AGENDA ITEM: 6
AGENDA DATE: 11/5/2020

The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530
Note: Staff reports can be accessed at http://mncppc.iqm2.com/Citizens/Default.aspx

Detailed Site Plan DSP-07031-04
Melford Property, Pod 6

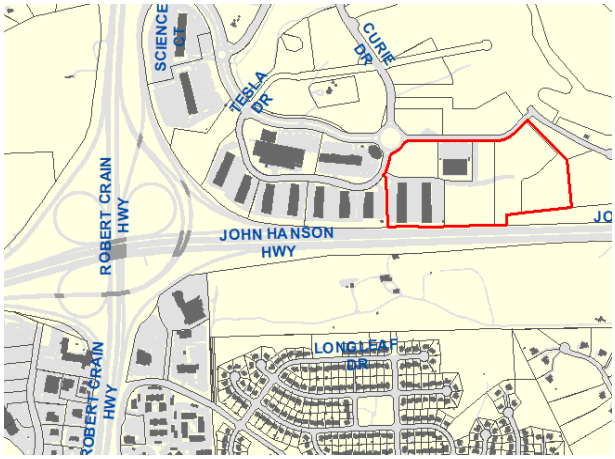
REQUEST	STAFF RECOMMENDATION
Approval of a 61,809 square foot inpatient rehabilitation facility on proposed Lot 5 in Pod 6.	Approval with conditions

Location: In the southwest quadrant of the intersection of Marconi Drive and Melford Boulevard

Gross Acreage:	38.88
Zone:	M-X-T
Dwelling Units:	N/A
Gross Floor Area:	61,809
Planning Area:	71B
Council District:	04
Election District:	07
Municipality:	Bowie
200-Scale Base Map:	207NE15

Applicant/Address:
Encompass Health
9001 Liberty Parkway
Birmingham, AL 35242

Staff Reviewer: Andrew Bishop
Phone Number: 301-952-4897
Email: Andrew.Bishop@ppd.mncppc.org



Planning Board Date:	11/05/2020
Planning Board Action Limit:	11/11/2020
Staff Report Date:	10/20/2020
Date Accepted:	08/27/2020
Informational Mailing:	08/16/2018
Acceptance Mailing:	08/27/2020
Sign Posting Deadline:	10/06/2020

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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MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-07031-04
Type II Tree Conservation Plan TCPII-036-99-16
Melford Property, Pod 6

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

EVALUATION

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

a. The requirements of the Mixed Use-Transportation Oriented (M-X-T) Zone and the site design guidelines of the Prince George's County Zoning Ordinance;

b. The requirements of Conceptual Site Plan CSP-06002 and its amendment;

c. The requirements of Preliminary Plan of Subdivision 4-07055;

d. The requirements of Detailed Site Plan DSP-07031 and its amendments;

e. The requirements of the 2010 *Prince George's County Landscape Manual*;

f. The requirements of the Prince George's County Tree Preservation and Woodland Conservation Ordinance;

g. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and

h. Referral comments.

FINDINGS

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

1. Request: The subject application is a detailed site plan (DSP) for approval of a 61,809-square-foot inpatient rehabilitation facility on proposed Lot 5 in Pod 6.

2. Development Data Summary:

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use	Office, Research and Development	Office, Research, and Development, and Inpatient Rehabilitation Facility
Total DSP Acreage	38.88	38.88
Area of DSP-07031-04	6.48	6.48
Total Lots	6	6

PARKING AND LOADING TABULATION

Use*	Number of Spaces Provided**
Total On-site Surface Parking	**143**
Handicap-Accessible	27
Standard Spaces	116
Total Loading Spaces	**1**
Inpatient Rehabilitation Facility	1

Note: *Parking is listed only for the inpatient rehabilitation facility, as parking for the other uses has been previously approved.

**Per Sections 27-574 and 27-583 of the Prince George's County Zoning Ordinance, there is no specific required number of parking or loading spaces in the M-X-T Zone. The applicant has included an analysis to be approved by the Prince George's County Planning Board. See Finding 9 for a discussion of the parking analysis.

3. Location: The entire Melford property is located in the northeastern quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/US 301 (John Hanson Highway) in Planning Area 71B and Council District 4, within the City of Bowie. The specific limits of this DSP are located on existing Lots 5 and 6 in Pod 6, which is located in the southwest quadrant of Marconi Drive and Melford Boulevard.

4. Surrounding Uses: The overall Melford site is bounded to the north by Sherwood Manor, an existing subdivision of single-family detached dwelling units in the Residential-Agricultural (R-A) Zone, and a vacant property, known as the Patuxent River Park, owned by The Maryland National Capital Park and Planning Commission in the Reserved Open Space Zone; to the east by the Patuxent River, and beyond by the Globecom Wildlife Management Area located in Anne Arundel County; to the south by the US 50/ US 301 right-of-way and a small vacant property in the Open Space (O-S) Zone; and to the west by the MD 3 right-of-way. The specific area of this DSP is located in Pod 6 in the southeast portion of the overall Melford development.

5. Previous Approvals: On January 25, 1982, the Prince George's County District Council approved Zoning Map Amendment (Basic Plan) A-9401 for the overall Melford development

(formerly known as the Maryland Science and Technology Center), with 10 conditions (Zoning Ordinance No. 2-1982). The Zoning Map Amendment rezoned the property from the R-A and O-S Zones to the Employment and Institutional Area (E-I-A) Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Prince George's County Planning Board decision (PGCPB Resolution No. 86-107) for the Maryland Science and Technology Center, with 27 conditions and 2 considerations. Between 1986 and 2005, several specific design plans (SDPs) and preliminary plans of subdivision (PPS) were approved for the development.

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

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

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

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

DSP-07031 was approved by the Planning Board on July 24, 2008, for development of 134,480 square feet of office in four buildings on proposed Lots 1 and 3, and 248,820 square feet of research and development in seven buildings on proposed Lots 2, 4, and 5 within the overall Melford development. The application was subsequently amended three times, as approved by the Planning Director, for various changes to building footprints and square footage of buildings C, D, H, T, and K; the addition of temporary Real Estate Leasing signage; and an amendment to increase building height by two feet.

The site also has an approved City of Bowie Stormwater Management (SWM) Concept Plan, 01-0910-207NE15, which is valid until April 17, 2021.

6. **Design Features:** The subject application proposes the development of 6.48 acres of land within the overall Melford Town Center development. The DSP includes the development of proposed Lot 5 with a 61,809-square-foot, one-story, 32-foot-high, inpatient rehabilitation facility, including 60 beds. Two 24-foot-wide access points are provided to the property from Melford Boulevard, which forms the northern boundary of the site. The 24-foot-wide access drive aisles lead to parking compounds on the north, east, and south sides of the building. The northern building elevation includes a covered porte-cochere and a drop off area at the main entrance. The south side of the building includes a therapy courtyard with a gazebo and site stimulation therapy course and a walking path. Details and specifications of the site stimulation therapy course have not been provided and are required. Therefore, a condition has been included herein requiring the applicant to provide these details.

Architecture

The architectural design of the inpatient rehabilitation facility combines a variety of high-quality building materials in earth tone colors including glass, brick, and exterior insulation finishing systems on the interior courtyard at the rear of the building. The roof is generally flat and proposes variations in height across the building face to break up the mass of the building and provide architectural interest. In addition, it is noted that the contrasting colors and proposed porte-cochere accent the building's main entrance, which faces Melford Boulevard. The central and southern portion of the building includes a landscaped courtyard for rehabilitation exercises and provides walkways and sitting areas for the users.



Figure 1: Proposed Architectural Elevation

Lighting

The applicant is proposing lighting for the sidewalks surrounding the building and in the parking areas on-site. The photometric plan submitted with the DSP shows appropriate lighting levels in the parking area, at the building entrances, and do not bleed onto adjacent properties. The details and specifications for the lighting show a downward facing light with full cut-off optics mounted on a 30-foot-high pole and is acceptable.

Signage

The DSP proposes 6-foot-high, double-faced, free-standing signs at each entrance to the facility from Melford Boulevard, and one, back-lit, building-mounted sign above the primary entrance to the building. The freestanding signs include 8-foot-wide aluminum cabinets that are mounted on a dark gray masonry base matching the architecture of the building. The signs include the logo and channel letters displaying the name of the rehabilitation center. It

is noted that the freestanding signs do not include landscaping at their base and have been conditioned herein to be added to provide seasonal interest.

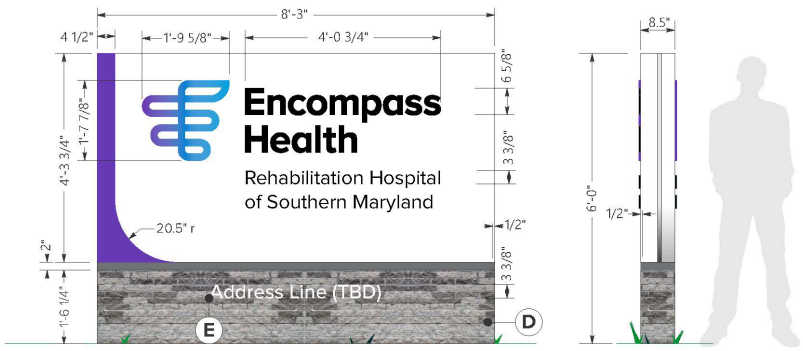


Figure 2: Proposed Freestanding Signs

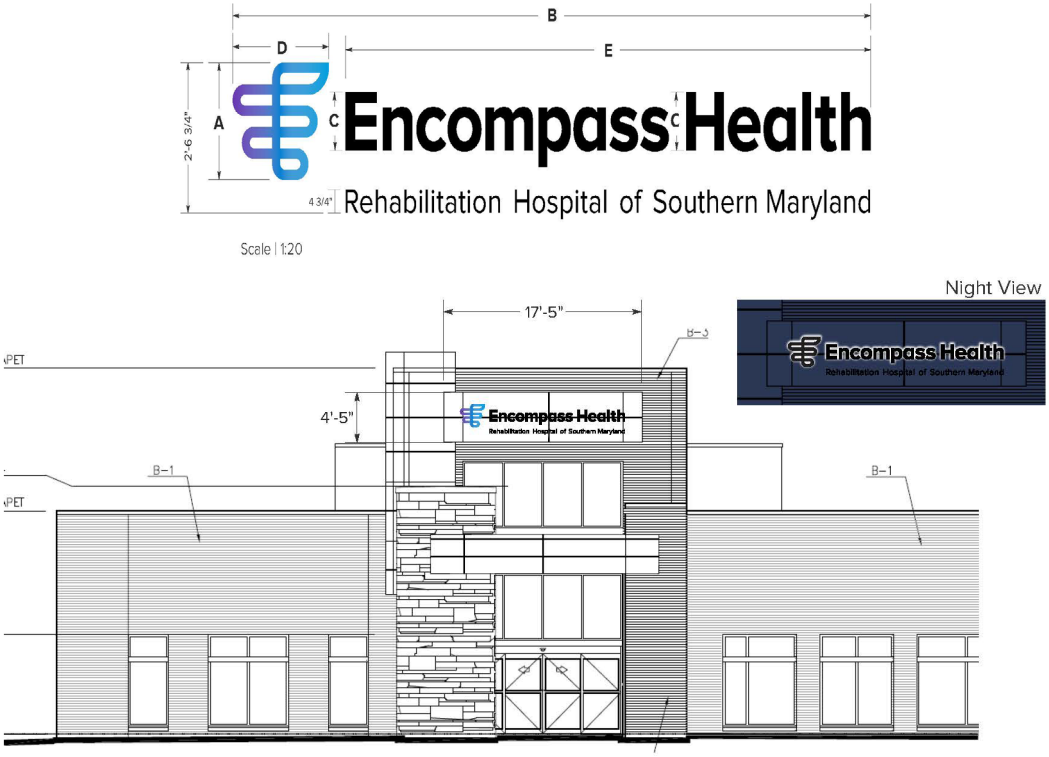


Figure 3: Proposed Building Mounted Sign

Loading and Trash Facilities

One loading space has been proposed for the inpatient rehabilitation facility and is located on the southeast portion of the site, adjacent to the courtyard. Dumpster facilities are proposed in proximity to the building and are adequately screened by an enclosure. Details of the enclosures have not been provided and are required. A condition has been included herein to provide details of the trash enclosure, and it is recommended that these be constructed with masonry materials similar to those used on the building.

COMPLIANCE WITH EVALUATION CRITERIA

7. Prince George's County Zoning Ordinance: The subject application has been reviewed for compliance with the requirements of the Mixed Use-Transportation Oriented (M-X-T) Zone and the site design guidelines of the Prince George's County Zoning Ordinance. The proposed residential infrastructure is in conformance with the applicable requirements of the Zoning Ordinance, as follows:

a. The subject application is in conformance with the requirements of Section 27-547, Uses permitted, of the Zoning Ordinance, which governs permitted uses in the M-X-T Zone. The inpatient rehabilitation facility proposed with the subject DSP is permitted in the M-X-T Zone under the category of Other uses of appropriate size, which can be justified as similar to one of the uses listed in this Section.

The proposed 61,809-square-foot, one-story, 32-foot-high, inpatient rehabilitation facility is appropriately sized within Melford, as it replaces two previously approved, one-story, research and development buildings that totaled 68,160 square feet within this area of Pod 6.

The proposed inpatient rehabilitation facility is similar to other permitted uses, such as a nursing or care home and a hospital, as it includes some of the same type of services, but it is a separate use, as licensed by the State of Maryland. Specifically, the proposed use will serve patients who, following treatment for acute events at a local hospital, require physical rehabilitation before returning to a normal home environment. The proposed use does not provide substance abuse, psychiatric treatment, or emergency services.

b. Section 27-548 of the Zoning Ordinance, M-X-T Zone Regulations, establishes additional standards for development in this zone. The DSP's conformance with the applicable provisions was found with the approval of DSP-07031 and its amendments, and is discussed as amended with this application, as follows:

(a) Maximum floor area ratio (FAR):

(1) Without the use of the optional method of development—0.40 FAR; and

(2) With the use of the optional method of development—8.00 FAR.

Section 27-548(a) limits the development within the M-X-T Zone to a maximum floor area ratio (FAR) of 0.40, unless an applicant proposes use of a specified optional method of development, which would increase it to a maximum of 8.00. Further, Section 27-548(e) indicates that the FAR shall be applied to the entire property that is the subject of the CSP. The following chart lists all development within the Melford subdivision for use in calculating the FAR:

SDP/DSP	Development Quantity	Status
Previous Approvals		
Pre-1998	240,000 sq. ft.	Built
SDP-0103	153,250 sq. ft.	Built
SDP-0104	300,000 sq. ft.	Under construction
SDP-0201	83,680 sq. ft.	Built
SDP-0203/01	81,600 sq. ft.	Approved
SDP-0402	62,440 sq. ft.	Built
SDP-0405	136,957 sq. ft.	Approved
DSP-07072	24,375 sq. ft.	Approved
DSP-06096 (hotel)	253,289 sq. ft.	Approved
DSP-11018-02	116,081 sq. ft.	Approved
DSP-18007	457,422 sq. ft.	Approved
DSP-18026	57,846 sq. ft.	Approved
DSP-19052	705,919 sq. ft.	Approved
Future Development		
Proposed Office	260,000 sq. ft.	
Proposed Commercial	268,500 sq. ft.	
Proposed Residential	4,683,213 sq. ft.	
Undeveloped Areas	250,000 sq. ft.	
Current Application		
DSP-07031 (Office)	133,680 sq. ft.	Approved
DSP-07031 (R & D)	180,660 sq. ft.	Approved
DSP-07031-04 (IRF)	61,809 sq. ft.	Pending
Total	**8,448,281 sq. ft.**	

The FAR, including all approved and pending development on the 252.09 net tract acreage of the Melford site and reflected on the chart above, is 0.78, within the M-X-T Zone 1.40 maximum FAR requirement. Future DSPs for the Melford development should include an updated FAR development chart and a recalculation, as necessary, of the FAR to demonstrate conformance to

Section 27-548. A condition of approval requiring such information is included in the Recommendation section of this report.

