the administrative record reveals that this condition has been addressed. *See* PGCPB No. 14-128, at 26–27; 10/30/2014 TSR, at 26–27. The CSP indicates that 99.48 acres of land have been donated to M-NCPPC. This land area is no longer included within the CSP boundary. As a result, we find that this condition does not need to be brought forward with the subject approval. *Id.*

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

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

- 1. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be**

submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the Final Plat.

2. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalls, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.
3. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
4. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by The M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, The M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
5. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by The M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by The M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
6. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
7. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
8. The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.

9. No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to The M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

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

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

Condition 20: Prior to the approval of a preliminary plan or detailed site plan, the applicant shall demonstrate:

a. Development plans shall show minimization of impervious surfaces, through all phases of the project, with the use of permeable paving surfaces where soil conditions provide for the use of permeable paving materials. Structured parking should be used to the maximum extent possible.

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

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

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

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

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

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

We find Applicant has complied with the requirements of this condition for the Phase II archeological investigations. As of this date, the artifacts have not been curated, and that portion of the condition should be carried forward. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28. In addition, we note the testimony by Applicant at the Planning Board hearing concerning that documentation has been received verifying that artifacts have been deposited with the Maryland Archeological Conservation Lab, as well as the evidence in the record confirming the accuracy of Applicant's statements. *Id.*

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

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

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

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

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

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

a. Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining; and providing attractive gateways/entries and public spaces.

b. Create outdoor amenities to include, at a minimum, such amenities as brick pavers, tree grates, decorative lighting, signs, banners, high-quality street furniture, and extensive landscaping, including mature trees.

c. Create attractive architecture by using high-quality building materials such as stone, brick, or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes and customized shopfronts, to create a street-like rhythm.

d. Provide attractive, quality façades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC, and other unsightly functions.

e. Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for safe and comfortable travel; pedestrian walkways shall be separated from vehicular circulation by planting beds, raised planters, seating walls, and on-street parallel parking or structures; walking distances through parking lots shall be minimized and located to form logical and safe pedestrian crossings; and walkways shall be made more pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.

f. Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.

g. Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.

h. Provide a hierarchy of pedestrian-scaled, high-quality, energy-efficient direct and indirect lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.

i. Create a signage package for high-quality signs and sign standards, with requirements for all retail and office tenants and owners. The standards shall address size, location, square footage, materials, logos, colors, and lighting. Any revision to existing approved signage plans shall incorporate the previously approved designs.

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

Id.

j. Eliminate all temporary signage on the site or attached to the exterior façades of a building.

k. Make retail pad sites compatible with the main retail/office/hotel component. If the retail pad sites are located along the street, parking shall be located to the rear of the pad sites.

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

l. Provide green areas or public plazas between pad sites.

m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features.

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

Condition 24: The research and development flex space shown in DSP-07031, if approved by the District Council, shall be the last research and development flex space approved in the M-X-T Zone at Melford.

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

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

The record evidence reveals that the width of the stream buffers shown on the Type I tree conservation plan (TCPI) is consistent with the approved natural resources inventory (NRI) for the site. *See* PGCPB 14-128, at 31; 10/30/2014 TSR, at 30. However, a revised NRI with addenda, in which all streams, wetland limits, floodplain limits are prominently identified, an

update to the specimen tree list, and a forest stand delineation for areas not yet approved for clearing with accounting details as to any clearing that has already occurred, will be submitted by Applicant. Current stream buffer requirements shall be applied on the NRI and at the time of preliminary plan in defining the primary management area for the site. *Id.*

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

Condition 26: Prior to the approval of a detailed site plan, the following issues shall be addressed:

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

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

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

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

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

satisfy this condition fully, additional signage is needed to address the Duckett Family graveyard; moreover, we find that this signage should be provided as part of a future DSP application. While Applicant does not currently own the graveyard property, Applicant is the record owner of the property surrounding the graveyard. Appropriate signage should be placed near the cemetery. *Id.* Therefore, this condition should be carried forward until such time as a DSP application that includes the graveyard is approved. Also, additional public interpretation should be provided on the property, and may take the form of signage, brochures, lectures, or a website. *Id.*

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

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

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

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

To this end, we find that the boundary of the subject CSP revision shall be revised to include all of the privately-owned properties that were the subject of CSP-06002. If the subject CSP boundary includes the same properties as the original CSP, then the subject approval may entirely supersede the previous approval, and appropriately update all necessary conditions of approval. Publicly-owned properties not subject to zoning do not need to be included in the CSP boundary. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 31.

Condition 28: Detailed site plans shall provide a minimum 30-foot wide landscape buffer between the development and US 50, if research and development flex space is proposed. The buffer shall be measured from the public utility easement.

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

Condition 29: Recreation Facilities Conditions:

- a. The applicant shall provide private recreational facilities as determined appropriate at the time of review of the detailed site plan (DSP). The recreational facilities shall be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.**

The Prince George's County Department of Parks and Recreation ("DPR") recommends the revised language for this condition language, as follows:

"The applicant shall allocate appropriate and developable areas for the private recreational facilities on the Home Owners Association (HOA) land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division for adequacy and property siting, prior to approval of the Detailed Site Plan by the Planning Board."

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

- b. Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the master planned trail on donated parkland.**

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

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

c. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of \$250,000 for the design and construction of the Green Branch Athletic Complex.

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

d. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the public park.

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

e. The applicant shall submit three original, executed Recreational Facilities Agreements (RFA) for trail and trailhead construction to the DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by the DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

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

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

f. The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits. Upon completion of the trail and trailhead construction, M-NCPPC shall acknowledge the applicant's donation of the trail and trailhead construction by completing the appropriate Federal and State tax forms deemed acceptable by M-NCPPC.

We concur with the finding of Planning Board, and based on persuasive evidence in the administrative record, that alternative wording for the above language is appropriate. Thus, we find that, in lieu of this stated condition “f,” above, Applicant shall submit a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR, at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development. *See* PGCPB No. 14-128, at 32–33; 10/30/2014 TSR, at 33.

Other Technical Staff Report Comments from Agencies

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

Issues Raised on Appeal

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In short, the Melford CSP will replace rather than promote employment, foster a dense urban and auto-dependent community far from mass transit, with substantial environmental and quality of life impacts, and divert development from areas that the County has prioritized. In light of these severe shortcomings, we do not believe that CSP-06002-01 represents a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use," as required for approval in § 27-276(b)(1) of the Zoning Ordinance. We believe that there are more reasonable alternatives to CSP-06002-01 that preserve the object of promoting an employment center, and that better protect the environment.

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

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

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

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

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

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

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

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

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

Approval of CSP-06002-01 is subject to the following conditions:

1. The proposed development shall be limited to a mix of uses where the trip cap associated with the uses within the boundary of CSP-06002-01 shall not exceed 4,441 AM and

4,424 PM peak hour trips. Any development with an impact beyond that identified hereinabove shall require a revision to the conceptual site plan with a new determination of the adequacy of transportation facilities.

2. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:
 - a. Verify the square footages of the existing development within the area of the CSP. Correctly note the existing and proposed square footages and floor area ratio based on the net tract area.
 - b. Add a note to the Site Data chart on Sheet 4 that all detailed site plans must show conformance to the specific allowed floor area ratios.
 - c. Revise the CSP to graphically show the conceptual location of the proposed pedestrian connection between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section of Bowie.
 - d. Revise General Note 4 and the CSP to clearly indicate the range of square footage for each use within the boundary of the CSP.
 - e. Designate the retail area west of Melford Boulevard for retail, institutional, or office uses.
 - f. Correct the notations on the CSP to include the following text "Melford and Cemetery Environmental Setting (Historic Site 71B-016)."
 - g. Revise CSP Sheets 4, 5, 6, 7, 8, and 9 of 13 to show the 150-foot-wide floodplain buffer correctly.
 - h. Indicate the location of a "conservation easement" that is required for the 150-foot-wide floodplain buffer on Sheet 13 of 13.
 - i. Revise the subject CSP boundary to include all of the properties that were the subject of Conceptual Site Plan CSP-06002. Publicly-owned properties not subject to zoning do not need to be included in the boundary of CSP-06002-01.
3. Prior to certificate of approval of the conceptual site plan (CSP), the Melford Village Design Guidelines (Guidelines) shall be revised as follows:
 - a. References to departures, variances, or variations should be modified or clarified, as necessary, to avoid conflicts with Zoning Ordinance procedures.
 - b. Label each appendix section clearly as an appendix.

- c. Move the parking ratio table and shared parking adjustment table, and all associated language, to an appendix. Add an opening statement regarding the purpose, as described in Finding 7e above, to be reviewed by the Urban Design Section as designee of the Planning Board.
 - d. Move the Definitions section to an appendix and add an opening statement regarding the purpose, as described in Finding 6 above, to be reviewed by the Urban Design Section as designee of the Planning Board.
 - e. Move the Design Review Committee Policies & Procedures section to an appendix and add an opening statement regarding the purpose, as described in Finding 6 above, to be reviewed by the Urban Design Section as designee of the Planning Board.
 - f. A note shall be added to the Street Sections section (page 19) indicating that it shows conceptual street sections that are subject to final approval with the preliminary plan of subdivision.
 - g. Provide language at the bottom of the Street Sections section on page 19 to state that the appropriateness of shared lane markings (sharrows) will be evaluated at the time of preliminary plan of subdivision subject to the approval of the City of Bowie.
 - h. Remove the reference to a parking space size in the Parking Standards section.
 - i. Revise the maps within the Guidelines to maintain consistency with the CSP, as necessary.
 - j. Amend the landscape design guidelines to state that "Residential landscaping shall be provided in accordance with Section 4.1 of the Prince George's County Landscape Manual."
 - k. Amend the landscape design guidelines to reflect that street trees along private streets should be located between the street curb and the sidewalk in conformance with the Prince George's County Landscape Manual, and meet the minimum soil surface area requirements contained in the Prince George's County Landscape Manual.
 - l. Amend the landscape design guidelines on page 51 to reflect that landscaping in parking areas should be designed to conform to the Prince Georges County Landscape Manual.
4. At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:

- a. Reevaluate the intersection of Melford Boulevard and Science Drive to determine what improvements will be needed at various phases of the proposed development.
 - b. Provide an updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, concerning the presence of rare, threatened, and/or endangered species on the site as an amendment to the updated natural resources inventory (NRI) prior to approval.
 - c. If impacts to regulated environmental features are proposed at the time of preliminary plan, over and above those previously approved by the Planning Board, a statement of justification shall be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification shall address how each impact has been avoided and/or minimized and shall include 8.5 by 11 exhibits of the proposed disturbance.
 - d. The preliminary plan application package shall contain a copy of the erosion and sediment control concept plan.
 - e. Evaluate the provision of a circulator shuttle bus service or route throughout Melford, to/from adjacent or nearby employers, commuter bus lots, and future stations and/or mass transit.
5. Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbances to the stream and floodplain buffers shall be eliminated. Where buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The Type I tree conservation plan associated with the preliminary plan of subdivision will be evaluated for impacts to these buffers for the installation of stormwater management outfalls, as necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.
 6. During the review of the Type I tree conservation plan associated with the preliminary plan of subdivision, the linear wetland in the middle of the southeastern portion of the site shall be evaluated to ensure its protection in a manner consistent with previous approvals.
 7. Prior to approval of a preliminary plan of subdivision or detailed site plan, the applicant shall demonstrate:
 - a. The development plans shall show minimization of impervious surfaces to the maximum extent possible, through all phases of the project, with the use of permeable paving surfaces in accordance with the approved storm water management concept plan for Melford. Structured parking should be used to the maximum extent reasonably practicable.
 - b. The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the

fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.

- c. Clearing for utility installation shall be minimized, especially in environmentally-sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.
 - d. The open space system, including but not limited to environmentally-sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.
8. All stream channels on the site shall be depicted on all plans in their entirety, with the regulated stream buffer shown as required.
 9. At the time of detailed site plan (DSP), the following design issues shall be addressed:
 - a. The plans shall show the stormwater management ponds as amenities, with gentle natural slopes and extensive native planting.
 - b. Prior to the approval of any detailed site plan that includes a portion of the Melford and Cemetery Environmental Setting, in consultation with archeology staff, the applicant shall provide for additional public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a printed brochure, public lectures or a website. The location and wording of any additional signage, brochure text, or website shall be subject to approval by the Prince George's County Planning Department staff archeologist.
 - c. The proposed lighting system shall use full cut-off lighting systems, with limited light spill-over.
 - d. Applicable DSPs that may affect the historic vista of the Melford and Cemetery Historic Site (71B-016) shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in Conceptual Site Plan CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.
 - e. Prior to approval of any DSPs that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.

10. Detailed site plans shall provide a minimum 30-foot-wide landscaped buffer between the development and John Hanson Highway (US 50/301) if research and development flex space is proposed. The buffer shall be measured from the public utility easement.
11. At the time of detailed site plan, the private on-site recreational facilities within the area of each DSP shall be reviewed. The following issues shall be addressed:
 - a. The applicant shall provide a final list of proposed private recreational facilities and their cost estimates. The list of facilities provided on page 15 of the conceptual site plan design guidelines shall initially be viewed as the types of facilities required. The appropriateness of the number and size of the facilities will be reviewed at DSP.
 - b. The minimum size of the proposed private recreational facilities and the timing of their construction shall be determined.
 - c. The developer and the developer's heirs, successors, and/or assignees shall satisfy the Prince George's County Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.
12. Before approval of a detailed site plan for any retail uses, the plans shall demonstrate that the retail uses are designed to:
 - a. Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services, and dining; and providing attractive gateways/entries and public spaces.
 - b. Create outdoor amenities to include, at a minimum, such amenities as brick pavers, tree grates, decorative lighting, signs, banners, high-quality street furniture, and extensive landscaping, including mature trees.
 - c. Create attractive architecture by using high-quality building materials such as stone, brick, or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes, and customized shopfronts to create a street-like rhythm.
 - d. Provide attractive quality façades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC (heating, ventilating, and air conditioning), and other unsightly functions.
 - e. Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for

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

- f. Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.
 - g. Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.
 - h. Provide a hierarchy of pedestrian-scaled, high-quality, energy-efficient, direct and indirect lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.
 - i. Provide a comprehensive sign package for signs and sign standards that integrate the signage guidelines within Conceptual Site Plan CSP-06002-01 and the previously approved sign standards contained in Detailed Site Plan DSP-11008. The standards shall address size, location, square footage, materials, and lighting. Any revision to existing approved signage plans shall incorporate the previously approved designs. The revised signage plan to consolidate the signage standards and remove inconsistencies may be approved by the Planning Director, as designee of the Planning Board.
 - j. Eliminate all temporary signage on the site or attached to the exterior façades of a building.
 - k. Make retail pad sites compatible with the main retail/office/hotel/residential component. If the retail pad sites are located along the street, all off-street parking shall be located to the rear or side of the pad sites. Parking provided on the side of pad sites shall be buffered with appropriate screening and/or landscape features.
 - l. Provide green areas or public plazas between pad sites, to the maximum extent possible.
 - m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.
13. All plans shall delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016.
14. Prior to Planning Board approval of the first detailed site plan for development in the northwest or southwest neighborhood of Melford Village, the applicant in the historic area work permit process shall submit a plan and timetable for the protection,

stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery Historic Site. The Historic Preservation Commission shall review and approve the plan and timetable through the Historic Area Work Permit (HAWP) process.

15. In the detailed site plan for the development of the Melford Historic Site (71B-016), its outbuildings, and its cemetery, the proposed development shall be compatible in scale, design, and character with the existing historical and architectural character of the buildings. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.
16. Prior to approval of any preliminary plan of subdivision or detailed site plan applications, the Historic Preservation Section shall certify that all quarterly reports have been received in a timely manner and that the Melford site is being properly maintained.
17. The applicant shall provide standard sidewalks along both sides of all internal roads, in keeping with Guideline 3 of Prince George's County Council Resolution CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required where reasonably appropriate, unless modified by the City of Bowie for portions of sidewalk within the public right-of-way.
18. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate, and shall be shown on all affected detailed site plans.
19. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the lower pond. The comprehensive trail network will be evaluated at the time of preliminary plan of subdivision and should be in conformance with Guidelines 29 and 30 of Prince George's County Council Resolution CR-11-2006.
20. The illustrative plan provided with the conceptual site plan (CSP) is for illustrative purposes only and does not reflect the final layout for any purpose, including limits of disturbance. The CSP may be used as a guide for the layout to be reviewed with the preliminary plan of subdivision or detailed site plans, but its proposed development should be modified, where development shown in the CSP is not consistent with environmental or other master plan considerations.
21. No additional research and development flex space is permitted in the Mixed Use-Transportation Oriented (M-X-T) Zone at Melford.
22. Recreation Facilities Conditions:

- a. The applicant shall complete construction of a ten-foot-wide asphalt surface hiker/bicyclist/equestrian trail, four boardwalks, a 15-space asphalt parking lot, an asphalt access road, and trailhead facilities on adjacent Patuxent River Park prior to issuance of a building permit for the 500th residential dwelling unit within the Melford development.
 - b. Prior to the first residential building permit, the applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) for review and approval revised construction drawings for public recreational facilities. These drawings shall include details for construction of the planned asphalt parking lot and asphalt access road.
 - c. The applicant shall construct at least two eight-foot-wide asphalt trail connectors from the residential neighborhood to the master-planned trail on dedicated parkland. The location of the trail connectors shall be established at the time of detailed site plan review and approval.
 - d. The applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DPR, at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development.
 - e. Prior to a submission of any final plat of subdivision for the residential component of Melford, the public Recreational Facilities Agreement (RFA) recorded at Liber 34304, Folio 145 shall be amended to incorporate an asphalt parking lot and asphalt access road to the park, timing of construction, and bonding of the recreational facilities. Upon DPR approval, the RFA shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.
 - f. The applicant shall allocate appropriate and developable areas for the private recreational facilities on the homeowners association land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.
23. A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the building permit for the 300th dwelling unit, subject to the approval of the Maryland State Highway Administration.