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

The proposed uses are located on more than one parcel or lot, as allowed.

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

The dimensions for the location of all improvements are reflected on the DSP. Future DSPs that propose other improvements will need to conform to this regulation.

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

The required landscaping shown is in accordance with the requirements of the applicable sections of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), as discussed in Finding 11 below.

(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

The FAR for the proposed development within the area of the CSP is approximately 0.78.

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

No structures will infringe upon the proposed public rights-of-way.

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

Each lot has frontage on and direct access to a public street, or other access rights-of-way, as approved in PPS 4-07055.

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

As the subject property was rezoned to the M-X-T Zone through an SMA approved on February 7, 2006, this section does not apply to the subject DSP.

c. Conformance with Section 27-546(d) of the Zoning Ordinance, which requires additional findings be made for the Planning Board to approve a DSP in the M-X-T Zone, as follows (in **BOLD** text followed by staff comment):

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

Conformance to the purposes of the M-X-T Zone was found with the CSP approval and is adopted herein by reference (PGCPB Resolution No. 14-128). The proposed inpatient rehabilitation facility does not change that finding.

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

The subject site was rezoned to the M-X-T Zone pursuant to the Bowie and Vicinity Master Plan and SMA, which was approved in February 2006. Therefore, this required finding does not apply.

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

The subject DSP is for development of an inpatient rehabilitation facility, which has an outward orientation, and is integrated with adjacent existing and proposed development by facing toward existing roadways and providing adequate pedestrian and vehicular connections.

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

The subject DSP is for development of an inpatient rehabilitation facility and is consistent with the office, retail, hotel, flex space, and residential uses approved in the overall Melford development and contributes to the overall mix of uses in the area.

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

The subject DSP is designed to blend with the existing and approved residential and commercial uses in the overall Melford development and surrounding vicinity. The application proposes a new unique use and will create an independent environment of continuing quality and stability, as conditioned.

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

The proposed 60-bed inpatient rehabilitation facility will be built in one phase and has been designed as a self-sufficient entity. The applicant has indicated that a potential future second phase may increase the facility by 20 beds, which is designed to be fully integrated into the current development and will not require any additional parking or site improvements. This expansion would be evaluated with a future amendment to this DSP.

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

The subject DSP does not include the details of any other development on the site. However, it is noted that the proposed sidewalks provide a connection to the public roadways and will ensure convenient and

comprehensive connections between this site and the remainder of the CSP development.

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

The application proposes pedestrian pathways throughout the site connecting to the proposed facility and an outdoor landscaped rehabilitation courtyard for the patients, which is designed with attention to human scale and high-quality urban design.

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

Conformance to this requirement was found with the approval of CSP-06002-01, and this DSP does not alter that prior finding.

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

The applicable PPS was approved by the Planning Board on May 29, 2008. An amendment to the applicable CSP was approved by the District Council in 2015, at which time a finding of adequacy was made. The transportation adequacy findings are discussed in detail in Finding 9 below.

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

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

d. The DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the Zoning Ordinance, as follows:

(2) Parking, loading, and circulation.

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

(i) Parking lots should generally be provided to the rear or sides of structures;

(ii) Parking spaces should be located as near as possible to the uses they serve;

(iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;

(iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and

(v) Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.

The surface parking lot is located and designed to provide safe and efficient vehicular and pedestrian circulation within the site by use of clearly defined, striped and curbed access ways from Melford Boulevard. The parking lot is located close to the use it serves, and the aisles are oriented to minimize the number of crossings for pedestrians.

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

The loading area is located in the southeastern portion of the site, at the rear of the facility, and will minimize conflicts with vehicles and pedestrians. In addition, it is noted that the loading area will be

screened from all road frontages by the proposed building and landscaping and is acceptable.

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

(i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;

(ii) Entrance drives should provide adequate space for queuing;

(iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;

(iv) Parking areas should be designed to discourage their use as through-access drives;

(v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;

(vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;

(vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;

(viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;

(ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;

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

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

The surface parking lot is located and designed to provide safe and efficient vehicular and pedestrian circulation within the site by use of clearly defined, striped and curbed access ways from Melford Boulevard and Marconi Drive. The travel ways leading to the parking, loading, and service areas are clearly defined, and sidewalks are provided around the building, and in appropriate locations adjacent to the parking areas. The circulation patterns for pedestrians, vehicles, and trucks make for safe, efficient, and convenient circulation of the site for both pedestrians and drivers, in accordance with this requirement.

(3) Lighting.

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

(i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;

(ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;

(iii) The pattern of light pooling should be directed on-site;

(iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;

(v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and

(vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.

The lighting proposed in this DSP meets these requirements, and the photometric plan provided shows adequate illumination levels that do not spill over onto adjacent properties.

(4) Views.

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

The building faces Melford Boulevard and is visible from Marconi Drive. The design of the building's façades uses high quality materials and it is noted that landscaping is proposed along the road frontages to assist in creating attractive views from the adjacent public areas.

(5) Green area.

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

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

(ii) Green area should link major site destinations such as buildings and parking areas;

(iii) Green area should be well-defined and appropriately scaled to meet its intended use;

(iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;

(v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;

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

(vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.

The DSP contains appropriate green areas for the proposed development. Specifically, green areas are proposed on the subject property along the road frontages and adjacent to the building. Those green areas will serve to enhance the views from the inpatient rooms, and will help to soften the character of the area, which is predominantly office, research, and development.

(6) Site and streetscape amenities.

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the

use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:

(i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;

(ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;

(iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;

(iv) Amenities should be functional and should be constructed of durable, low maintenance materials;

(v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;

(vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and

(vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.

Landscaping is proposed along the property's frontages with Melford Boulevard and Marconi Drive; otherwise, streetscape amenities are not provided.

(7) Grading.

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

(i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;

(ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;

(iii) Grading and other methods should be considered to buffer incompatible land uses from each other;

(iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and

(v) Drainage devices should be located and designed so as to minimize the view from public areas.

All grading will conform to the approved SWM concept plan. Excessive grading will be avoided, and all proposed drainage devices will be designed to minimize views of them from public areas, to the fullest extent practical.

(8) Service areas.

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

(i) Service areas should be located away from primary roads, when possible;

(ii) Service areas should be located conveniently to all buildings served;

(iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and

(iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.

The loading area and dumpster facilities are proposed at the rear of the building and are screened by the building and landscaping, in accordance with this requirement.

e. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b).

The proposed DSP includes a parking supply of approximately 2.4 parking spaces per bed, or 143 parking spaces, which exceeds the parking requirements for a nursing home and hospital, which are similar uses.

A review of the site plan indicates that the access, circulation, and parking for the inpatient rehabilitation facility is self-contained, and it is anticipated that the site will not share parking with the adjacent lots. The applicant's submitted parking analysis indicated that it would not be practical to develop an hourly fluctuation for the required number of parking spaces for this use and the adjacent uses to achieve a lower base parking requirement (assuming some reduction due to shared parking between the lots). As such, the base parking requirement for this use would be 90 parking spaces.

With a base parking requirement of 90 spaces for the 60 bed facility, and a parking supply of 143 spaces, a surplus of 53 parking spaces is projected, using the parking calculation procedures as outlined in Sections 27-568 and 27-574 of the Zoning Ordinance.

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

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

      The applicant submitted a traffic study dated May 11, 2020, which states the proposed facility will only generate 34 AM and 36 PM trips, and will operate within the overall cap of 4,441 AM and 4,424 PM trips when added to the other existing and approved development on the property.

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

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

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

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

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

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

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

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

All woodlands have been previously cleared from the development site currently under review.

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

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

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

All streams and regulated stream buffers were correctly delineated on the revised Natural Resources Inventory (NRI) and the Type 2 tree conservation plan (TCP2), and are further reflected in this DSP.

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

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

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

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

The Melford and Cemetery Environmental Setting is not impacted by this application and is beyond the scope of this application.

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

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

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

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

The Melford and Cemetery Historic Environmental Setting is not impacted by this development and is beyond the scope of this application.

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

a. The applicant shall provide a final list of proposed private recreational facilities and their cost estimates. The list of facilities provided on page

15 of the conceptual site plan design guidelines shall initially be viewed as the types of facilities required. The appropriateness of the number and size of the facilities will be reviewed at DSP.

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

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

The subject DSP is for an inpatient rehabilitation facility and does not propose any recreational facilities. Therefore, this condition is not applicable and will be addressed with future DSPs that include residential uses.

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

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

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

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

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

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

9. **Preliminary Plan of Subdivision 4-07055:** PPS 4-07055 was approved by the Planning Board on May 29, 2008, with 34 conditions. The resolution of approval (PGCPB Resolution No. 08-86) was adopted by the Planning Board on June 19, 2008. The conditions of approval, relevant to the review of this DSP, are as follows:

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

A Type 2 Tree Conservation Plan, TCPII-036-99-16, was submitted with this application, and is recommended for approval, in accordance with this condition.

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

DSP-07031-04 is in conformance with SWM Concept Plan 01-0910-207NE 15, issued by the City of Bowie.

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

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

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

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

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

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

A memorandum from the transportation planning section, dated October 5, 2020, indicated that the proposed development will remain within the trip cap and that all improvements pursuant to Conditions 5a and 5b have been completed. The following table was provided showing a trip cap analysis for the application.

Table 1 – Trip Cap Analysis			
		AM Peak	PM Peak
Pod 6 (Lots 1-4)		344	336
Pod 6 – Lot 5 (pending)		*34*	*36*
Pods 7 and Pod P2		192	198
Total development to date		**570**	**570**
Trip Cap: PPS 4-07055		874	1272
Trips remaining under the cap		304	702

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

The applicant is proposing one micro-bioretention facility on DSP-07031-04 and is proposing to use permeable pavement for 15 of its parking spaces.

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

The applicant indicated in their statement of justification (SOJ) that they will be implementing multiple mechanical, plumbing, and electrical green building and energy efficient techniques, such as high efficiency gas water heaters, low/reduced flow plumbing fixtures, variable air volume systems, high efficiency lighting systems, and occupancy sensors to reduce lighting in unoccupied spaces.

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

A photometric plan is included with the DSP set and shows adequate illumination with light fixtures that enhance the character of the site and propose full cut off optics.

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

The submitted DSP shows proposed Share the Road bike signs along its frontage of Melford Boulevard.

10. Detailed Site Plan DSP-07031 and its amendments: DSP-07031was approved by the Planning Board on July 24, 2008 (PGCPB Resolution No. 08-117) for 133,680 square feet of office in four buildings on proposed Lots 1 and 3, and 248,820 square feet of research and development in seven buildings on Lots 2, 4, and 5 within the existing Melford development, subject to 17 conditions. The DSP was amended three times for minor changes and was approved by the Planning Director with no conditions. The relevant conditions applicable to the review of the subject DSP are as follows:

1. **Total development within the limits of CSP-06002 shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. No development with an impact beyond those limits may be approved, until the applicant revises the CSP and the Planning Board and District Council make a new determination that transportation facilities will be adequate for proposed uses. The applicant shall prepare and file another traffic analysis, to support a finding of adequacy.**

   The trip generation analysis was reviewed with this application and indicated that the proposed facility will only generate 34 AM and 36 PM trips, which was included in Pod 6 for the overall development, and will be within the overall cap of 2,774 AM and 3,593 PM trips.

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

   (A) At MD 3/MD 450/gas station access intersection The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450 and extend to the Patuxent River Bridge, north of MD 450.

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

   The improvements at MD 3 and MD 450 have already been completed. The improvements at US 301 and Harbor Way have been permitted by the Maryland State Highway Administration (SHA) under Permit #17APPG02818, which will widen Harbor Way to include two exclusive left turn lanes, one shared left/through lane, and one right turn lane.

3. **Total development within the limits of 4-07055 shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1,272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein**

above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.

The trip generation analysis was reviewed with this application and indicated that the proposed facility will only generate 34 AM and 36 PM trips, which was included in Pod 6 for the overall development, and will be within the overall cap of 874 AM and 1,272 PM trips.

4. Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of permeable paving materials to reduce the area of impervious surfaces and promote natural infiltration. This shall be applied to 112 parking spaces at a minimum.

This was satisfied with the approval of prior DSP applications. However, this DSP proposes an additional 15 parking spaces with permeable paving.

14. Prior to certification of the detailed site plan, the applicant shall demonstrate to the satisfaction of the Planning Board or its designee that green building techniques and energy efficient building methods have been incorporated into the design and the details of the proposed architectural products.

The applicant will be implementing green building techniques as listed in their SOJ and discussed previously in Finding 9.

11. 2010 Prince George's County Landscape Manual: Per Section 27-544(a) of the Zoning Ordinance, landscaping, screening, and buffering for property zoned M-X-T, are subject to the provisions of the Landscape Manual. The application is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements of the Landscape Manual. The required plantings and schedules are provided, in conformance with the Landscape Manual, and are acceptable.

12. Prince George's County Tree Preservation and Woodland Conservation Ordinance (WCO): This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance (WCO) because it has previously approved tree conservation plans. No new PPS was required for the lot currently proposed for development. A revised TCPII-036-99-16 was submitted with the DSP application.

The TCPII indicates that Pod 6 has been almost fully cleared over time, and when this DSP was originally reviewed only 1.87 acres of woodlands were remaining. With the -08 revision to the TCPII, an additional 0.43 acre of woodland was cleared, leaving 1.44 acres of woodland preservation located within the existing wetland on the east portion of the site, which is proposed for preservation. The clearing and preservation on Pod 6 is consistent with the DSP. The Environmental Planning Section has reviewed TCPII-036-99-16 and found it to be in general conformance with the TCPI and the relevant requirements of the WCO. However, technical revisions to the plan are required to be in full compliance with the requirements of the WCO and Environmental Technical Manual, which are included in the Recommendation section.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area in TCC. No TCC schedule or applicable exemption was provided on the landscape plans. Therefore, a condition has been included in the Recommendation section of this report to require the applicant revise the plans to demonstrate conformance to the Tree Canopy Coverage Ordinance.

14. **Referral Comments:** The subject case was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

    a. **Historic Preservation—**In a memorandum dated September 2, 2020 (Stabler to Bishop), incorporated herein by reference, the Historic Preservation Section noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites.

    b. **Community Planning**—In a memorandum dated October 9, 2020 (McCray to Bishop), incorporated herein by reference, the Community Planning Division offered a discussion of the DSP's conformance with Plan 2035, and noted that pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

    c. **Transportation—**In a memorandum dated October 5, 2020 (Burton to Bishop), incorporated herein by reference, the Transportation Planning staff provided a discussion of the applicable previous conditions of approval and the parking requirements under Section 27-574 that have been included in the above findings. It was determined that, from the standpoint of transportation, this plan is acceptable if approved as conditioned.

    d. **Trails—**In a memorandum dated October 5, 2020 (Ryan to Bishop), incorporated herein by reference, the Transportation Planning Section provided a discussion of the applicable previous conditions of approval that are incorporated into the findings above. In addition, it is noted that the subject property was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the Bowie and Vicinity Master Plan and SMA to provide the appropriate pedestrian and bicyclist transportation recommendations. Improvements to the site have been addressed through revisions to the plans or are included as conditions in the Recommendation section of this report, as appropriate.

    e. **Environmental Planning**—In a memorandum dated October 8, 2020 (Finch to Bishop), incorporated herein by reference, the Environmental Planning Section reviewed applicable environmental conditions attached to previous approvals that have been incorporated into the findings above. In addition, it was noted that the site has an NRI-054-06-02, which includes a forest stand delineation. The overall Melford site contained a total of 175 acres of woodland on the net tract, of which

30.68 was originally located on Pod 6; but the entirety of Pod 6 and the adjacent portion of Pod 7 has been cleared, in conformance with subsequent revisions to TCPII-036-99.