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

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

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

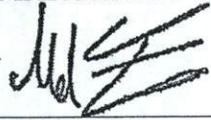
Opposed: Council Member Lehman.

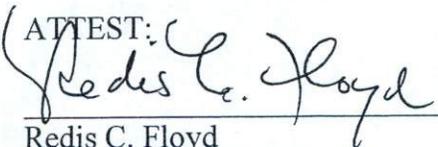
Abstained:

Absent: Council Member Franklin.

Vote: 7-1

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

By: 
Mel Franklin, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

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

June 24, 2008

St. John Properties
2560 Lord Baltimore Drive
Windor Mill, Maryland 21244

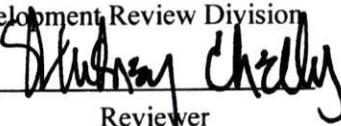
Re: Notification of Planning Board Action on
Preliminary Plan 4-07055
Melford Phase II

Dear Applicant:

This is to advise you that on **June 19, 2008** referenced Preliminary Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Article 28, Section 7-116(g) of the Maryland Annotated Code, an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) calendar days after the date of the final notice **June 24, 2008**.

Very truly yours,
Arie Stouten, Chief
Development Review Division

By: 
Reviewer

c: Persons of Record

PGCPB No. **08-86**



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

PGCPB No. 08-86

File No. 4-07055

RESOLUTION

WHEREAS, St. John Properties is the owner of a 176.19-acre parcel of land known as Parcels 1 (two), 2, 4, 5, 7, 32, 77, 80, and 81 located on Tax Map 48 in Grid A-3, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned M-X-T; and

WHEREAS, on January 10, 2008, St. John Properties filed an application for approval of a Preliminary Plan of Subdivision (Staff Exhibit #1) for 29 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-07055 for Melford, Phase 2 was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on May 29, 2008, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on May 29, 2008, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/44/98-03), and further APPROVED Preliminary Plan of Subdivision 4-07055, Melford, Phase 2, for Parcels 1-29 with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Provide current property descriptions, based on the tax map descriptions.
 - b. Conform to DPR Exhibit A-4-07055.
 - c. Indicate that office-warehouse or warehouse refer to accessory uses only.
2. A Type II tree conservation plan shall be approved in conjunction with detailed site plans.
3. Development of this site shall be in conformance with the Stormwater Management Concept Plan #01-0907-207NE15, issued by the City of Bowie and any subsequent revisions.

4. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.
5. Prior to the issuance of any building permits within the subject property (with the exception of Pod 1), the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

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

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

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

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

6. Prior to signature approval of the preliminary plan, the plan shall be revised to provide a public street network as shown on the approved Conceptual Site Plan CSP-06002 for Pod 1, which shall include access from the public street to the Duckett family cemetery.
7. At the time of detailed site plan review for any land within Pod 1, the roadways, building layout and scale shall be as depicted on the approved CSP-06002. The character of the buildings fronting the roadways adjoining the historic site shall be complementary and architecturally compatible with the historic Melford structure, and evaluated at the time of review of the detailed site plan(s).
8. Prior to certificate approval of DSP-07072, the applicant, the applicant's heirs, successors and/or assignees shall convey to the M-NCPPC 96.5± acres as delineated in DPR Exhibit A, Preliminary Plan 4-07055. Land to be conveyed shall be subject to the following:
 - a. At the time of final plat, the applicant shall submit an original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor) to the

Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat.

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

9. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
10. As part of the submission package of each detailed site plan, information addressing the use of low impact development techniques such as bioretention, green roofs, reductions in impervious surfaces, cisterns, and water recycling shall be included, or a justification as to why these techniques cannot be implemented on this project shall be submitted.
11. Detailed site plans for the development shall include a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.
12. The DSP shall demonstrate the use of full cut-off optics for all commercial and industrial lighting fixtures and for the proposed street lighting.
13. Prior to signature approval of the preliminary plan, Sheet 5 of the TCPI shall be revised to preserve the trees within the 150-foot, 100-year floodplain buffer on the west side of Preservation Area 4A.
14. Prior to signature approval of the preliminary plan, an inventory of all disturbances to the 100-foot natural buffer and the 150-foot floodplain buffer shall be submitted. The inventory shall be in table form with each area labeled for reference with the acreage of impact needing mitigation. The table shall be added to the TCPI. The TCPI shall also identify conceptually where the "natural buffer alternatives" will be provided as mitigation so that each subsequent DSP can meet its portion of the overall requirement. The TCPI shall receive signature approval at least 30 days prior to any Planning Board hearings on the first DSP associated with this approval so that this issue is fully addressed on any future plans to be brought before the Planning Board.
15. Prior to signature approval of the preliminary plan, the TCPI shall be revised to delineate the area of land to be dedicated to the Department of Parks and Recreation (DPR Exhibit A, Preliminary Plan 4-07055), and if permission for woodland conservation on the dedicated land has not been granted by DPR in writing, the TCPI shall be revised to eliminate all woodland conservation on land to be dedicated.
16. Prior to signature approval of the preliminary plan, the TCPI shall be revised to show the required 10-foot public utility easements for the site. No woodland conservation shall be placed within these easements.
17. Development of this subdivision shall be in conformance with the approved Type I Tree Conservation Plan (TCPI/44/98-03). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan, TCPI/44/98-03, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince Georges County, Planning Department.”

18. Prior to approval of the first Detailed Site Plan for Pod 7 the TCP shall be revised to show only one outfall for the proposed stormwater management control in the area associated with proposed Impact #3, unless the applicant demonstrates to staff that two impacts are necessary to support development. If the existing outfall is to be removed, it shall be labeled as such and the area shall be shown as reforestation.
19. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Preservation Area and adjacent conservation areas, adjacent planting areas, the 100-foot natural stream buffer, and the 150-foot floodplain buffer, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
20. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
21. The first detailed site plan for Pod 1 shall be for the Melford Historic Site (Lot 1 Block A) and shall include the evaluation of the impact review area. The purpose of the detailed site plan is to ensure compliance with Conditions 4, 5 and 7 of CSP-06002 as approved by the District Council. In particular, the detailed site plan shall ensure the retention of viewshed between Melford House and the Duckett family cemetery (Condition 4) and address the guidelines for new construction approved by the District Council through CDP-8601 and again through CSP-06002 (Condition 5).
22. Prior to approval of the detailed site plan for the Melford Historic Site, plans and a timetable for the long-term maintenance and restoration of the Duckett family cemetery shall be developed and approved.
23. Prior to signature approval of the preliminary plan, the applicant shall submit the final report detailing the Phase II investigations of 18PR164 and 18PR165.

24. Prior to approval of the detailed site plan for the Melford Historic Site, if an archeological site has been identified as significant and potentially eligible to be listed as a historic site or determined eligible to the National Register of Historic Places, the applicant shall provide a plan for:
- a. Avoiding and preserving the resource in place; or
 - b. Phase III Data Recovery investigations and interpretation.

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

25. Prior to the approval of the detailed site plan for the Melford Historic Site, the applicant shall:
- a. Ensure that all artifacts are curated to MHT standards. The curated artifact collection and associated documentation shall be deposited with the Maryland Archeological Conservation Lab,
 - b. In consultation with archeology staff, provide for public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a printed brochure, public lectures or a website. The location and wording of any signage, the text of a brochure or website shall be subject to approval by the staff archeologist.
26. Prior to signature approval of Preliminary Plan 4-07055 and the TCPI, the applicant shall revise both to show the parkland dedication of 96.5[±] acres as shown on DPR Exhibit A, Preliminary Plan 4-07055. Land shall be conveyed to M-NCPPC as required by Condition 18 of CSP-06002.
27. The applicant, the applicant's heirs, successors and/or assignees shall submit to the Park Planning and Development Division three (3) original Recreational Facilities Agreements (RFA) for construction of recreational trail facilities on park property. The RFA shall be approved prior to the approval of final plats. Upon approval by the PP&D, the RFA shall be recorded among the County land records and noted on the final plat of subdivision. The RFA shall establish the timing for the construction of the master plan trail on park property.
28. The applicant, the applicant's heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on park property prior to the approval of building permits.

29. The applicant shall construct a 10-foot-wide asphalt surface hiker/biker/equestrian trail along the Patuxent River, an access road, and a gravel parking lot at the public access/trailhead.
30. The applicant shall submit construction drawings for the master plan 10-foot-wide asphalt surface hiker/biker/equestrian trail, an access road, and a gravel parking lot at the public access/trailhead to DPR for review and approval at the time of the submission of first DSP in Pod 7. Prior to issuance of the 50 percent of the building permits in Pod 7, the recreational facilities shall be constructed.
31. In conformance with the Adopted and Approved Bowie and Vicinity Master Plan, prior approvals for the Maryland Science and Technology Center, and CR-11, the applicant, the applicant's heirs, successors, and/or assignees shall provide the following:
 - a. Construct the master plan trail along the Patuxent River in conformance with Department of Parks and Recreation guidelines and standards. Connections from development Pod 7 to the master plan trail will be evaluated at the time of detailed site plan.
 - b. Parkland dedication shall be in conformance with the Department of Parks and Recreation Exhibit A to accommodate the ultimate extension of the master plan trail to the north and the south.
 - c. Provide standard sidewalks along both sides of all internal roads, in keeping with Development Guideline 3 of the Adopted and Approved Bowie and Vicinity Master Plan (Master Plan, page 13). In areas of high pedestrian activity, wide sidewalks shall be considered at the time of detailed site plan.
 - d. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features will be evaluated at the time of DSP.
 - e. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the Lower Pond. Trail connections necessary to supplement the sidewalk network will be evaluated at the time of detailed site plan.
32. Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision prior to the approval of detailed site plans.
33. Prior to signature approval of the preliminary plan the applicant shall revise the plan to show a minimum of 70-foot wide street rights-of-ways in order to accommodate commercial traffic or obtain a design waiver from the City of Bowie.
34. "Share the Road" with a bike signs shall be provided along Melford Boulevard frontage at the time of Detailed Site Plan.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The subject property is located in the northeast quadrant of the intersection of Crain Highway (US 301/MD 3) and John Hanson Highway (US 50).
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use(s)	Commercial/Residential	Mixed-Use Commercial
Acreage	176.19	176.19
Parcels	10	29
Dwelling Units:		
Detached	1 to remain (Melford Historic Site)	1 to remain (Melford Historic Site)
Public Safety Mitigation Fee		No

4. **Environmental**—The Environmental Planning Section has reviewed plans for Preliminary Plan of Subdivision 4-07055 and Type I Tree Conservation Plan TCPI/44/98-03, for the Melford site, stamped as received on April 4, 2008.

The Environmental Planning Section previously reviewed plans for this site when it was zoned E-I-A and known as the University of Maryland Science and Technology Center. The site was rezoned to M-X-T in the Bowie and vicinity planning area sectional map amendment (SMA). The District Council's action in the SMA for this site is found in CR-11-2006, and was evaluated for the review of the preliminary plan for environmental issues.

Type I and Type II Tree Conservation Plans (TCPI/44/98 and TCPII/36/99, respectively) are associated with the site based on previous approvals by the Planning Board of Preliminary Plan of Subdivision 4-98076, Comprehensive Design Plan CDP-8601, and several Specific Design Plans (SDP-0201, SDP-0203, SDP-0301 and SDP-0405) when the site was zoned E-I-A, a comprehensive design zone.

A Conceptual Site Plan CSP-06002 was approved for development in the M-X-T Zone in conjunction with Type I Tree Conservation Plan TCPI/44/98-02. The CSP has received certificate approval. This application will represent a -03 revision to the TCPI. The proposal is for 29 parcels in the M-X-T Zone that will consist of office, warehouse, and retail space.

Site Description

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

Conformance with Bowie and Vicinity Master Plan

The following text describes how the proposed development is in conformance with the master plan's policies and strategies. The text in BOLD is the text from the master plan and the plain text provides comments on plan conformance.

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

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

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

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

Comment: As part of the approval of CSP-06002, buffers were established in order to protect the Primary Corridor and its associated tributaries. These undisturbed buffers extend beyond the regulated Patuxent River Primary Management Area (PMA) in most areas. The PMA definition includes "...Specific areas of rare or sensitive wildlife habitat, as determined by the Planning Board." The buffers adjacent to a designated Primary Corridor are sensitive habitat that should be protected in a natural state to the fullest extent possible.

Conditions of approval in the final action of the District Council for Conceptual Site Plan CSP-06002, restricts all development within 100-foot-wide natural stream buffers and a 150-foot-wide floodplain buffer. Although this area is not included in the PMA, these areas will be afforded the same level of protection as the PMA, through their inclusion in the final conservation easement.

Policy 2: Water quality
Strategy 4

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

Comment: Each detailed site plan should address the use of low impact development techniques, also known as "environmentally sensitive design." Because of this sensitive location abutting the Patuxent River to the east, a variety of water quality and quantity controls should be considered.

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

Policy 3: Tree cover
Strategy 4

Establish tree planting adjacent to and within areas of impervious surfaces. Ensure an even distribution of tree planting to provide shade to the maximum amount of impervious areas possible.

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

Policy 4: Green buildings and alternative energy sources

Reduce overall energy consumption and implement more environmentally sensitive building techniques.

Comment: The DSP will be evaluated for the implementation of green building techniques and alternative energy sources. Prior to acceptance of detailed site plans for the development of the land south and east of the southern on-site traffic circle, the package should be evaluated to ensure that it includes a statement from the applicant regarding how green building techniques and energy efficient building methods have been incorporated into the design.

Policy 5: Light pollution

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

Policy 6: Noise pollution

Comment: There are no residential uses proposed with this application.

The final action of the District Council for CSP-06002, dated September 19, 2007, included 29 conditions, six of which are environmentally-related, are to be addressed at the time of preliminary plan review or prior to the issuance of permits. The respective conditions are in **bold** typeface, the associated comments are in standard typeface.

CSP-06002 Melford, Notice of Final Decision of the District Council

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

- a. Revise the shading patterns so that the information underneath is legible;**
- b. Eliminate the pattern used to depict previously approved limits of disturbance and show only that limit of disturbance needed for the proposed development;**
- c. Eliminate all clearing not necessary for the conceptual construction of the features shown;**
- d. Revise the existing tree line per Staff Exhibit A (2006 Aerial);**
- e. Provide labels on each cleared area with the acreage and pod identifications; if cleared areas cross pods, divide them up so that the table on sheet 1 can be checked for correctness;**
- f. Revise the worksheet to reflect all cleared areas, preservation areas, etc.;**
- g. Revise the table on Sheet 1 to fill in all the boxes;**

Comment: The above conditions have been addressed on the current plan.

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

Comment: This condition has been addressed. Because the trail shown within the 150-foot floodplain buffer is a master-planned trail on proposed M-NCPPC parkland, and is in accordance with an exhibit approved by the District Council, the trail is not subject to this condition. No other buildings, parking or other amenities are shown on the TCPI submitted for review.

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

Comment: The 150-foot-wide floodplain buffer is correctly shown on the plan. The disturbance to the referenced buffers has been limited to necessary impacts and the proposed trail with the exception of one area. On Sheet 5 of the TCPI, on the west side of Preservation Area 4A, it appears as though disturbance is proposed within the 150-foot, 100-year floodplain buffer based on the location of the limits of disturbance; however, no grading or structures are shown within this area. The limits of disturbance in this area need to be revised to preserve the existing woodland.

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

Comment: Prior to and during the review of the Natural Resources Inventory (NRI/054/06) for the site, the linear wetland was evaluated. Although this feature was determined to be a wetland, it is still afforded protection under 24-130 for the Patuxent River Primary Management Area (PMA).

20. **Prior to the approval of the Preliminary Plan and Detailed Site Plan, the applicant shall demonstrate:**
 - a. **Development plans shall show the minimization of impervious surfaces through various phases of the project. Structured parking shall be used to the maximum extent possible.**

Comment: Because the pods on the site will be developed through future separate phases of development in detailed site plan applications, this condition will be addressed with each individual DSP application.

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

Comment: The 100-foot natural buffer, 150-foot-wide building and parking setback, and 150-foot floodplain buffer are shown correctly on the TCPI, stamped as received on April 4, 2008. Information regarding the natural buffer alternative was not provided, and the acreages that require the “natural buffer alternative” have not been provided.

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

Comment: This condition is addressed in the evaluation of the letter of justification for impacts to the PMA, which provides more information on the proposed impacts for the development.

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

Comment: This condition has been addressed on the preliminary plan and the Type I tree conservation plan.

Environmental Review

This site has a signed Natural Resources Inventory (NRI/054/06-01). The information regarding the forest stand delineation and wetland delineation was found to be sufficient and the information was correctly reflected on the NRI, TCPI, and preliminary plan. All of the required buffers and setbacks are also reflected on the NRI. Although the site has been cleared in some areas, the NRI reflects the original tree line subject to woodland conservation. No further information is required with regard to the NRI.

This property is subject to the provisions of the Prince George’s County Woodland Conservation and Tree Preservation Ordinance because the site has previously approved Type I and Type II tree conservation plans. A revised Type I Tree Conservation Plan (TCPI/044/98-03) has been

submitted and reviewed. The TCPI for this project covers the entire site that was certified under CSP-06002 (431.55 acres). There is also an overall TCPII that is amended as each phase is built.