Stormwater Management
An approved SWM Concept Plan 01-0910-207NE15 was submitted with the subject application that is consistent with the TCPII and DSP. The adjacent SWM facilities shown on Pod 6 and Pod 7 are consistent with previous approvals.

f. **Prince George's County Fire/EMS Department**—At the time of this writing, the Fire/EMS Department has not provided comment on the subject application.

g. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated August 17, 2020, incorporated herein by reference, WSSC offered numerous comments regarding the provision of water and sewer to the development. These comments have been provided to the applicant and will be addressed through WSSC's separate permitting process.

h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated September 21, 2020 (Giles to Bishop), incorporated herein by reference, DPIE stated that the adjacent roadway of US 50/US 301 is a State-maintained roadway. SHA should be consulted for issues regarding right-of-way dedication and roadway improvements. In addition, a SWM concept plan was approved by the City of Bowie on September 29, 2010, and the proposed development will require a DPIE site development fine grading permit.

i. **Prince George's County Police Department**— In a memorandum dated September 15, 2020 (Contic to Bishop), incorporated herein by reference, the police department stated that they have no comments at this time.

j. **Prince George's County Health Department—** In a memorandum dated August 31, 2020 (Adepoju to Bishop), incorporated herein by reference, the environmental health specialist noted that a desktop health impact assessment had been completed and offered two recommendations, which have been included as conditions in the Recommendation section of this report, as appropriate.

k. **City of Bowie—** In a memorandum dated October 20, 2020 (Adams to Hewlett), incorporated herein by reference, the Bowie City Council noted that they held a meeting to discuss the DSP on October 19, 2020 and voted to recommend approval of DSP-07031-04, subject to conditions, which have been included, as agreed to by the applicant, in the Recommendation section of this report.

15. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

16. As required by Section 27-285(b)(4), for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent

possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations, as the limits of the current DSP do not contain any regulated environmental features.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-07031-04, and Type II Tree Conservation Plan TCPII-036-99-16, for Melford Property, Pod 6, subject to the following conditions:

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

    a. Provide bike racks, to accommodate a minimum of five bicycles, near the open area in the northeastern area of the building, opposite the proposed handicap-accessible parking spaces, in a location that will not interfere with pedestrian access. The bike racks shall be inverted-U racks, or a similar style rack that provides two points of contact for parked bicycles.

    b. Add the following general plan notes:

        (1) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Conformance to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, is required.

        (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Conformance to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code, is required.

    c. Provide a Tree Canopy Coverage Schedule showing conformance to the Tree Canopy Coverage Ordinance, or a note regarding the applicable exemption.

    d. Provide landscaping at the base of the freestanding signs to provide seasonal interest.

    e. Provide details of the trash enclosures, constructed with masonry materials similar to those used on the building.

    f. Provide details and specifications of the site stimulation therapy course.

    g. Future detailed site plans for the Melford development shall include an updated floor area ratio development chart and recalculation as necessary demonstrating conformance to Section 27-548 of the Prince George's County Zoning Ordinance.

    h. Clearly show the entire area where permeable pavement is proposed to be

utilized on the plan through shading, cross-hatching, or striping.

i. Clearly show the depressed curb and handicap-accessible sidewalk, along the handicap-accessible parking spaces proposed on the northern and eastern sides of the building, and provide a detail of this design.

j. Provide a minimum of two parking spaces for low-emitting/fuel efficient vehicles, and a minimum of two parking spaces for electric vehicles. Clearly note the locations and quantities of the parking spaces on the site plan and provide a detail of the signage identifying these parking spaces.

k. Revise the trash enclosure area to also accommodate the storage and collection of recyclable materials.

l. Revise the landscaping, as follows:

(1) Identify the five shade trees proposed along the southeastern property line on the landscape plan.

(2) Recalculate the quantity of black chokeberry shrubs proposed along the western property to reflect the correct number of plantings on the plan and in the plant list (Sheet 6).

(3) Remove the planting detail for evergreen trees on Sheet 7 of the landscape plan.

m. Revise the lighting, as follows:

(1) Reduce the height of the proposed light poles to 25 feet to comply with the City of Bowie's design guidelines.

(2) Provide pedestrian scale lighting along the walkway at the building's main entrance or building accent lighting to illuminate this area for safety purposes.

(3) Provide building-mounted lighting to illuminate the gazebo/therapy courtyard area.

n. Provide additional information regarding how on-site signage will be illuminated and note that illumination by spotlights is prohibited by the City of Bowie.

2. Prior to certification of the detailed site plan (DSP), the Type II tree conservation plan (TCPII) shall be revised, as follows:

a. On all sheets of the TCPII, revise the approval block to complete the signature line for the -15 revision, and include a signature line for the -16 revision.

b. On the Cover Sheet (Sheet 1):

(1) Revise the overall woodland conservation worksheet to indicate the correct

revision number, and revise as needed to reflect the reduction of afforestation/reforestation associated with the current DSP and associated calculations.

(2) Under the woodland conservation worksheet, add the note associated with a Subtitle 25 variance for Specimen Tree (ST)-X approved with the -015 revision.

(3) Label the location of DSP-07031-04 on the Key Map.

(4) Delineate the limits of Pod 6 and 7 on the Key Map.

(5) Revise the depiction of enlarged Lot 5 on the Key Map to show the addition of the contiguous strip, and adjust the shape of the adjacent afforestation area to show the reconfiguration.

(6) Adjust the woodland conservation summary table to correctly reflect the adjustments to afforestation provided on Sheet 11.

(7) Provide an Owner's Awareness Certificate, which must be signed, prior to signature approval of the TCPII.

c. On Sheet 2:

(1) Revise the phased woodland conservation worksheet to correctly reflect the current revision. The column for DSP-07031 should be updated with the current DSP revision number, the current TCPII revision number, and the approval date should be indicated as pending. The appropriate column should be revised to reflect the loss of afforestation area in Pod 7 resulting from the current revision, and all necessary adjustments shall be made.

(2) Revise the phased woodland conservation worksheet to correctly reflect the adjustments to the worksheet approved with the -015 revision to the TCPII.

(3) The individual TCPII worksheet shall be revised to reflect the updated column in the phased worksheet for Pod 6 under the -16 revision.

d. On Sheet 11:

(1) Revise the afforestation area adjacent to Lot 5 to correctly reflect the woodland conservation area that meets all dimensions required to be credited, and revise the label to reflect the correct quantity.

(2) Delineate and label the boundaries of Pods 6 and 7 on the plan sheet.

(3) Delineate and label the boundaries of DSP-07031-04 on the plan sheet.

(4) Provide a woodland conservation sheet summary table on Sheet 11 to confirm the quantity of woodland conservation credited.

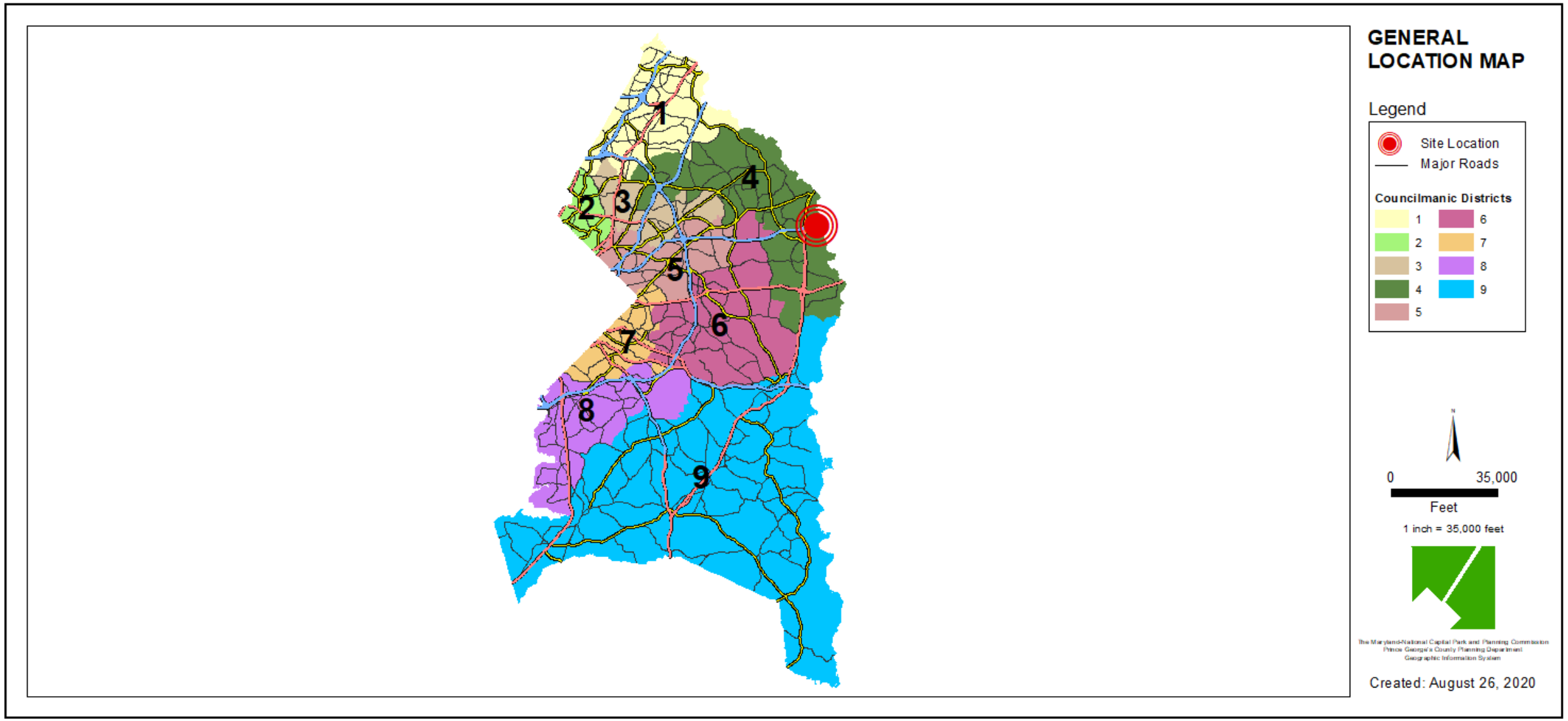
e. After all required revisions are made, have the plan signed and dated by the qualified professional.