The 431.55 acre site contains 175.55 acres of woodland on the net tract and 89.26 acres of woodland within the 100-year floodplain. The TCPI proposes to clear 122.80 acres of upland woodland and 0.13 acre of woodland within the floodplain. The total requirement, including the 15 percent woodland conservation threshold, is 75.29 acres. The requirement is proposed to be met with 51.75 acres of on-site preservation, 2.03 acres of on-site reforestation, 6.72 acres of on-site afforestation, and 14.79 acres of off-site mitigation. The woodland conservation threshold of 44.38 acres is being met on-site. Woodland conservation is primarily focused in and adjacent to sensitive environmental features where preservation has the highest priority.

The TCPI does not delineate the area of land to be dedicated to the Department of Parks and Recreation (DPR). This information is necessary because written permission is required to place woodland conservation on land to be dedicated to DPR. The TCPI also does not show the 10-foot public utility easement, and this feature should be shown on the plan.

Extensive areas of the Patuxent River Primary Management Area (PMA) are located on the site because of its location abutting the Patuxent River. The PMA as well as all regulated features on the site are shown correctly on the plans. Section 24-130 of the Subdivision Regulations requires that when a property is partially or totally within the Patuxent River watershed, that the preliminary plan and tree conservation plan should demonstrate that the PMA has been preserved in a natural state to the fullest extent possible. If impacts are proposed to the PMA, a letter of justification is required to be submitted describing the impacts proposed, and justifying why they are unavoidable.

The plan shows impacts to the PMA for a sewer line and storm drain outfalls that were previously approved with prior applications for the site. A letter of justification has been submitted for new impacts. The following is an analysis of the three new proposed impacts.

Impacts #1 and #2

Proposed impacts #1 and #2 are both for the connection to an existing sanitary sewer that is necessary to service the development. The proposed impacts are located on Pod 7 and total 3,753 square feet. Staff has evaluated these impacts and believes that they have been reduced to the fullest extent possible and staff supports these impacts.

Impact #3

Proposed impact #3 is for a storm drain outfall to safely convey stormwater from the site. There is currently an outfall in this area. The submitted letter of justification states that this outfall is needed to provide a suitable outfall that minimizes future erosion on the site; however, it provides no explanation of the future disposition of the current outfall. Because only one outfall appears to be necessary in this area, either the proposed impact for the new outfall should be eliminated, or the current outfall must be labeled “to be removed” and shown as a reforestation area.

At the Planning Board hearing the applicant indicated that they had additional information that may demonstrate to staff that both impacts are necessary. The applicant requested the opportunity; at the time of the first detailed site plan for Pod 7, to demonstrate to staff that both impacts are necessary. If the applicant can not demonstrate that to staff, one of the impacts will be removed.

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

Copies of the stormwater management concept approval letter and plan were included in the application. The approval letter was issued by the City of Bowie and dated September 20, 2007. The submitted plan does not show the storm drains or inlets that are proposed for the site, nor are they reflected on the TCPI. This information is necessary to evaluate the proposed limits of disturbance and to determine if the impacts are necessary for the proposed development. Further evaluation of the SWM approval will occur at the time of detailed site plan review.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3, according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003, and the site will therefore be served by public systems.

5. **Community Planning**—The property is located within the 2006 Bowie and vicinity master plan, in Planning area 71B in the City of Bowie. The master plan recommendation for the property is for mixed-use development. The 2002 General Plan located the property in the Developing Tier. One of the visions for the Developing Tier is to maintain a pattern of distinct commercial centers and

employment areas that are ever increasingly transit serviceable. The 2006 Bowie and vicinity sectional map amendment rezoned the property from the E-I-A Zone to the M-X-T Zone in support of the master plan and General Plan recommendations. The proposed preliminary plan is consistent with the M-X-T Zone and the General Plan by developing a district employment center.

The site is the subject of an approved Conceptual Site Plan (CSP-06006) as set forth in the District Council's order dated September 11, 2007, which establishes the land uses and finds conformance to the master plan. This preliminary plan is consistent with the approved conceptual site plan. The land uses proposed with this preliminary plan are consistent with the uses as approved with the CSP. The specific locations within the limit of the site are the subject of the DSP review. This preliminary plan does not propose development on land in the M-X-T Zone, which is not the subject of an approved conceptual site plan.

6. **Parks and Recreation**—The staff of the Department of Parks and Recreation has reviewed the above referenced preliminary plan for conformance with the requirements of the Conceptual Site Plan CSP-06002, the approved master plan and sectional map amendment for Bowie and vicinity, the Land Preservation and Recreation Program for Prince George's County and current subdivision regulations as they pertain to public parks and recreation.

Findings:

At the time of approval of the Conceptual Site Plan (CSP-06002, Condition 18), it was required that the applicant dedicate 108[±] acres including, but not limited to the 100-year floodplain and floodplain buffer to M-NCPPC as shown on DPR Exhibit A for CSP-06002 to serve as a continuation of Patuxent River Stream Valley Park and for the future construction of a master-planned trail and trailhead facility.

The CSP requires 108[±] acres of parkland dedication as shown on DPR Exhibit A; however, subsequent to the approval of the CSP, staff has recalculated the area shown on this exhibit and found that it is approximately 96 acres. DPR staff believes that at the time of the conceptual site plan stage, the area was miscalculated.

The Council required with the approval of the CSP that the applicant convey the property to M-NCPPC prior to the approval of any DSP in the project area. One area (74.4 acres) of the parkland to be dedicated is outside the limits of this preliminary plan, and the second area (20.5 acres) is within the limits of this preliminary plan.

Two Melford DSP applications (DSP-06096 and DSP-07072) have been approved by the Planning Board and are awaiting certification. Condition 16 of DSP-07072, PGCPB Resolution 08-42 approved by the Planning Board, requires that "six weeks prior to the submission of the plans for certification of any DSP in the land area covered by Detailed Site Plan DSP-07072 an original, special warranty deed along with a metes and bounds description for the 100-year floodplain and floodplain buffer to be conveyed to M-NCPPC

(signed by the WSSC Assessment Supervisor) shall be submitted to DPR for their review. Upon approval by DPR, the deeds shall be recorded in the land records of Prince George's County."

On April 11, 2008, the applicant submitted deeds to the DPR for 95-acres to be conveyed to M-NCPPC. The parkland deed was for the conveyance of the park outside and inside the area of this preliminary plan. Part of the area within the preliminary plan is depicted on the preliminary plan as Parcel 6 and Lot 1, Block D, Pod 7. DPR staff evaluated the shape and size of the proposed parkland dedication area and determined that it is in general conformance with DPR Exhibit A in CSP-06002, with the exception of one acre at the main entrance to the parkland. This area is currently being used as a stormwater management facility by the applicant.

Condition 29b of approved CSP-06002 states, "Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the Master Plan trail on dedicated parkland." The applicant has provided a plan showing a conceptual trail layout. DPR staff has evaluated this plan and found that the trail is located primarily on the edge of steep slopes providing no buffer from erosion, no room for future trail maintenance and a potential safety hazard for future trail users. In one location (along Pod 7, Lot, 1, Block 1), there is not adequate space to accommodate the trail itself between the steep slopes and park property line as proposed by the applicant. In order to provide an adequate area for the future master planned trail, additional land should be provided. DPR staff adjusted the park boundaries to provide enough space for a trail in the future. DPR Exhibit A, Preliminary Plan 4-07055, shows an adjusted area to be dedicated M-NCPPC from approximately 95 acres to approximately 96.5 acres.

DPR met with the applicant on March 17, 2008 to discuss this conceptual trail layout and parkland dedication area. At that meeting, the applicant explained that they had prepared a metes and bounds description to reflect the same parkland boundaries of the conceptual trail exhibit. As a result, the applicant requested that instead of adjusting the metes and bounds description at this time, a preference to dedicate additional parkland later in the development process. After consulting with MNCPPC legal staff, DPR can not deviate from the requirements of the County Council resolution for CSP-06002 and the approved Planning Board Resolution PGCPB No. 08-42, for the timing of the conveyance of the area of parkland dedication.

Dedication to M-NCPPC should be in accordance with DPR Exhibit A, Preliminary Plan 4-07055, which incorporates DPR Exhibit A, CSP-06002. This would include the land both inside and outside the limits of the subject preliminary plan, and require that the conveyance occur at one time and prior to certificate approval for the first detailed site plan for this project, in accordance with Condition 16 of PGCPB Resolution 08-42, file DSP-07072. Condition 16 requires that six weeks prior to submission of the plans for certification of any DSP in the land area covered by Detailed Site Plan DSP-07072, an original, special warranty deed along with a metes and bounds description for the 100-year floodplain and floodplain buffer to be conveyed to M-NCPPC.

At the Planning Board hearing on April 24, 2008 for DSP-06096, which occurred subsequent to the hearing for DSP-07072 (March 13, 2008), the Planning Board determined that a duplicate condition, to Condition 16, which had been placed on DSP-07072, was not necessary for DSP-06096. It was also determined that Condition 18 of CSP-06002 would be satisfied based on Condition 16 placed on DSP-07072, which required the conveyance of the parkland occur prior to certification of DSP-07072. The Planning Board found that it was not necessary to burden each property owner with a duplicative condition for the dedication of the same land. The resolution of approval for DSP-06096 (PGCPB Resolution 08-61) did not include a condition for the conveyance based on that Planning Board finding.

However, in this case the configuration of land has been slightly modified from DPR Exhibit A, approved as part of CSP-06002, and conditioned in Condition 16 of DSP-07072. Two adjustments are recommended from the CSP exhibit with this preliminary plan. Minor adjustments to the area of parkland dedication often occurs from a conceptual plan to a more detailed plan, as which occurred with this preliminary plan from the CSP plan.

The first is to adjust the dedication line to give “back” to the applicant land that would allow the applicant to construct a stormwater management (SWM) facility on land that was to be conveyed to M-NCPPC. The second adjustment is to provide a linear strip of land along the park boundary to ensure that the master plan trail can be constructed. Over all, the land area requested (DPR Exhibit A-4-07055) with this preliminary plan has been adjusted to be less than that originally calculated with the CSP (108± acres) or 96.5 acres.

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

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

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

Land outside the floodplain and environmental buffers will be necessary to accommodate this trail. The trail should be run north-south parallel to the Patuxent River and be designed to accommodate future extensions to both the north and south. The conceptual trail plan submitted by the applicant confirms that the trail will be located largely outside the PMA. It also indicates that the trail will be within land dedicated to M-NCPPC. It will be incorporated into the area adjacent to and around the stormwater management ponds. The trail should be constructed in conformance with Department of Parks and Recreation (DPR) standards and the location should be approved by DPR. Land dedication should be in conformance with the Department of Parks and Recreation Exhibit "A".

Approved CSP-06002 and CR-11-2006 (Bowie and vicinity master plan) included numerous conditions regarding a trail and pedestrian facility on the site. The Bowie and vicinity master plan reiterated these conditions and include specific recommendations regarding the Melford property, including the following development guidelines on pages 12 through 16:

28. Community recreational facilities shall take full advantage of environmental features on and adjacent to the property, and shall include extensive trail and boardwalk systems. These recreational facilities may also include educational features for the general public and public schools, such as kiosks along the trails, boardwalks at observation points, and education stations, with curriculum available to schools for use in specific locations.
29. The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.

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

The master plan also includes Development Guideline 3 for the Melford site that recommends the following regarding sidewalk facilities:

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

Development Guideline 14 recommends the following regarding stormwater management facilities:

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

The master plan trail and stormwater management ponds should be designed to meet the intent of Development Guideline 14 of the master plan. The design and location of the trail, as well as the

interface of the trail and adjacent stormwater management ponds, will be reviewed by the Department of Parks and Recreation.

The Council Resolution for CSP-06002 (dated September 11, 2007) also includes the following recommendations regarding the master plan trail along the Patuxent River.

- 29b. Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the master planned trail on dedicated parkland.
- 29e. The applicant shall submit three original, executed Recreational Facilities Agreements (RFA) for trail and trailhead construction to the DPR for their approval three weeks prior to submission of a final plat of subdivision. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

- 8. **Transportation**—Transportation has been reviewed regarding the development of the subject site and the larger Maryland Science & Technology Center (total of 466 acres) in conjunction with A-9401, CDP-8601, Preliminary Plan of Subdivision 4-88030, and CSP-06002. Since those plans were approved, there has been considerable development within the Maryland Science and Technology Center. The preliminary plan and CDP approvals established a square footage cap for the initial phase of 1.95 million square feet. Preliminary Plan of Subdivision 4-98076, affirmed a trip cap of 2,200 AM and 2,605 PM peak-hour vehicle trips for all remaining development on the site within phase 1.

There are a number of transportation-related conditions on earlier development review stages; these are reviewed in detail below:

CDP-8601:

Condition 3: Required upgrading of MD 3/Belair Drive/Melford Boulevard prior to development, up to a maximum of 400,000 square feet. The intersection has been replaced with an interchange.

Condition 4: Required an interchange at MD 3/Belair Drive/Melford Boulevard for development beyond 400,000 square feet and up to 1,950,000 square feet. The interchange is complete and open to traffic.

Condition 5: Required a new traffic study after 1991 or after completion of improvements to US 50. A new traffic study was prepared in 1998 and reviewed in conjunction with Preliminary Plan of Subdivision 4-98076.

Condition 6: Established dedication widths for internal streets. All streets have been dedicated in accordance with this condition.

Condition 7: Required that the impact of development along Belair Drive be minimized. This has been done by limiting access to Melford Boulevard.

Condition 8: Required the completion of documents establishing legal access to the property. This was done prior to the initial development on the property.

Condition 9: Required setbacks to accommodate planned US 50 improvements. All improvements to US 50 have been constructed.

Condition 20: Established requirement for a new traffic study prior to Stage 2 development. A portion of the subject development is within Stage 1, as well as stage II, and therefore this condition is still relevant.

Condition 21: Restricted the Beech Tree Lane access to a right-in, right-out. This condition is complete.

Preliminary Plan of Subdivision 4-98076:

Condition 17: Established a trip cap for remaining development, based upon roadway improvements that existed in 1998 and 240,000 square feet of then-existing development, of 2,200 AM and 2,605 PM peak-hour trips. Since that time, the following approvals have occurred:

Table 1

SDP	Development Quantity	Status	AM Trip Generation	PM Trip Generation
SDP-0103	153,250 sq. ft.	Built	112	115
SDP-0104	300,000 sq. ft.	Approved	600	555
SDP-0201	83,680 sq. ft.	Built	127	118
SDP-0203/01	81,600 sq. ft.	Approved	163	151
SDP-0402	62,440 sq. ft.	Approved	103	095
SDP-0405	234,000 sq. ft.	Approved	300	284
DSP-06096	253,289 sq. ft.	Under Const.	235	290
DSP-07072	24,375 sq. ft.	Under Const.	168	122
	164,750 (Pod 1)	Pending	392	875
Total	1,357,384 sq. ft.		2200	2605

In the transportation referral dated April 28, 2008, staff made a finding that the subject application was eligible for 574 AM trips and 988 PM peak trips for Pods 5, 6, 7B and P2 combined. That finding was based on the premise that the trips assigned to SDP-0401 (Table 1) were included in the overall trip cap for CSP-06002. The fact is they were not covered under the overall CSP trip cap and consequently, the remaining trips available under the CSP trip is 874 AM and 1272 PM peak hour trips

CSP-06002:

At a public hearing on January 11, 2007, the Planning Board approved CSP-06002 (PGCPB 07-09), which included parcels encompassing phases I and II. The CSP was approved with a new trip cap of 2,774 AM or 3,593 PM peak-hour vehicle trips. This trip cap was based on the results from a new traffic study that was done in 2006. In addition to the trip cap, the Planning Board also imposed the following transportation conditions:

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

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

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

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

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

At a public hearing held by the District Council on September 11, 2007, the Council affirmed action taken by the Planning Board as outlined in PGCPB Resolution 07-09. In addition to its affirmance, the District Council added the following language to condition 2B above:

Governor Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW &T.

The subject application reflects a preliminary plan which encompasses Pods 1, 5, 6,7B and P2. The area designated as proposed Pod 1, is located in the section of the site that is covered under approved Preliminary Plan of 4-98076 and the trip cap of **2,200 AM and 2,605 PM** peak-hour vehicle trips. Based on the trips that have been allotted for either approved and/or existing developments, the remaining trips that can be utilized for proposed Pod 1 shall be the **392 AM trips and 875 PM** trips as shown in Table 1 above.

Regarding the remaining pods (5, 6, 7B and P2), those pods would be required to be develop with a trip generation that does not exceed the difference between the trip caps established by Preliminary Plan 4-98076 and CSP-06002. That difference is reflected in Table 2 below:

Table 2

	AM Trip Generation	PM Trip Generation
CSP-06002	2774	3593
4-98076	2200	2605
Difference	574	988

Approved CSP-06002 showed an internal street network that provided an adequate internal circulation of traffic. Staff is recommending that a similar internal street layout be proposed for the subject application.

Based on the preceding findings, the development conforms to the required findings for approval of the preliminary plan of subdivision pursuant to Section 24-124 with conditions.

9. **Schools**—There are no residential dwelling units proposed; therefore, no anticipated impacts on schools.
10. **Fire and Rescue**— The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan application for a combination of office, warehouse and retail uses on a

176.19 acre tract in the M-X-T Zone for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

Fire and Rescue Findings

The existing fire engine service at Bowie Fire Station, Company 43 located at 16408 Pointer Ridge Road, has a service travel time of 4.60 minutes, which is beyond the 3.25-minutes travel time guideline.