ITEM: 6

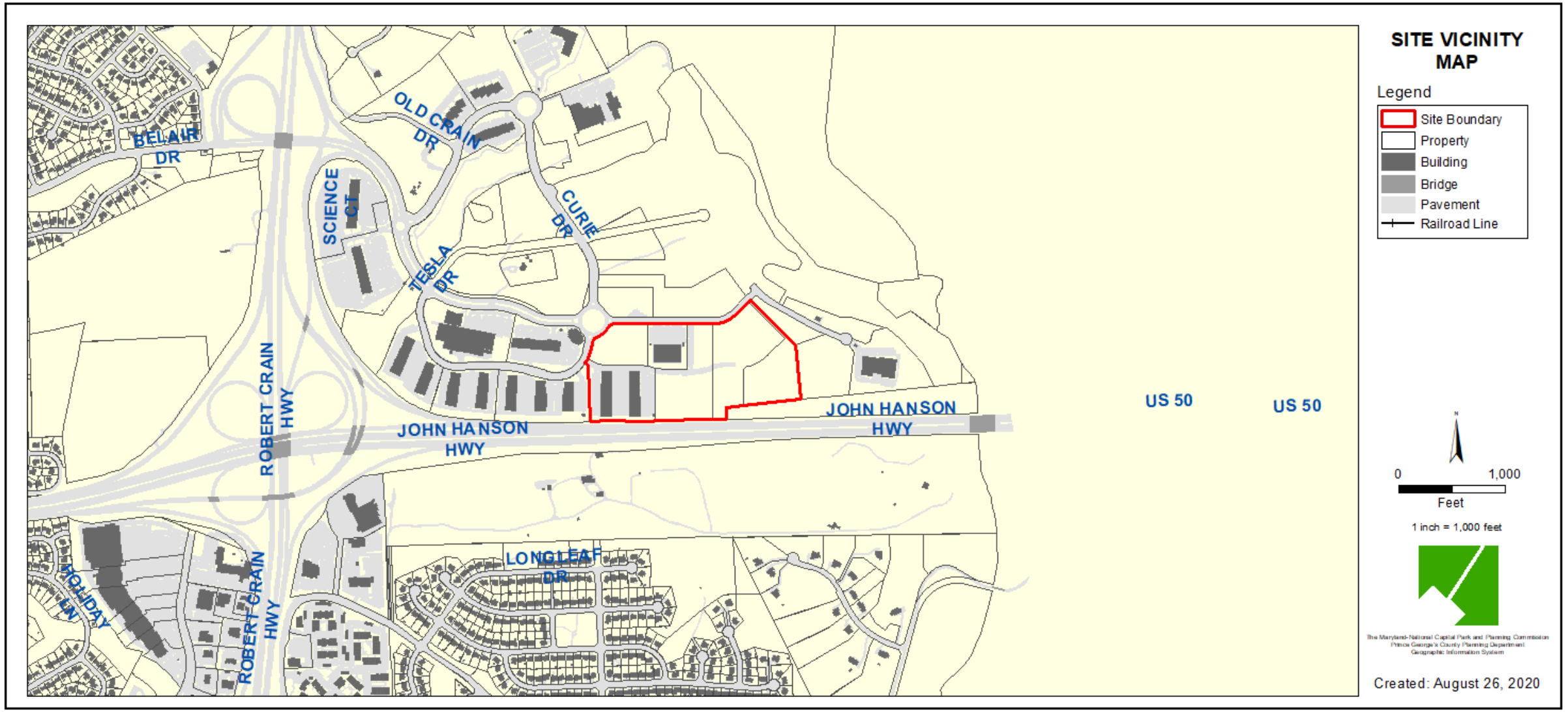
CASE: DSP-07031-04

MELFORD PROPERTY POD 6

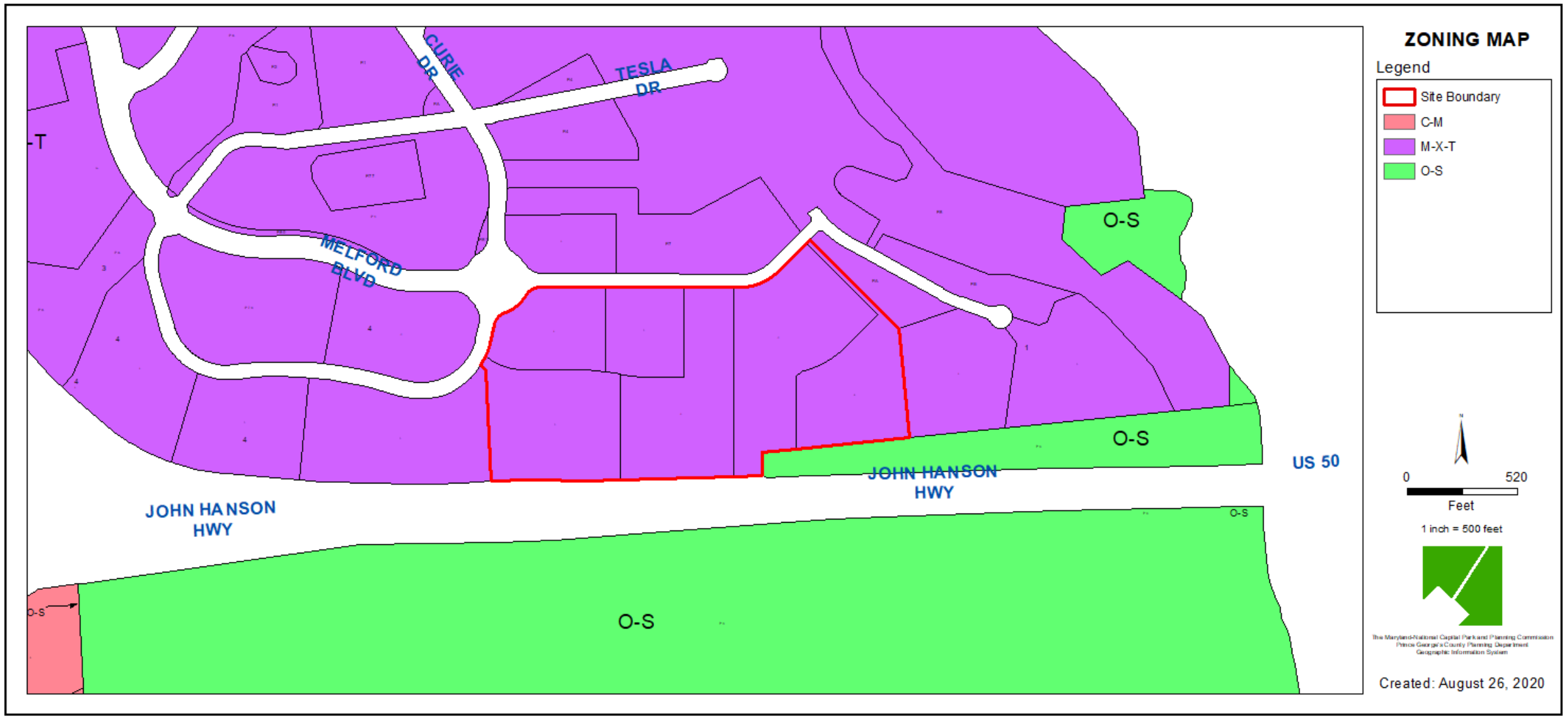
GENERAL LOCATION MAP



SITE VICINITY



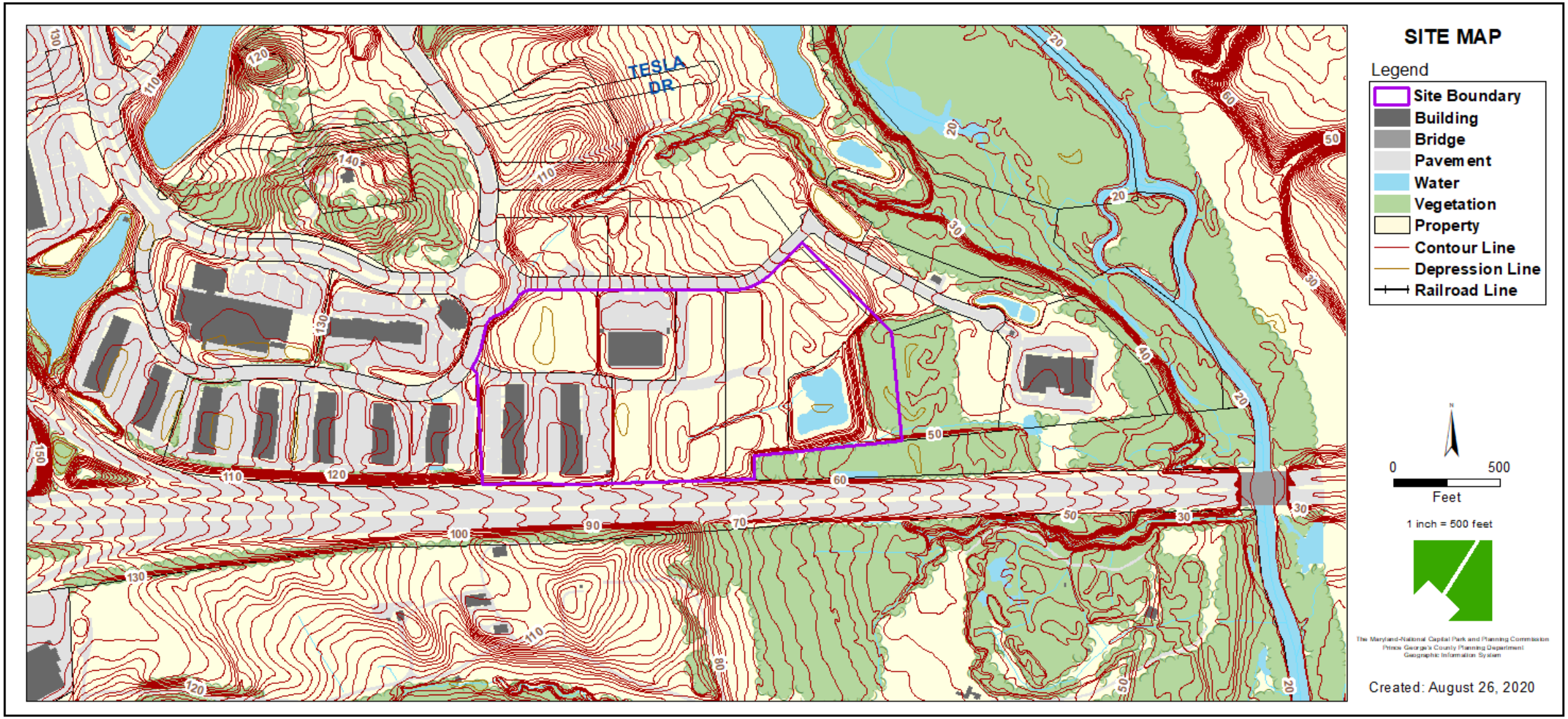
ZONING MAP


ZONING MAP
Legend
Site Boundary
C-M
M-X-T
O-S
CURIE DR
TESLA DR
MELFORD BLVD
JOHN HANSON HWY
US 50
O-S
0
520
Feet
1 inch = 500 feet
Created: August 26, 2020

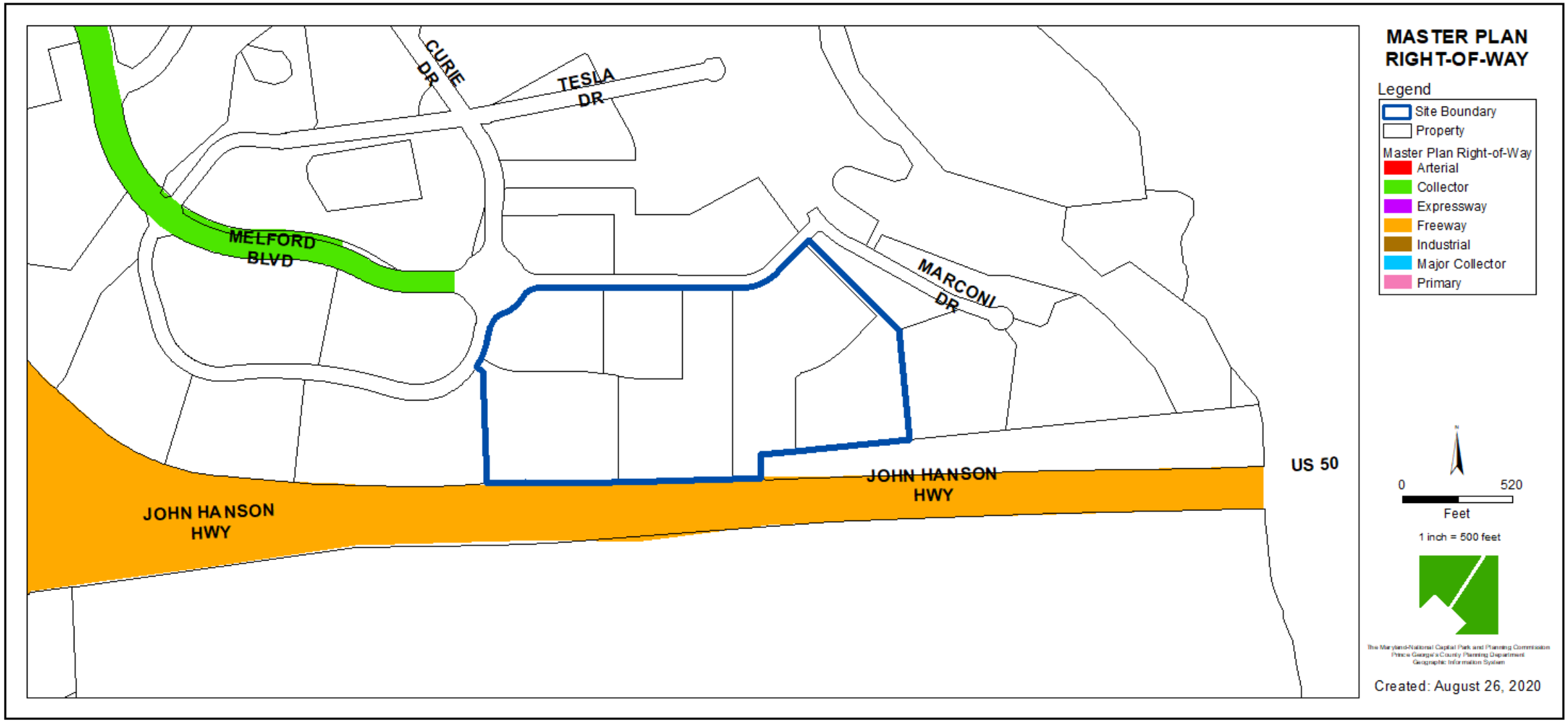
AERIAL MAP


SCIENCE DR
CURIE DR
TESLA DR
MELFORD BLVD
MARCONI DR
JOHN HANSON HWY
JOHN HANSON HWY
US 50
AERIAL MAP
Legend
Site Boundary
Property
IMAGERY FROM EARLY 2020
0
500
Feet
1 inch = 500 feet
Created: August 26, 2020

SITE MAP


TESLA DR
SITE MAP
Legend
Site Boundary
Building
Bridge
Pavement
Water
Vegetation
Property
Contour Line
Depression Line
Railroad Line
N
0
500
Feet
1 inch = 500 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: August 26, 2020

MASTER PLAN RIGHT-OF-WAY MAP

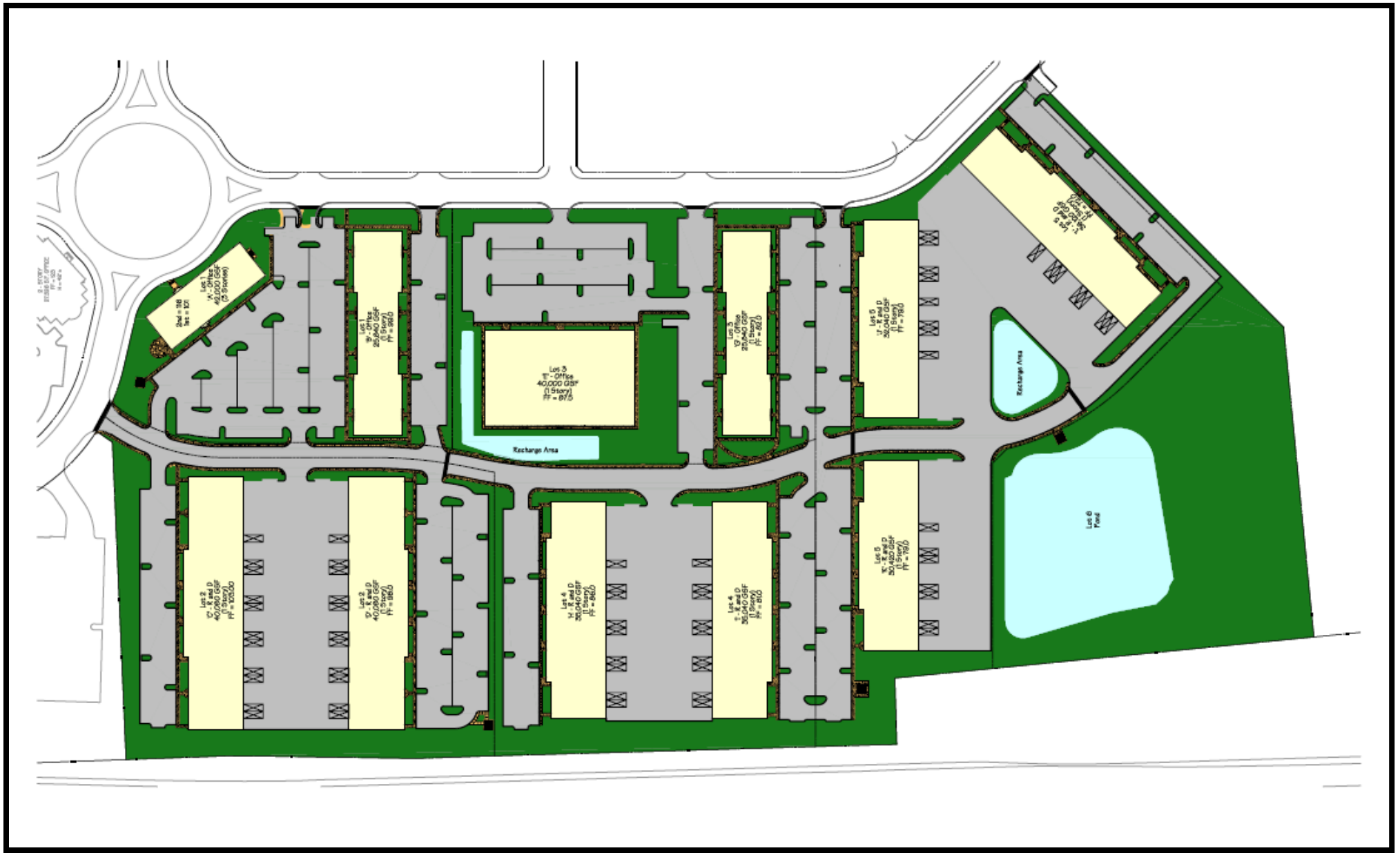


11/5/2020

PREVIOUS OVERALL SITE PLAN APPROVED WITH CSP-06002-01



PREVIOUS SITE LAYOUT APPROVED WITH DSP-17031



DRD
THE DEVELOPMENT REVIEW DIVISION

BIRD'S-EYE VIEW, APPROXIMATE OVERALL SITE BOUNDARY OUTLINED IN RED



STAFFS EXHIBIT OF BIRD'S-EYE VIEW, WITH ILLUSTRATIVE PLAN



ILLUSTRATIVE SITE PLAN



11/5/2020

ELEVATIONS



Elevation A

SCALE: 1/16"=1'-0"