The existing paramedic service at Bowie Fire Station, Company 43 located at 16408 Pointer Ridge Drive, has a service travel time of 4.60 minutes, which is within the 7.25-minutes travel time guideline.

The existing ladder truck service at Glenn Dale Fire Station, Company 18 located at 11900 Glenn Dale Boulevard, has a service travel time of 9.09 minutes, which is beyond the 4.25-minutes travel time guideline.

The existing ladder truck and engine services are beyond recommended travel time guidelines. However there is a proposed station that will address the response time deficiencies to the property in question. This proposed station, the Bowie Fire and EMS facility, is located in the vicinity of Northview Drive and Health Center Drive and will be within 2.27 minutes of the Melford property. The proposed station is included as a fully funded project in the 2007-2012 Capital Improvement Program. The construction of this station is proposed to begin this fiscal year in October 2008.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan, 1990* and the Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.

11. **Police Facilities**—The approved 2002 General Plan addresses the provision of public facilities that will be needed to serve existing and future county residents. The Plan includes planning guidelines for police facilities and they are:

Station space per capita: 141 square feet per 1,000 county residents

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

12. **Health Department**—The Environmental Engineering Program section notes that any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
13. **Stormwater Management**—The City of Bowie, Department of Public Works, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 01-0907-207NE15, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with the approved plan to ensure that development of this site does not result in on-site or downstream flooding.
14. **Historic**—The developing property is subject to a number of conditions associated with previous approvals by the Planning Board and District Council. Among those, conditions approved by the District Council in its review of CSP-06002 are applicable to the subject preliminary plan application.

The subject property includes the Melford Historic Site (#71B-016). Built in the 1840s, Melford is a 2½-story brick plantation house of side-hall-and-double-parlor plan. The house is distinguished by a two-story, semicircular bay and a parapetted, double chimney at the south gable end. Attached to the north gable end is a lower kitchen wing built of brick and stone. The interior exhibits fine Greek Revival-style trim. The house was built by Richard Duckett and later was home to three generations of the Hardisty family. The grounds include several early outbuildings and terraced gardens, and there is a Duckett family burial ground on the adjoining knoll to the northwest. The bay and chimney configuration makes Melford unique in Prince George's County. The property is also listed in the National Register of Historic Places.

The Duckett family cemetery, although a part of the Melford Historic Site environmental setting (#71B-016), is not included within the subject preliminary plan application. In addition, the Duckett family cemetery is not owned by the applicant, and there is an apparent tax lien on the property. The Duckett family cemetery is currently in a deteriorated condition and there is no plan for regular maintenance or restoration of the gravestones and other features of the site. Moreover, the subject application will impact the adjacent cemetery.

CSP-06002

The CSP approval requires that all plans of development delineate and note both the Melford Historic Site environmental setting that includes the house site, adjacent outbuildings and gardens, and the cemetery on a separate parcel, and the impact review area surrounding these features on the subject plan and all subsequent plans (Condition 3). Conditions 4, 5 and 7 ensure the retention of the historic vista from the Melford House to the cemetery and will be addressed at the time of detailed site plan for the development within Pod 1. Review will evaluate development within the impact review area where preservation and enhancement of the historic vista can occur.

The first detailed site plan for Pod 1, within the subject property, should address the Melford Historic Site environmental setting and its impact review area. The purpose of the detailed site plan is to ensure compliance with Conditions 4, 5 and 7 of CSP-06002. In particular, the detailed site plan should ensure the retention of the viewshed between Melford House and the Duckett family cemetery (Condition 4), and address the guidelines for new construction approved by the District Council through CDP-8601 and again through CSP-06002 (Condition 5). The first detailed site plan filed within Pod 1 should be for the Melford Historic Site (Lot 1, Block A), which will include the review of the impact review area.

The applicant has revised the subject preliminary plan to identify both the Melford Historic Site environmental setting (including the house site, adjacent outbuildings and gardens, and the cemetery on a separate parcel), and the impact review area that establishes the vista between them, in compliance with Condition 3 of CSP-06002. Further evaluation will occur with the review of the detailed site plans within Pod 1.

Through the review of the detailed site plan for Melford House, the ownership of the Duckett family cemetery should be clarified and plans developed that provide for the long term maintenance and restoration of this important feature of the Melford Historic Site. The applicant should submit a plan and timetable for the protection, stabilization, restoration and planned adaptive use for the Melford Historic Site through the historic area work permit process, as required in Condition 6 of CSP-06002. The plan, timetable and HAWP are to be reviewed by the Historic Preservation Commission, and should be filed with the detailed site plan for Melford House. Condition 8 of CSP-06002 requires that prior to the issuance of building permits, the applicant will initiate the restoration of the historic site through the historic area work permit process.

The applicant has complied with CSP-06002 Conditions 6 and 8 through the submittal of a Historic Area Work Permit application (HAWP #45-07) that addresses the exterior rehabilitation of the historic site in anticipation of its use as a single-family dwelling. However, a detailed site plan application must be submitted for the Melford Historic Site prior to the issuance of a use and occupancy permit for the property. That detailed site plan application should demonstrate compliance with all relevant approved conditions of CSP-06002.

The applicant is in compliance with the requirement of Condition 9 to submit regular quarterly condition reports on the condition of the Melford Historic Site and associated outbuildings and their ongoing maintenance. These quarterly reports will be required until a permanent use for the building is identified and established. The most recent quarterly report was submitted by the applicant on February 7, 2008; the next report is therefore due on or about May 7, 2008.

The applicant has revised the subject application to provide access from a public street to Melford House within the larger portion of the Melford Historic Site environmental setting that also includes the outbuildings and gardens. The applicant has not provided access from a public street

for the Duckett family cemetery (also part of the Melford Historic Site environmental setting) that is adjacent to and outside the limits of this preliminary plan. However, conditions will address this issue by requiring that the preliminary plan be revised to provide two additional public streets within the limit of Pod 1 prior to signature approval.

Archeology

A Phase I archeological survey was conducted on the property in February 2005. Three archeological sites were identified on the property. Site 18PR30 is a Late Archaic through Woodland period short-term base camp located adjacent to the Patuxent River floodplain. The portion of the site within the subject property had been extensively disturbed by tree removal and grading. Therefore, the site did not retain its integrity and no further work was recommended.

Site 18PR164 consists of archeological deposits and features associated with the Melford Historic Site (#71B-016). Artifacts recovered date from the late 18th century to the present. Four cultural features and a sheet midden were identified around the house. Some of the artifacts may reflect the activities of African American slaves. Phase II investigations were recommended for site 18PR164 to assess its eligibility for inclusion in the National Register of Historic Places.

Site 18PR165 is the Duckett family cemetery, located about 650 feet northwest of the Melford House, and not a part of this application, but is a part of the historic site. Development plans placed a buffer area around the cemetery. Several shovel test pits were excavated outside of and around the cemetery to determine if there were additional unmarked burials. No evidence of unmarked burials was found; however, ground penetrating radar survey of the vicinity of the cemetery should be completed as part of additional required archeological investigation of the property within the limits of Pod 1, which will be submitted with the detailed site plan for the Melford historic house.

Archeological sites 18PR164 and 18PR165 are located within the Melford Historic Site environmental setting (#71B-016). Staff concurs with the Phase I archeological report's findings that no further work is necessary on site 18PR30. Staff also concurs that Phase II investigations are necessary on sites 18PR164 and 18PR165. A Phase II work plan was submitted to Historic Preservation staff on January 14, 2008, and was approved on January 18, 2008. The applicant should submit the findings of the Phase II investigations in the form of a draft report to be reviewed before a final report for the work can be accepted. Condition 21 of CSP-06002 requires that prior to the approval of the preliminary plan the applicant shall provide a final report detailing the Phase II investigations. The applicant has not provided that information and should be required prior to signature approval of the preliminary plan. The report should also be submitted with the detailed site plan for the Melford historic house, where the recommendations will be more appropriately considered within the property associated with Melford House and in the vicinity of the family cemetery with the detailed site plan.

Prior to the approval of the detailed site plan for the Melford Historic Site, the applicant should ensure that all artifacts are curated to MHT standards. The curated artifact collection and associated documentation should be deposited with the Maryland Archeological Conservation Lab.