Elevation B

DRD THE DEVELOPMENT REVIEW DIVISION

ELEVATIONS



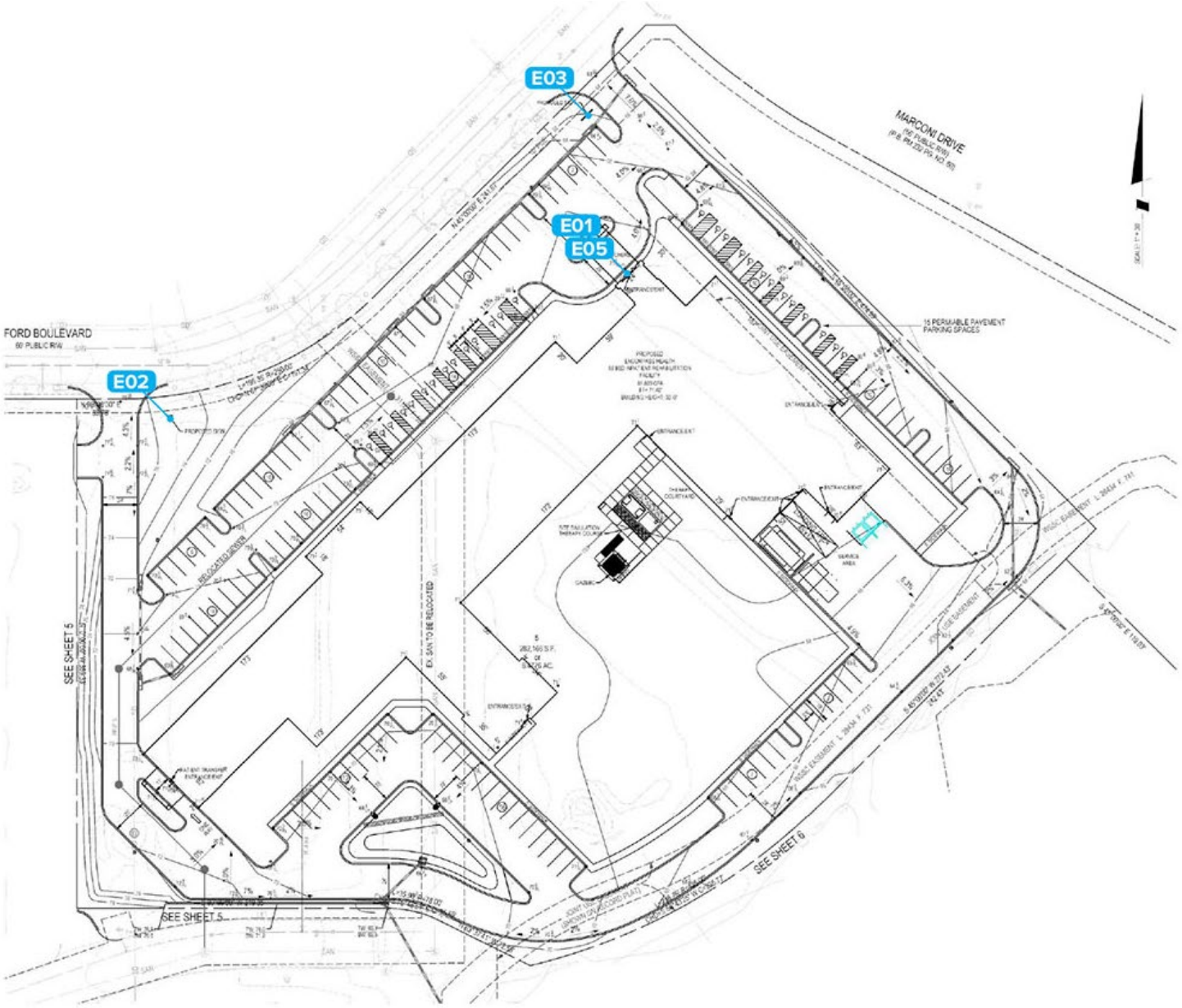
Elevation C

SCALE: 1/16"=1'-0"



Elevation D

SIGN LOCATION SHEET



SIGNAGE

E01 Custom Halo Lit Letterset with FCO Tagline

Install new custom halo illuminated letterset with aluminum FCO tagline.

Color Scheme

logo face decorated with digital print first surface; paint exterior of returns Matte Purple (PMS 2090c)

Encompass

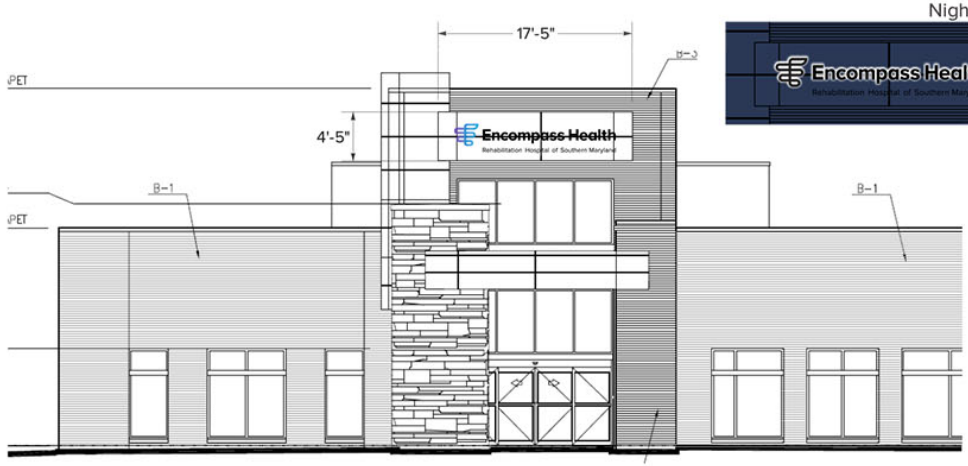
All exterior painted Matte Black

Rehabilitation

1/2" thick flat cut out aluminum, painted matte black and stud mounted flush to fascia.

Night View





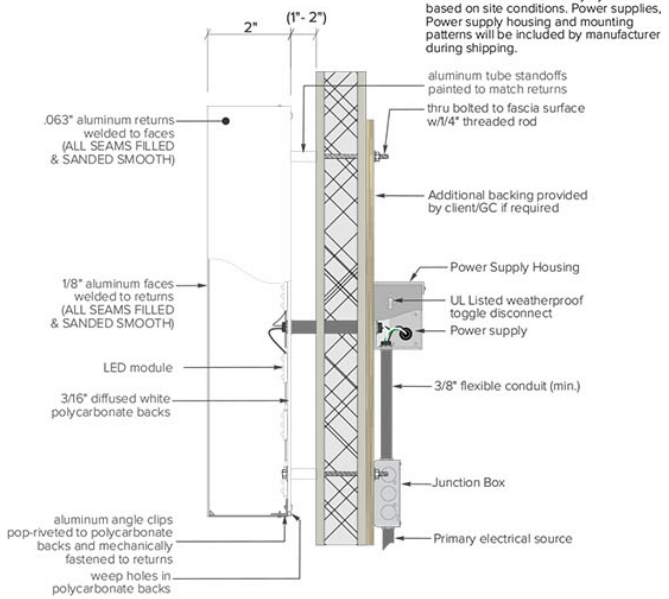
FRONT ELEVATION
scale: 3/32" = 1'-0"



Scale | 1:20

	A	B	C	D	E	sf (AxB)
CUSTOM HALO	2'-0"	14'-6 1/16"	12"	2'-2 3/16"	11'-11 1/4"	29.01

Note: All final mounting hardware will be verified and obtained locally by installer based on site conditions. Power supplies, Power supply housing and mounting patterns will be included by manufacturer during shipping.



PRIORITY

Revisions: x x x | Revisions: x x x | Revisions: x x x

File Location: Drive/Clients/ STND ___ CSTM ___

AS CR EN

Date: 8-18-2020

Designer: PV PM: KC

City/State: Bowie, MD

Address: Melford Blvd & Marconi Drive

Drawing # C67612

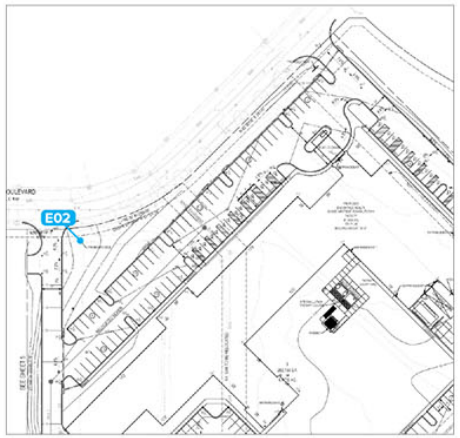
OE # 136222

DRD THE DEVELOPMENT REVIEW DIVISION

SIGNAGE

E02 Custom D/F Illuminated Monument

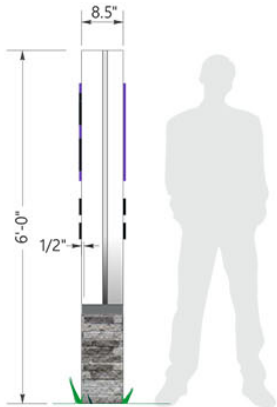
Install new illuminated monument at placement shown.
New custom graystone brick base.
Address TBD.







Front Elevation





Back Elevation

(A) Aluminum cabinets. Cabinets are tapered and recessed on left side.
-- exterior surfaces painted matte white with exception of backsides which are painted PMS 2090c Matte Purple and PMS 2173c Dark Blue

(B) Logo to be 1/2" thick flat cut out aluminum.
-- returns painted PMS 2090c Matte Purple
-- face to have digital print applied first surface
--stud mount flush to sign face

(C) Brand name and DBA to be 1/2" thick flat cut out aluminum painted matte black all surfaces.
--stud mount flush to sign face

(D) Graystone brick base.

(E) Address to be 1/4" thick aluminum FCO painted white, satin finish. Stud mount flush to brick base.

sf = 49.5

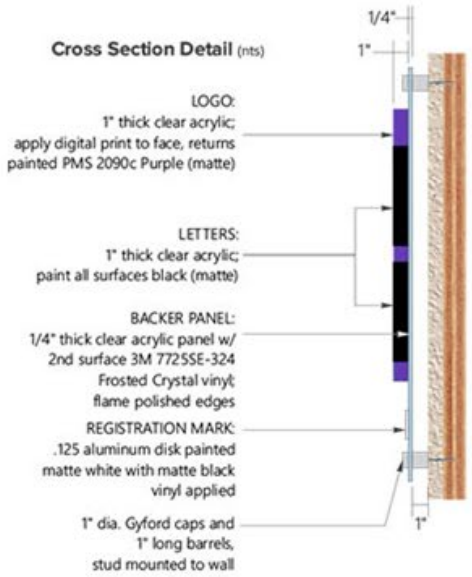
Scale: 1/2" = 1'-0"

PRIORITY

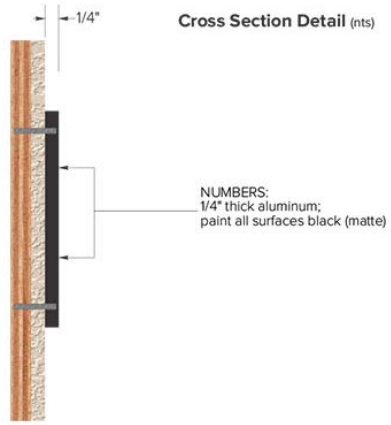
Revisions:	Revisions:	Revisions:	File Location: Drive/Clients/	STND ___ CSTM ___	Date: 8-18-2020	City/State: Bowie, MD	Drawing #	C67612 - 1
Custom brick base I PV I 9.23.2020	X	X	☐ AS	▲ CR	☼ EN	Designer: PV PM: KC	Address: Melford Blvd & Marconi Drive	OE #	136222
X	X	X						
X	X	X						

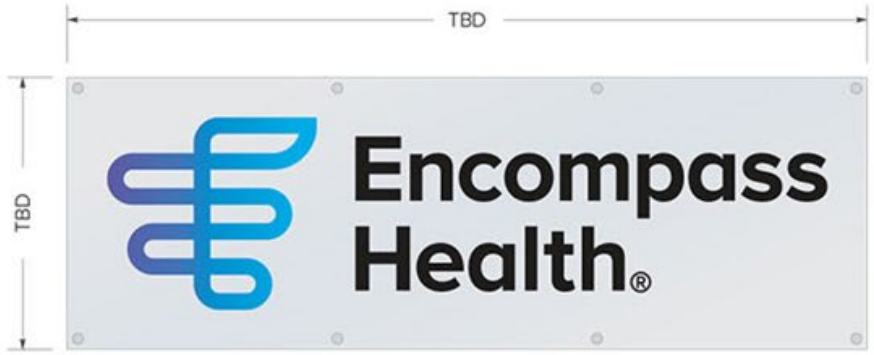
DRD THE DEVELOPMENT REVIEW DIVISION

SIGNAGE


Cross Section Detail (nts)
1/4"
1"
LOGO:
1" thick clear acrylic;
apply digital print to face, returns
painted PMS 2090c Purple (matte)
LETTERS:
1" thick clear acrylic;
paint all surfaces black (matte)
BACKER PANEL:
1/4" thick clear acrylic panel w/
2nd surface 3M 7725SE-324
Frosted Crystal vinyl;
flame polished edges
REGISTRATION MARK:
.125 aluminum disk painted
matte white with matte black
vinyl applied
1" dia. Gyford caps and
1" long barrels,
stud mounted to wall
1"

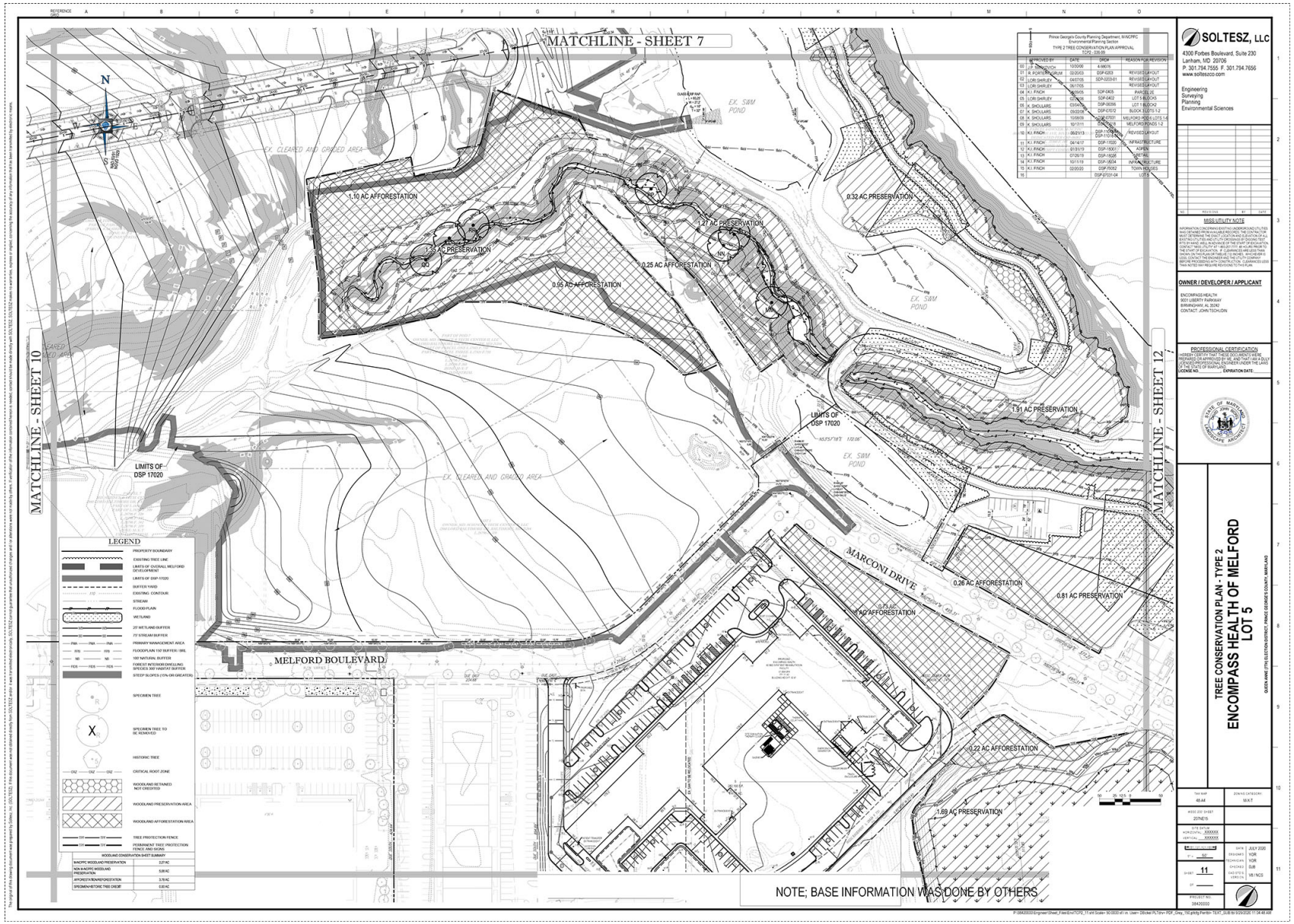

1234
6"