15. **Urban Design**—The following excerpt is from the District Council decision in the review and approval of Conceptual Site Plan CSP-06002, approved September 11, 2007:

MODIFIED, and, as modified, AFFIRMED, for the reasons stated by the Planning Board, whose decision in PGCPB No. 07-09 is hereby adopted as the findings of fact and conclusions of law of the District Council, with the following modifications and additions:

- “A. The footprints for all "commercial uses," such as the commercial hotel, commercial retail, commercial office, and commercial office-warehouse (“flex”) uses shown in the CSP, including those in existence, those under construction, and those proposed in this plan, are hereby approved. These commercial and flex-warehouse uses are consistent with the principal goals and objectives of the Bowie and Vicinity Master Plan, approved in February 2006, in Council Resolution 11-2006. The uses also conform with the vision for development of this site in the employment center plans and employment center zoning (E-I-A) approved in 1982, when the residential zoning (R-R and O-S) for the subject property was first changed.
- B. Residential development on the subject property was not contemplated after the E-I-A Zone and basic plan were approved in 1982. In 1986 the CDP (comprehensive design plan) was first approved for the subject tract, and it also showed no residential uses. The Master Plan in 2006 suggested residential uses at Melford for the first time, as part of the employment center. It is not clear how the residential development proposed in this CSP application will conform to the vision of the employment center, and the residential development is not clearly integrated with, nor does it promote, the well-conceived employment center development that the Master Plan and adopted County plans and policies call for, on the subject tract.
- C. The 2006 Master Plan, in its goals, objectives, and recommendations, calls for development of primarily high-quality, class A, office-employment uses on the subject property. This property, originally over 400 acres in size, lies at the intersection of two central arteries in Prince George's County, US 50 and US 301/MD 3. It includes land proposed for technology-oriented employment uses, primarily office, and land areas devoted to transportation and open space. Both US 50 and US 301/MD 3 are planned to be expanded and upgraded, in the State's five-year needs assessment and construction program, and office and employment uses will be needed at this location, before the next Master Plan and Sectional Map Amendment updates are scheduled for this area.
- D. Residential development as currently shown in this CSP cannot be approved. The high-density residential uses proposed by the applicant are not well integrated with employment

and office uses elsewhere on the site. Under Master Plan recommendations and the District Council's approved policies for the subject property, commercial office and employment development should be primary and preferred, in all development pods, and any residential development should complement and support the office and employment uses. The residential development shown in this application does not meet that objective.”

The findings above directed that the CSP was to be modified to remove the residential component. Prior to certification of the plans the references to the residential uses was eliminated. Therefore, where the proposed pods of development were previously listed as solely residential; the pod of development was left blank. The District Council’s order indicated that “commercial office and employment development should be primary and preferred, in all development pods.” Therefore, with the review of the detailed site plan for pods previously shown as purely residential the question of conformance to the conceptual site plan may be raised. The preliminary plan proposes uses that are permitted by the CSP. The specific use distribution will be the subject of the subsequent detailed site plans.

The plan has been compared to the layout of the Conceptual Site Plan CSP-06002, for conformance. Preliminary Plan 4-07055 does not provide for a public street layout within Pod 1 and should be revised prior to signature approval. The conceptual site plan provides a layout for the development surrounding the historic site (which includes both the Melford House and the Duckett family cemetery). This layout protected the historic site and addressed many issues, including the street layout and connections, protection of the historic vista between the Melford House and the Duckett family cemetery (via the provision of an open space component), the scale of buildings along the street system surrounding the historic site, and provision of public access to the cemetery.

This roadway system is an important element of the development of Pod 1 and is shown on the conceptual site plan skirting the outer edge of the Melford environmental setting of both the house and the cemetery. These roadways provided connections to Melford Boulevard and Curie Drive. A third roadway connected the two streets along one side of an open space element, which was designed to protect the historic vista between the house and the cemetery, and will be further evaluated with the review of the detailed site plan.

Since the deletion of the residential component by the District Council through the review and approval of Conceptual Site Plan CSP-06002, there is no longer a homeowners association to own and maintain a street system. It is reasonable that the roadways be public roads that will serve commercial uses, either retail or office uses, or some combination. Private streets are not permitted in the M-X-T Zone for non-residential development and are required for public dedication. In this case the public streets will be under the authority of the City of Bowie. The preliminary plan lotting pattern clearly attempts to recoup land area that was previously shown as roadways for the development of commercial uses.

The following conditions of the CSP apply to review of the preliminary plan:

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

Comment: Any revision to the traffic analysis referenced above requires the applicant to submit a revision to the conceptual site plan for review by the Planning Board and the District Council, and as discussed in the Transportation section of this report.

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

Comment: This condition requires timely submission of the required report pertaining to the restoration of the Melford House located on the subject site, and as discussed in the Historic section of this report.

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

Comment: The trails coordinator should provide an analysis of this issue.

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

Comment: This condition was generated by the Environmental Planning Section at the time of the review of the CSP and provided some flexibility in the review of subsequent planning tools in order to protect natural features of the site.

- 15. Prior to signature approval of the CSP, and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCPI shall be revised to remove all buildings,**

roads, trails, and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain.

Comment: The CSP and TCPI plans have been revised in accordance with the requirement above and have obtained signature approval on March 20, 2008.

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

Comment: This condition was generated by the Environmental Planning Section at the time of the review of the CSP and requires protection of the on-site wetland area.

- 20. Prior to the approval of a preliminary plan or detailed site plan, the applicant shall demonstrate:**
- a. Development plans shall show minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.**

Comment: This issue is best addressed at the time of DSP review.

- b. Streams shall have a 100-foot natural buffer and a 150 foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on community property.**
- c. Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**

Comment: Both conditions above have been addressed by the Environmental Planning Section in the review of the preliminary plan.

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

Comment: This issue is best addressed at the time of the DSP. The CSP should be the guide to the open space component of the project.

21. **Prior to the submission of a preliminary plan of subdivision, the applicant shall provide a plan for evaluating the resource at the Phase II level. In accordance with the *Guidelines for Archeological Review*, if a Phase II archeological evaluation is necessary, the applicant shall submit a research design for approval by Historic Preservation staff. After the work is completed, and before approval of the preliminary plan, the applicant shall provide a final report detailing the Phase II investigations, and shall ensure that all artifacts are curated to MHT Standards.**
22. **If a site has been identified as significant and potentially eligible to be listed as a Historic Site or determined eligible for the National Register of Historic Places, the applicant shall provide a plan for:**
 - a. **Avoiding and preserving the resource in place; or**
 - b. **Phase III Data Recovery investigations and interpretation.**

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

Comment: Both of the conditions above have been addressed in the Historic Preservation Section (HPS) memo by the archeologist.

16. **Part of Parcel 4 (Zehner Property)**—Immediately south of the subject property (Pods 6 & 7) is part of Parcel 4 known as the Zehner property, zoned O-S, and extends south of US 50. In total, Parcel 4 is 111± acres and is divided by the right-of-way of US 50. The SHA has acquired the access controls from the property owner of Parcel 4 along US 50. Therefore, the part of Parcel 4 immediately south of Melford is prohibited from direct access to US 50, unless otherwise approved by the State Roads Commission.

Section 24-104 of the Subdivision Regulations establishes the purposes of Subtitle 24 and specifically (a)(3) states in part “[t]o facilitate public and private actions in order to provide adequate and efficient transportation.” Based on the circulation pattern that is proposed for Pod 6, staff finds that access to Parcel 4 from the internal public street across Pod 6 would be an appropriate location to provide adequate access to Parcel 4. Access across Pod 7 would not be appropriate due to the location of the stormwater management pond and existing environmental features on the Melford property, which abut the northern property line of Parcel 4. The specific location of a possible future access easement should be located on the detailed site plan for proper siting, if an agreement can be reached between the property owners.

The applicant in this case has indicated that they should not be required to provide access to the adjoining property, in part because that property owner has frontage on a public street (US 50) and previously negotiated away the right of access to the State Highway Administration. The M-NCPPC Associated General Council in discussions with staff agrees with the applicant's position. However, we acknowledge that the two private parties could negotiate an access easement to serve that part of Parcel 4 located on the north side of US 50.

17. **Residential Conversion**—The subject property is zoned M-X-T. While the subject application is not proposing any residential development, if the conceptual site plan would permit such a land use, a new preliminary plan should be approved. Because there exists different adequate public facility tests, and there are considerations for recreational components for residential subdivision, a new preliminary plan should be required if residential development is to be considered.
18. **Background**— On January 25, 1982, the District Council approved Zoning Map Amendment Application and Basic Plan A-9401 for the subject property (Zoning Ordinance No. 2-1982). This zoning map amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Planning Board decision, PGCPB Resolution No. 86-107, for the Maryland Science and Technology Center. The preliminary plan was approved by the Planning Board on September 28, 2000, PGCPB Resolution No. 99-28(A).

The property was included in the *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* and the property was rezoned from the E-I-A Zone to the M-X-T Zone through the approval of CR-11-2006 on February 6, 2006. On February 15, 2007, the Planning Board approved Conceptual Site Plan CSP-06002, which proposed a mixed-use development consisting of hotel, office, retail, restaurant, research and development, and residential (366 single-family detached and attached units and 500 multifamily units) uses. On September 11, 2007, the District Council approved CSP-06002, rejecting the residential component of the proposed development. The preliminary plan is consistent with the District Council's action on the CSP and proposes no residential uses.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, May 29, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of June 2008.

Oscar S. Rodriguez
Executive Director



By Frances J. Guertin
Planning Board Administrator

OSR:FJG:WC:bjs

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department

Date 6/20/08