1/4"
Cross Section Detail (nts)
NUMBERS:
1/4" thick aluminum;
paint all surfaces black (matte)


TBD
TBD
Encompass Health®


Stacked Reading Clearspace
5/8X
5/8X
5/8X
5/8X
X
Encompass Health®

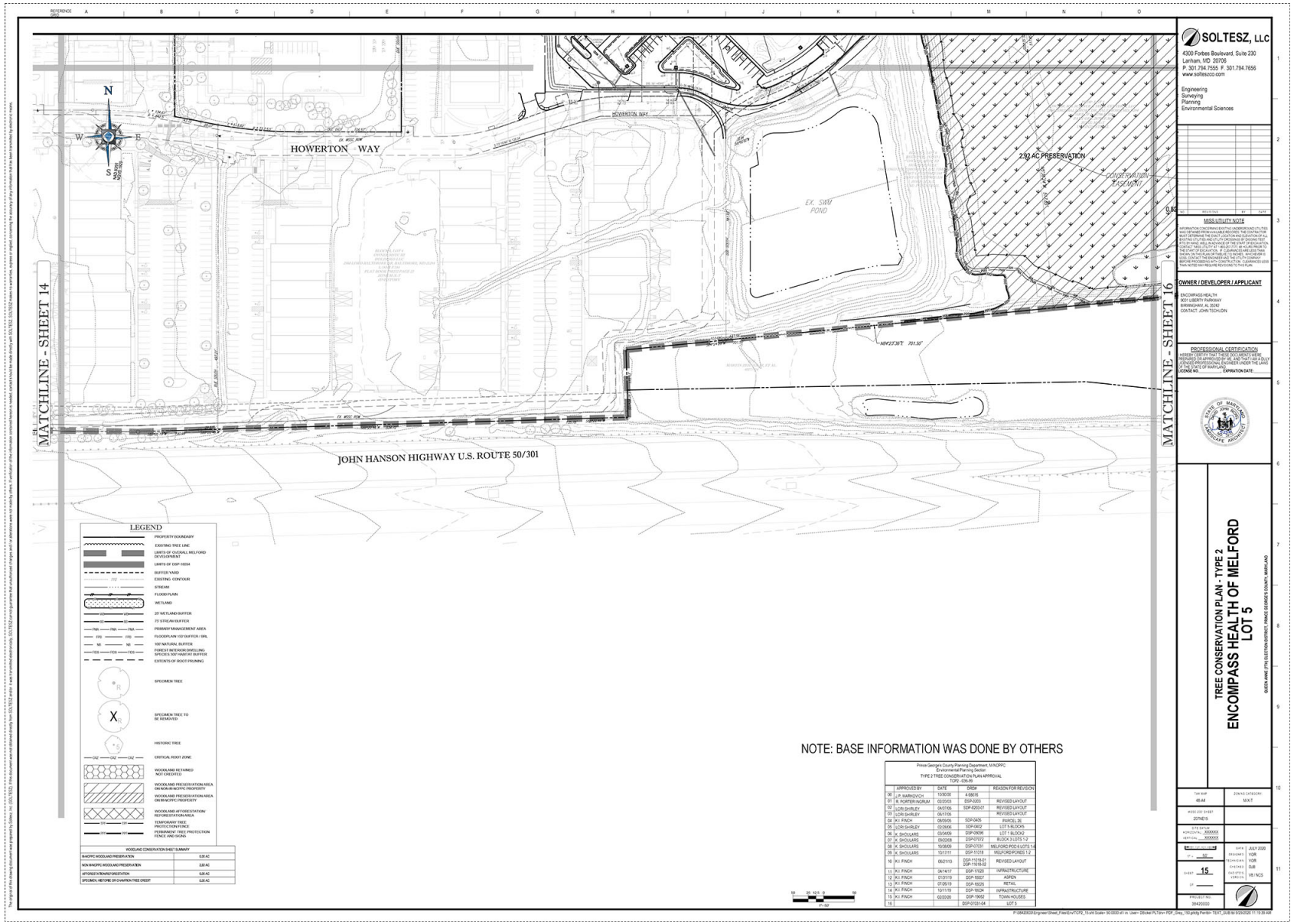
TYPE II TREE CONSERVATION PLAN



11/5/2020

DRD THE DEVELOPMENT REVIEW DIVISION

TYPE II TREE CONSERVATION PLAN



AGENDA ITEM: 6
AGENDA DATE: 11/5/2020

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

PGCPB No. 07-09(C)

File No. CSP-06002

CORRECTED RESOLUTION

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

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

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

2. **Development Data Summary**

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

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

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

**Includes existing commercial development.

3. **Location**: The site consists of approximately 334.1 acres of land in the MXT Zone and is located in the northwest quadrant of US 301 and US 50. The property is located in Planning Area 71B within the 2006 *Approved Bowie-Vicinity Master Plan.*

4. **Surroundings and Use:** The subject property is located in the northeast quadrant of the intersection of Crain Highway (US 301/MD 3) and John Hanson Highway (US 50). The site is bounded to the north by Sherwood Manor, an existing subdivision of single-family detached dwelling units in the R-A Zone, and the Patuxent River Park; to the east by the Patuxent River and the US Air Force transmitter station located in Anne Arundel County; to the south by the US 50 right-of-way; and to the west by the MD 3 right-of-way.

5. **Previous approvals:** On January 25, 1982, the District Council approved zoning map amendment application and Basic Plan A-9401 for the subject property, with ten conditions (Zoning Ordinance 2-1982). The zoning map amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Planning Board decision (PGCPB No. 86-107), for the Maryland Science and Technology Center, with 27 conditions and two considerations. Numerous specific design plans have been approved for the project, including the following:

EXISTING DEVELOPMENT, APPROVED AND/OR UNDER CONSTRUCTION:

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

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

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

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

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

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

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

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

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

Other uses may include:

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

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

Proposed Development:

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

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

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

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

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

*Denotes Correction
Underlining indicates new language
[Brackets] and ~~strikethrough~~ indicate deleted language

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

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

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

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

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

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

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

*Denotes Correction
Underlining indicates new language
[Brackets] and ~~strikethrough~~ indicate deleted language

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

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

(6) Retail uses shall be designed to:

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

- **Create outdoor amenities, such as brick pavers, tree grates, decorative lighting, signs, banners, high quality street furniture and extensive landscaping, including mature trees.**

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

- **Provide attractive, quality facades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC and other unsightly functions.**

- **Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street front experiences to maximize the quality of the pedestrian environment[; a]. All uses are connected by sidewalks; crosswalks run through and across the parking lots and drive aisles to connect all buildings and uses; sidewalks are wide, appealing, shaded and configured for safe and**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Conformance With Other Master Plan Text

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

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

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

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

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

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

Policy 2: Water quality; Strategy 4

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

Policy 2: Conservation landscaping; Strategy 6

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

Policy 3: Tree cover; Strategy 4

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

Policy 4: Green buildings and alternative energy sources

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

Policy 5: Light pollution

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

Policy 6: Noise pollution

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

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

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

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

8. **The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation.**

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

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

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

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

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

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

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

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

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

13. **On a conceptual site plan for property placed in the M-X-T Zone by a sectional map amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent of construction funds are allocated within the adopted county Capital Improvement Program, or the current state Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the council of adequate transportation facilities at the time of conceptual site plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

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

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

Growth Policy – Service Level Standards

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

> **Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.
>
> **Unsignalized intersections:** The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

TRAFFIC IMPACT STUDY

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

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

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

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

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

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

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

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

Using trip generation rates from the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, as well as the Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 7th edition*, the study has determined that the proposed development, based on the above-mentioned uses, would generate a net total of 2,774 (1,952 in, 822 out) AM peak hour

trips, and 3,593 (1,404 in, 2,189 out) PM peak hour trips. Using these site-generated trips, an analysis of total traffic conditions was done, and the following results were determined:

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

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

MD 3/MD 450/Gas Station Access intersection.

- Provide an additional northbound and southbound through lane.

US 301/Gov. Bridge Road/Harbor Way intersection

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

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

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

The traffic study concludes that a provision of an additional left turn lane at the intersection of US 301/ Gov. Bridge Road / -Harbor Way would mitigate the site impact by more than 150 percent. It further indicates that with all of the improvements identified, the roadway system can accommodate the proposed development.

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

- Regarding the use of mitigation, one of the technical requirements is that the traffic study must show the magnitude of the percentage of CLV reduction as a result of the improvement being proffered. At both intersections being considered for mitigation, the study reported that the proffered improvements will reduce the respective CLV by more than 150 percent, but did not quantify the actual margin.

- The intersections at Belair Drive with ramps to and from MD 3 are described as "signalized" intersections, by virtue of the fact that both intersections are equipped with signals that are always in flashing mode. While it may be technically accurate to describe these intersections as being signalized, from an operational perspective, they do not function as signalized intersections and therefore should not have been analyzed using the CLV procedures, which assume phasing operation. Based on comments from SHA on this traffic study, it would appear that plans are underway to have these signals reprogrammed to function as normal traffic signals before the proposed development begins operation. In this regard, having the intersections analyzed under "Total" conditions with the CLV procedure seems appropriate.

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

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

- SHA is concerned that recent construction activities may not have been considered in the analyses of the development. The traffic analyses for the subject application did consider the impact of recent construction activities observed by SHA staff.

- Regarding the proposed improvement at the MD 3/MD 450/gas station access intersection, specific engineering detail was provided. SHA will require the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

- SHA recommends coordination between its Office of Traffic and Safety and the applicant regarding the operation of the lights (from flashing mode to normal mode) at the intersections of Belair Drive, Melford Boulevard and the ramps to and from MD 3.

- Recent electronic correspondence between staff and SHA has indicated that SHA is concerned with the accuracy of the traffic count that was collected at the MD 3/MD 450 intersection on Tuesday May 30, 2006 (the day after Memorial Day). The applicant did a recount on Thursday September 28, 2006, where the results showed lower volumes. Taking a more conservative approach, all of the analyses were done using the higher volumes.

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

- The city is concerned that they were not given a role in defining the scope of the traffic study. The scope of the traffic was determined by the council in its findings on CR-11-2006. However, the scope may be expanded for subsequent preliminary plan applications.

- The Southeast Quadrant study was part of the analyses for the Bowie-Collington-Mitchellville and Vicinity Master Plan that was approved in 1991. That plan has now been amended (and superseded) by the Bowie and vicinity plan, which was approved in 2006. There are no provisions in the 2006 master plan that maintain the recommendations from the Southeast Quadrant Study.

- In the revised traffic study, the analyses were based on a 375-room hotel rather than the 200 rooms that were previously assumed.

- The intersection of Melford Boulevard and Science Drive was not part of the original scope but could be included in any subsequent analyses required for preliminary plan approval.

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

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

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

a. The proposed development shall be limited to a mix of uses where the net new trips shall not exceed 2,774 AM and 3,593 PM peak hour trips.

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

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

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

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

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

Referrals

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

Sectional Map Amendment for Bowie and Vicinity (CR-11-2006, adopted 02/07/06). The amended Basic Plan reflected development of the types being presented in this application.

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

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

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

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

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

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

29. Community recreational facilities shall take full advantage of environmental features on and adjacent to the property, and shall include extensive trail and

boardwalk systems. These recreational facilities may also include educational features for the general public and public schools, such as kiosks along the trails, boardwalks at observation points, and education stations, with curriculum available to schools for use in specific locations.

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

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

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

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

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

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

Development standard 15 recommends the following regarding stormwater management facilities:

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

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

Conclusions

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

a. Provide a stream valley trail parallel to the Patuxent River corridor. This trail shall be within either dedicated M-NCPPC land or on HOA land within a public use trail easement. Where the trail is adjacent to existing or planned ponds, it should comply with development standard 15 of CR-11. At the time of detailed site plan, special consideration should be given to the surface of the trail to ensure that it is compatible with M-NCPPC plans for the Patuxent River stream valley.

b. Provide standard sidewalks along both sides of all internal roads, in keeping with development standard 3 of CR-11. In areas of high pedestrian activity, wide sidewalks should be considered.

c. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features will be evaluated at the time of DSP.

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

16. The Historic Preservation Commission (HPC) considered this application at a hearing on September 19, 2006, and would like to forward the following recommendations. The recommendations are based on the Historic Preservation Section's staff report as well as the testimony of the applicant and preservation organizations at the meeting.

Historic Preservation Commission Recommendations:

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

b. Prior to approval of this Conceptual Site Plan, plans shall be revised so that proposed buildings do not obstruct the historic vista between the Melford House and the cemetery.

c. Prior to approval of a Detailed Site Plan for this area, the applicant shall demonstrate that plans for new construction within the Impact Review Area follow the guidelines on page 91 of the CDP-8601 document for the former Maryland Science and Technology Center.

d. *Prior to acceptance of any Detailed Site Plan for this development, through the Historic Area Work Permit process the applicant shall present a plan and timetable for the protection, stabilization, restoration and planned adaptive use of the buildings and gardens of the Melford Historic Site for approval by the HPC and Planning Board. The plan shall be approved (through a HAWP) before approval of the first DSP.*

e. *Prior to or at the time of the first building permit application for property within CSP 06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the Historic Area Work Permit process. The restoration of Melford and outbuildings shall be completed by the time 50 percent of these buildings have received building permits.*

f. *Prior to approval of any relevant applications the Historic Preservation Section should certify that all Quarterly Reports have been received in a timely manner and that Melford is being properly maintained.*

g. *Prior to acceptance of any Detailed Site Plan or new Preliminary Plat of subdivision for Melford, the applicant shall identify archaeological resources in the project area by conducting Phase I archaeological investigations.*

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

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

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

(1) *Evaluating the resource at the Phase II level, or*

(2) *Avoiding and preserving the resource in place.*

***[~~Staff~~] Comment:** The recommendations above have been included in the recommendation section of this report except for the condition relating to the Phase I report. The applicant submitted a Phase I archaeology report and the Historic Preservation Section analyzed the Phase I report. Phase I (Identification) archeological investigations have been completed on the 63-acre parcel, which is the area identified as undisturbed on the overall conceptual Site Plan. Staff has not completed the review of the Phase I draft report; however, the following is a summary. Three previously identified archeological sites are present on the subject property, 18PR30, 18PR164, and 18PR165. Phase I archeological investigations were carried out in five survey areas. Prehistoric site 18PR30 in Area D has been impacted by modern ground disturbance and no further work was recommended on this site. Staff concurs that no further archeological investigations are necessary on site 18PR30, as most of it has been impacted by vegetation clearance and grading and that no further archeological investigations are necessary in Areas B, C, D, and E.

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

Historic Preservation Section's Analysis

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

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

*Denotes Correction
Underlining indicates new language
[Brackets] and ~~strikethrough~~ indicate deleted language

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

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

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

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

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

Historic Preservation Staff Findings

a. The submission states specific ways the applicant will be in compliance with the county's Guidelines for Historic Preservation for Parcel 1, which includes Melford. The applicant states that currently, both the Melford House and the cemetery are hard to access and that this plan will include paths, open spaces and streets that will allow county residents to easily visit and learn of their significance. The applicant also states that the buildings

planned to be adjacent to the Environmental Setting and within the Impact Review Area will be designed to complement the Melford House, and that only minimal on-street parking spaces will be in clear view of the Melford House. Both the HPC and Planning Board will approve any interpretive plaques or signage to be placed near the historic site for wording and design.

b. The applicant states that restoration efforts will focus on the retention of existing architectural characteristics and natural features. It is noteworthy that in order to promote local awareness of local historic heritage, the applicant has renamed this development using the subject property's historic name. The applicant plans to preserve the Melford House and Cemetery and utilize them as a focal point for the development. The circulation network is designed on axis with Melford House to ensure views and access are preserved.

c. The applicant's site plan shows new streets within the Impact Review Area. The plan also shows 60 three-story residential condominiums facing Melford. Six of these units are within the site line between Melford and the cemetery. Across Curry Drive a four story mixed-use building is shown which will contain 13,000 GSF of retail with multifamily above. A Town Commons is shown to the south of this building, visually linking Melford and the Patuxent River.

d. The subject Conceptual Site Plan proposes only formal fronts of small groupings of townhouses facing the historic structures, all of which would be visible from the Historic Site and would have an adverse impact on the views to and from both parts of the Environmental Setting.

e. The view from the cemetery is directly into the parking lot. This view should be buffered.

f. The design guidelines proposed should be further refined at the detailed site plan stage. Specifically, the architecture directly adjacent to Melford should be reviewed for compatibility with Melford and include design elements of the proposed façades. The elevations of buildings should be designed in a manner compatible with the traditional, balanced character of Melford. A generally balanced window arrangement common to buildings of the mid nineteenth century should be employed. Sheathing materials should be limited to an approved palette and brick veneers that reflect the colour, design, size and arrangement of brick as traditionally found in Prince George's County. The use of non-traditional bricks in light colours and the combination of brick colors and sizes within a single structure should be prohibited. Special attention should be paid to the material and pitch of roofs visible from Melford. Non-traditional roof slopes should not be allowed, and large expanses of roof should be mitigated with the introduction of cross-gables or dormers. The design of chimneys, decks and railings visible from the Historic Site shall be carefully considered. All chimneys should be of masonry construction. Deck and balcony railings, flush railings and other vertical elements of porches, decks and balconies visible from Melford should be compatible with its traditional architectural character and

constructed of finished lumber that is painted to match the trim colours used on the associated building. Pressure treated dimensional lumber should only be used for horizontal elements of porches, decks and balconies.

Conclusions

a. Protection of the views between Melford and the cemetery was one of the conditions of approval of Preliminary Plan of Subdivision 4-98076 (Resolution 99-28(A)) The conceptual site plan was revised to protect these views, specifically, plans were revised so that buildings that obstruct the historic vista are not proposed for the area between the Melford house and the cemetery.

b. Consideration should be given to providing limited buffering around the boundaries of the two parts of the Melford Environmental Setting.

c. New construction within the Impact Review Area should follow the guidelines on page 91 of CDP 8601 (1986) document for the former Maryland Science and Technology Center. [Note: Staff had not yet located copies of these guidelines at the time the staff report was written. They will be provided to the Planning Board prior to the public hearing.]

d. Quarterly reports should continue to be submitted by St. Johns Properties, Inc. until restoration is completed, so that the Historic Preservation Commission (HPC) and staff may monitor the condition of the Melford house, grounds and cemetery.

17. The Historic Preservation and Public Facilities Planning Section has reviewed the conceptual plan for a 259-acre site with a 262,921,740 square feet commercial/retail area and 866 residential dwelling units. The development is proposed to be located at the northwest quadrant of the intersection of US-301 and John Hanson Highway. This referral is being provided in response to a request by staff and is for informational basis as there are no required adequate public facility findings for conceptual site plans.

Fire and Rescue Facilities

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

Police Facilities

The proposed development is within the service area for Police District II Bowie.

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

School Facilities

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

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

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

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

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

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

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

Environmental Review

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

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

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

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

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

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

a. Revise the shading patterns so that the information underneath is legible;

b. Eliminate the pattern used to depict previously approved limits of disturbance and show only that limit of disturbance needed for the proposed development;

c. Eliminate all clearing not necessary for the conceptual construction of the features shown;

d. Revise the existing tree line per Staff Exhibit A;

e. Provide labels on each cleared area with the acreage and which land pod it is credited to; if cleared areas cross pods, divide them up so that the table on sheet 1 can be checked for correctness;

f. Revise the worksheet to reflect all cleared areas, preservation areas, etc.;

g. Revise the table on Sheet 1 to fill in all the boxes;

h. Add the following note: "This TCPI is associated with the approval of CSP-06002 and as such is conceptual in nature. It is subject to further revisions with the preliminary plan of subdivision application.";

i. Revise the plans to address all other comments; and

j. Have the revised plans signed and dated by the qualified professional who prepared the plans.

C. The following design guidelines listed in Section 27-274 of the Zoning Ordinance are relevant to the current review. A statement regarding how the CSP is in conformance with these design guidelines has not been provided.

"(5) Green area.

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

"(7) Grading.

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

"(11) Townhouses and three-family dwellings

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

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

Recommended Condition: Prior to signature approval of the CSP and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCPI associated with the CSP

shall be revised to remove all buildings, roads, trails and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain. Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbance to the stream and floodplain buffers shall be eliminated. Where these buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The TCPI associated with the preliminary plan will be evaluated for impacts to these buffers for the installation of stormwater management outfalls as necessary. The 150-foot building setback shall be shown on the plans and shall be honored.

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

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

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

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

*Denotes Correction
Underlining indicates new language
[Brackets] and ~~strikethrough~~ indicate deleted language

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

The subject property is located in the northeast quadrant of intersection of Robert Crain Highway (US 301) and John Hanson Highway (US 50) in the City of Bowie. The 2006 approved Bowie and Vicinity Sectional Map Amendment for Planning Area 71B rezoned the property (259 acres) from the E-I-A Zone to M-X-T. The property adjoins Patuxent River (on the east) and includes the floodplain along the river. The applicant proposes mixed-use, high-density development consisting of a mixture of office, research and development, retail, hotel and residential (single family detached, single family attached, multi family, senior housing, live/work units) uses.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Conclusion

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

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

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

a. The applicant shall provide private recreational facilities as determined appropriate at the time of review of the detailed site plan (DSP). The recreational facilities shall be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines.*

b. The dedication of 108± acres including but not limited to 100-year floodplain and floodplain buffer to the M-NCPPC as shown on the Department of Parks and Recreation (DPR) Exhibit "A."

c. Land to be conveyed shall be subject to conditions 1 through 9 of attached Exhibit "B".

d. The applicant shall construct a10-foot-wide asphalt surface hiker/biker/equestrian trail along the Patuxent River. DPR staff shall determine the exact location of the trail at the time of the DSP review and approval. The trail shall be located on dedicated parkland and/or in an easement where appropriate. The trail shall be connected to trailhead facilities on dedicated parkland. The applicant shall construct the master planned trail in phase with development.

e. Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the master planned trail on dedicated parkland.

f. The applicant shall construct eight-foot-wide asphalt trail connectors from the neighborhoods to the master planned trail along the Patuxent River. The location of the trail connectors shall be determined at the time of DSP.

g. The applicant shall construct an access road and gravel parking at the public access/trailhead. The specific location and size of the parking lot shall be determined at the time of DSP.

h. Prior to the approval of the first final plat for the project, the applicant shall make a monetary contribution in amount of $250,000 for the design and construction of the Green Branch Athletic Complex.

i. Prior to issuance of the 50 percent of the residential building permits, all public recreation facilities shall be constructed.

j. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the public park.

k. The applicant shall submit three original, executed recreational facilities agreements (RFAs) for trail and trailhead construction to the DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

l. The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits.

20. The Community Planning Division found that the application is consistent with the 2002 *General Plan* Development Pattern policies for the Developing Tier. CSP-06002 is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable.

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

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

Land Use Patterns

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

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

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

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

> "The City has received notice of a Conceptual Site Plan (CSP) filed by St. John Properties for mixed-use development on 334 acres of land located in the northeast quadrant of US 50/301 and MD 3 at the site now known as Melford (i.e. the Maryland Science and Technology Center). The plan includes 2,622,740 square feet of employment use, including a 200,000 square foot hotel/conference center and 65,000 square feet of retail and restaurant uses. The plan also includes 866 dwelling units (including 20-25 percent senior units).
>
> "While some of the uses proposed in the CSP are permissible under the City's covenants on the property, residential use is not. Therefore, the developer cannot implement the plan, as proposed. The City Council finds that the proposed development plan should not be approved because it cannot be implemented due to the conflict with City covenants. The City therefore recommends DISAPPROVAL of CSP 06002 for Melford."

22. At the Planning Board hearing, a number of residents of the Sherwood Manor Subdivision testified in opposition to the case, incorporating exhibits (Opponent Exhibits No. 1-13) into the record.

23. As required by Section 27-276(b), the CSP represents a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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

	SFA	SFD	MF
Unit Count	341~316	25~50	500
Unit Size	2,400–2,600 sf	3,000–4,000 sf	1,000 sf
Lot Size	1,200–2,400 sf	4,700–50,500 sf	N/A
Minimum width at front street R-O-W.	20'	55'	N/A
Minimum Frontage on Cul-de-sacs	N/A	45'	N/A
Maximum Lot Coverage	65%-85%	40%	90%
Minimum Setback from R-O-W.	10'	10'	10'
Minimum Side Setback	None	10'	10'
Minimum Rear Setback	None	None	None
Minimum Corner Setback to Side Street R-O-W.	10'	10'	10'
Maximum Residential Building Height	40'	35'	50'
Minimum Green Area	N/A	N/A	10%

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

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

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

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

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

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

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

1. Total development within the subject property shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. Any development with an impact beyond that identified herein above shall require a revision to the CSP with a new determination of the adequacy of transportation facilities.

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

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

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

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

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

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

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

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

6. Prior to acceptance of any detailed site plan for this development, through the historic area work permit process the applicant shall present a plan and timetable for the protection, stabilization, restoration and planned adaptive use of the buildings and gardens of the Melford Historic Site for approval by the HPC and Planning Board. The plan shall be approved (through a HAWP) before approval of the first DSP.

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

8. Prior to issuance of building permits for the overall property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and outbuildings shall be completed prior to the release of 50 percent of the buildings for the residential units located within Block 1.

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

10. Provide standard sidewalks along both sides of all internal roads, in keeping with guideline 3 of CR-11-2006. In areas of high pedestrian activity, wide sidewalks should be considered.

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

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

13. The illustrative plan provided with the CSP is for illustrative purposes only and does not reflect the final layout with respect to the limits of disturbance or the placement of residential units. The CSP shall be used as a guide for the layout to be reviewed with the preliminary plan of subdivision, and the detailed site plans.

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

    a. Revise the shading patterns so that the information underneath is legible;

    b. Eliminate the pattern used to depict previously approved limits of disturbance and show only that limit of disturbance needed for the proposed development;

    c. Eliminate all clearing not necessary for the conceptual construction of the features shown;

    d. Revise the existing tree line per Staff Exhibit A (2006 Aerial);

    e. Provide labels on each cleared area with the acreage and which land pod it is credited to; if cleared areas cross pods, divide them up so that the table on sheet 1 can be checked for correctness;

    f. Revise the worksheet to reflect all cleared areas, preservation areas, etc.;

    g. Revise the table on Sheet 1 to fill in all the boxes;

    h. Add the following note: "This TCPI is associated with the approval of CSP-06002 and as such is conceptual in nature. It is subject to further revisions with the preliminary plan of subdivision application.";

    i. Revise the plans to address all other comments; and

j. Have the revised plans signed and dated by the qualified professional who prepared the plans.

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

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

17. Prior to approval of a detailed site plan, a new preliminary plan of subdivision for the proposed residential development shall be approved.

18. The applicant shall provide private recreational facilities as determined appropriate at the time of review of the detailed site plan (DSP). The recreational facilities shall be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines.*

19. The applicant shall dedicate 108± acres including but not limited to 100-year floodplain and floodplain buffer to the M-NCPPC as shown on the Department of Parks and Recreation (DPR) Exhibit "A".

20. Land to be conveyed shall be subject to conditions 1 through 9 of attached Exhibit "B".

21. The applicant shall construct a ten-foot-wide asphalt surface hiker/biker/equestrian trail along the Patuxent River. DPR staff shall determine the exact location of the trail at the time of the DSP review and approval. The trail shall be located on dedicated parkland and/or in an easement where appropriate. The trail shall be connected to trailhead facilities on dedicated parkland.

22. Prior to certificate approval of the CSP-06002, the applicant shall revise the plan to show the conceptual trail layout of the master planned trail on dedicated parkland.

23. The applicant shall construct 8-foot-wide asphalt trail connectors from the neighborhoods to the master planned trail along the Patuxent River. The location of the trail connectors shall be determined at the time of DSP.

24. The applicant shall construct an access road and gravel parking at the public access/trailhead. The specific location and size of the parking lot shall be determined at the time of DSP.

25. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of $250,000 for the design and construction of the Green Branch Athletic Complex.

26. Prior to issuance of the 50 percent of the residential building permits, all public recreation facilities shall be constructed.

27. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the public park.

28. The applicant shall submit three original, executed Recreational Facilities Agreements (RFA) for trail and trailhead construction to the DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by the DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

29. The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits.

30. Prior to the approval of the Preliminary Plan and Detailed site plan, the following shall be demonstrated:

    a. A minimum of 20 percent of the units shall be senior housing and a maximum of 25 percent of the units shall be senior housing, in both the single-family attached units and the multifamily units.

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

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

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

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

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

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

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

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

a. Avoiding and preserving the resource in place, or for

b. Phase III data recovery investigations and interpretation.

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

33. Prior to the approval of a detailed site plan for each of the following uses, the plans shall demonstrate conformance to the following guidelines:

a. Retail uses shall be designed to:

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

ii. Create outdoor amenities, such as brick pavers, tree grates, decorative lighting, signs, banners high quality street furniture and extensive landscaping, including mature trees.

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

iv. Provide attractive, quality facades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC and other unsightly functions.

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

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

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

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

ix. Create a signage package for high-quality signs and sign standards and requirements for all retail and office tenants and owners, which shall address size, location, square footage, materials, logos, colors, and lighting. Any revision to the existing approved signage plans shall incorporate the previously approved designs.

x. Temporary signage on the site or attached to the exterior facades of a building shall not be permitted.

xi. Design retail pad sites to be compatible with the main retail/office/hotel component. If the retail pad sites are located along the street, parking shall be located to the rear of the pad sites.

xii. Green areas or public plazas should be provided between pad sites.

xiii. Restaurants should have attractive outdoor seating areas with views of the public spaces/lakes or other natural features.

b. Residential uses shall meet the following design standards:

Single-family detached:

i. There shall be a range of lot sizes, with a minimum square footage on any lot of three thousand (3,000) square feet of finished living space.

ii. At least 20 percent of the houses shall be a minimum of 4,000 square feet of finished living space.

iii. Garages should not dominate the streetscape, and all garages should either be detached, or located in the rear (accessible by alleys or driveways), attached and set back a minimum of eight feet from the façade, or attached and oriented for side entry access.

Multifamily and single-family attached:

i. Building design and materials shall be high quality, enduring and distinctive.

ii. Use of siding should be limited.

iii. A significant number of amenities, such as are typically provided for luxury projects shall be provided.

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

35. Any detailed site plan (DSP) for new research and development type "flex space" shall be limited to not more than 10 percent of total non-residential space (excluding existing research and development) within the M-X-T zone.

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

37. A minimum of fifty percent of parking for multifamily uses shall be structured parking.

38. Prior to the approval of a detailed site plan, the following issues shall be addressed:

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

    b. Appropriate signage should be placed near the historic site illustrating the history of the area.

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

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

40. Detailed site plans shall provide a minimum 30-foot wide landscape buffer between the development and US 50, if research and development flex space is proposed. The buffer shall be measured from the public utility easement.

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

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

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

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

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

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

±* Maximum lot coverage for multifamily development with structured parking may be increased to 90 percent.
±** Setbacks from the R-O-W shall increase to 20 feet if the products are proposed as front-loaded garages.
±*** Side yard setbacks may be reduced to 7 feet for lots less than 6,000 square feet.
±**** To be determined at detailed site plan.
±***** Minimum green area may be reduced to 10 percent if structured parking is proposed.

*Denotes Correction
Underlining indicates new language
±indicates change beside existing asterisk

*43. Prior to signature approval, the recreational plan shall be revised to be consistent with the Parks and Recreational Facilities Guidelines and to indicate a proposed schedule for the construction of those facilities.

*44. Prior to the approval of a preliminary plan of subdivision, a determination of the appropriateness of providing indoor recreational facilities and/or a community meeting space for use by the overall community, and a timing element associated with the construction, shall be addressed.

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

* * * * * * * * * * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Vaughns and Parker voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, January 11, 2007, in Upper Marlboro, Maryland.

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

R. Bruce Crawford
Executive Director

Frances J. Guertin

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:SL:bjs

*Denotes Correction
Underlining indicates new language

APPROVED AS TO LEGAL SUFFICIENCY.

M-NCPPC Legal Department

Date 4/17/07

THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
(301) 952-3600

March 27, 2015

M-NCPPC
P.G. PLANNING DEPARTMENT
RECEIVED
MAR 30 2015
DEVELOPMENT REVIEW DIVISION

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.

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]

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[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 Record[2] 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*

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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 § 27-141[3] 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

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

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

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

conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

See § 27-548, Zoning Ordinance.

> **"(a) Maximum floor area ratio (FAR):**
> **(1) Without the use of the optional method of development—0.40 FAR; and**
> **(2)With the use of the optional method of development—8.0 FAR."**

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

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

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

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

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

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

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

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

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

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

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

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

> **"(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan."**

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

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

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

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

This requirement will also be reviewed at the time of DSP application, and after access and lotting patterns are evaluated and approved pursuant to a required preliminary plan application. We further note that the CSP allows for the possibility of largely private streets

throughout the development; this may require variations at the time of preliminary plan, which may or may not be approved by Planning Board, as noted in the Technical Staff Report. Access to historic sites should be arranged via public streets. Additionally, Subtitle 24 of the Prince George's County Code requires that multifamily dwellings be served by public streets. *See* PGCPB No. 14-128, at 9; 10/30/2014 TSR, at 11.

> **"(h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least 1,800 square feet in size, and shall have at least 60 percent of the full front façades constructed of brick, stone, or stucco...."**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

See § 27-542, Zoning Ordinance.

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

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

The rationale for the rezoning of the subject property states "to promote development and redevelopment of land in the vicinity of a major interchange (US 50 and US 301), with an emphasis on a moderate- to high-density mix of office/employment/retail/hotel, residential, and parkland/open space uses." *Id.* The subject proposal is in keeping with the recommendations of the rezoning. The area of the proposed development also includes employment uses and proposed residential uses, and we find that the proposed uses will provide desirable employment and living opportunities for the area surrounding the development project. *See* PGCPB No. 14-128, at 10; 10/30/2014 TSR, at 12; 06/06/2014 App. Just'n Stmt., at 41.

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

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

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

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

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

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

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

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

While bus service is not necessary for transportation adequacy, future bus service would be a benefit to future residents, employers, and employees. Future bus service, if determined to be feasible, could provide useful connections between the subject site and other area destinations, such as the Bowie Town Center, the City of New Carrollton, and the neighboring City of Crofton. We also find that, at time of preliminary plan of subdivision consideration by Planning Board, Applicant should evaluate the provision of a circulator or shuttle bus throughout Melford, which may serve to connect the site of the proposed development to destinations, major employers, commuter bus lots, or mass transit. *See* 11/13/2014 Tr. *See also* PGCPB No. 14-128, at 11.

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

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

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

Applicant testified and the Planning Board finds that the mixed-use proposal would not be possible had not the County determined during the 2006 Bowie and Vicinity SMA that the M-X-T Zone would assist in implementing the envisioned re-positioning of Melford from strictly an employment park to a vibrant mixed-use and pedestrian oriented community. *See* PGCPB No. 14-128, at 12; 10/30/2014 TSR, at 13; App. Just'n Stmt., at 42.

The area of the CSP revision includes up to 2,500 residential units, 260,000 square feet of office space, and up to 268,500 square feet of retail space. This will be added to 1,547,874 square feet of approved and/or constructed employment uses within the boundary of the CSP. This represents a mix of uses which should operate harmoniously. *See* PGCPB No. 14-128, at 12; 10/30/2014 TSR, at 13; App. Just'n Stmt., at 42.

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

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

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

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

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

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

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

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

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

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

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

> (d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:
>
> (1) The proposed development is in conformance with the purposes and other provisions of this Division;
>
> (2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;
>
> (3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;
>
> (4) The proposed development is compatible with existing and proposed development in the vicinity;
>
> (5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;
>
> (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;
>
> (7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;
>
> (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and
>
> (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the

proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

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

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

§ 27-546, Zoning Ordinance.

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

The subject site was rezoned to the M-X-T Zone pursuant to the 2006 Bowie and Vicinity Master Plan and SMA; therefore, this required finding does not apply. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14.

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

The subject property is located at the intersection of two freeways (MD 3 and US 50 / 301). To the north of the M-X-T-zoned property is Sherwood Manor, a single-family detached development. To the west of the subject site across MD 3 are the Buckingham at Belair and Kenilworth at Belair subdivisions within the City of Bowie. The CSP shows office, a hotel, and research and development along the perimeter of the adjacent roadways. Due to the size and location of the proposal, it is largely self-contained. Physical integration with neighborhoods

outside of Melford is a challenge; nevertheless, the applicant indicates that a pedestrian connection along Melford Boulevard to the adjacent development on the west side of MD 3 will be established (subject to approval by the Maryland State Highway Administration ("SHA")) to physically connect Melford to nearby residential neighborhoods. The City of Bowie also recommends a condition to this effect that will be further evaluated at the time of preliminary plan. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14–15.

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

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

From the time of the rezoning of the subject site to the M-X-T Zone, the longstanding vision for development of the Melford property contemplates a mix of moderate- to high-density office, employment, retail, hotel uses, along with residential and parkland / open space uses, which we find consistent with the components of the currently proposed development project. In its 2009 final decision as to CSP-06002, the original conceptual site plan application, the District Council found the proposed CSP to be in conformance with the applicable purposes of the zone. *See generally* 05/11/2009 Dist. Council Order of Approval. *See also* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14. Here, Planning Board found, and we concur with Planning Board's finding based on the record evidence, that this application requesting to revise the approved conceptual plan in order to add residential, commercial, and office uses, maintains compatibility with existing and proposed development in the area. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14.

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

Based on our review of the administrative record, we further find the proposed CSP and design guidelines as to the Melford Village development establish the framework for a quality development planned in accordance with LEED-ND principles, and it is capable of sustaining an independent environment of continuing quality and stability. The arrangement and design of buildings and other improvements will continue to be evaluated with future plan approvals to ensure that the proposal remains consistent with the finding above. *See* PGCPB No. 14-128, at 13; 10/30/2014 TSR, at 14.

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

Applicant indicates that the development will be phased according to market conditions. More specific phasing information has not been provided. Phasing information should be provided as available, but no later than the first DSP within Melford Village. This phasing information may be revised with future applications. Each building phase should be designed as a self-sufficient entity while also allowing for effective integration with subsequent construction phases. *See* PGCPB No. 14-128, at 15; 10/30/2014 TSR, at 16.

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

The CSP is comprehensively designed to encourage pedestrian activity within the development. The development will include sidewalks and connections to a larger trail network. *See* PGCPB No. 14-128, at 15; 10/30/2014 TSR, at 16.

"(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other

amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial)"

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

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

We find this requirement applicable to the subject application, as it was rezoned from the E-I-A Zone to the M-X-T Zone pursuant to Zoning Change Number 2 approved in the 2006 *Bowie and Vicinity Master Plan and SMA*. Consequently, a traffic study is required for this application. *Id.* The record for the subject proposal contains a traffic impact study prepared in accordance with stated methodologies within the "Transportation Review Guidelines, Part 1" (Guidelines).dated May 30, 2014, and submitted by Applicant. In turn, the study was referred for comment to the Prince George's County Department of Public Works and Transportation (DPW&T), SHA, and the City of Bowie. Based on the evidence within the administrative record, we concur with the finding of Planning Board that the proposed development generally meets the code requirements, provided that the development does not exceed 4,441 AM and 4,424 PM peak hour trips and that all of the associated improvements proffered are fully implemented. *See* PGCPB No. 14-128, at 16; 10/30/2014 TSR, at 17.

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

(1) The overall Melford property is approximately 431.55 acres of land in the M-X-T Zone. Based on the mix of uses being proposed, the development would generate a net total (after discounting pass-by trips and internally captured trips) of 1,834 (897 in; 937 out) AM peak hour trips, and 2,516 (1,224 in; 1,292 out)

PM peak hour trips. These trip projections were determined using the "Guidelines for the Analysis of the Traffic Impact of Development Proposal," as well as the Trip Generation Manual, 9th Edition (Institute of Transportation Engineers).

(2) The traffic generated by the proposed conceptual plan would impact the following intersections:

MD 3 & MD 450-gas station
Belair Drive & Ramp from MD 3 southbound
Belair Drive & Ramp to/from MD 3 northbound
US 301 & Gov. Bridge Road-Harbor Way
Melford Boulevard & Science Drive (Roundabout)
Melford Boulevard & Telsa Drive-site entrance
Melford Boulevard & Telsa Drive-Curie Drive (Roundabout)
Curie & Science Drive (Roundabout)

(3) None of the intersections identified in (2) above is programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program (CTP) or the Prince George's County Capital Improvement Program (CIP).

(4) The subject property is located within Transportation Service Area (TSA) 2, as defined in Plan Prince George's 2035. As such, the subject property is evaluated according to the following standards:

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

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

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

The following intersections identified in (2) above, when analyzed with the total future traffic as developed using the Guidelines, were not found to be operating at or better than the policy service level defined in (4) above:

MD 3 & MD 450-gas station

Melford Boulevard & Science Drive (Roundabout)

Applicant has agreed to provide the following improvements to the intersections, in consideration of the findings in (5) above:

MD 3 & MD 450-gas station
Provide a fourth northbound and southbound through lane
(which is already implemented).

Melford Boulevard & Science Drive (Roundabout)
Convert the existing roundabout to a traditional four-legged signalized intersection. ALL of the intersections identified in (2) above, when analyzed with the improvements identified in (6) above and total future traffic as developed using the Guidelines, were found to be operating at or better than the policy service level defined in (4) above.

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

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

This requirement is not applicable to this CSP.

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

A mixed-use planned community is not proposed.

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

(a) The Conceptual Site Plan shall be designed in accordance with the following guidelines:

(1) **General.**

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

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

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

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

(i) Parking lots should generally be provided to the rear or sides of structures;

(ii) Parking spaces should be located as near as possible to the uses they serve;

(iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;

(iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and

(v) Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.

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

(i) Loading docks should be oriented toward service roads and away from major streets or public view; and

(ii) Loading areas should be clearly marked and should be separated from parking areas to the extent possible.

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

(i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;

(ii) Entrance drives should provide adequate space for queuing;

(iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;

(iv) Parking areas should be designed to discourage their use as through-access drives;

(v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;

(vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;

(vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;

(viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;

(ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;

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

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

(3) **Lighting**.

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

(i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;

(ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;

(iii) The pattern of light pooling should be directed on-site;

(iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;

(v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and

(vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.

(4) **Views**.

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

(5) **Green area**.

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

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

(ii) Green area should link major site destinations such as buildings and parking areas;

(iii) Green area should be well-defined and appropriately scaled to meet its intended use;

(iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;

(v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;

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

(vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.

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

(6) **Site and streetscape amenities**.

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

(i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;

(ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;

(iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;

(iv) Amenities should be functional and should be constructed of durable, low maintenance materials;

(v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;

(vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and

(vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.

(7) **Grading**.

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

(i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;

(ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;

(iii) Grading and other methods should be considered to buffer incompatible land uses from each other;

(iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and

(v) Drainage devices should be located and designed so as to minimize the view from public areas.

(8) **Service areas.**

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

(i) Service areas should be located away from primary roads, when possible;

(ii) Service areas should be located conveniently to all buildings served;

(iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and

(iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.

(9) **Public spaces.**

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

(i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;

(ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;

(iii) Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;

(iv) Public spaces should be readily accessible to potential users; and

(v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.

(10) **Architecture.**

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

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

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

(11) **Townhouses and three-family dwellings.**

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

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

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

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

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

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

See § 27-274, Zoning Ordinance.

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

(1) Section 27-274(a)(2)(A), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are

encouraged to be located to the rear or side of structures to minimize the visual impact of cars on the site. The subject CSP is in general conformance with this requirement. The illustrative site plan shows that, in general, surface parking is not proposed between buildings and the public rights-of-way. Additionally, the Melford Village Design Guidelines book specifies that, where practicable, parking shall be located to the rear or sides of buildings.

(2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive. Loading areas are not indicated on the CSP or the provided illustrative site plan. However, the Melford Village Design Guidelines book specifies that service areas, loading docks, and trash dumpsters shall be screened from the public view. At the time of DSP, attention should be paid to the design of loading areas so that they are visually unobtrusive as viewed from public spaces and the public right-of-way.

(3) In accordance with Section 27-274(a)(5)(A), green areas on-site should be appropriate in size, shape, location, and design. The Melford Village Design Guidelines book provides a green network map that shows a variety of types of green spaces spread throughout all four neighborhoods. At the time of DSP, attention should be paid to the specific design of these areas to make sure they are easily accessible, well-defined, and appropriately scaled for the area they are to serve.

(4) In accordance with Section 27-274(a)(6)(A), Site and streetscape amenities, the coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture will be required. A comprehensive review of streetscape amenities will occur at the time of DSP. However, the Melford Village Design Guidelines book indicates that these features will be integral elements of the streetscape and will be coordinated throughout Melford Village.

(5) A public space system should be provided to enhance the commercial and multifamily development areas in accordance with Section 27-274(a)(9), Public spaces. It is specified that these public spaces should incorporate high-quality design details and be integrated into the site design by a well-designed pedestrian system. An attractive mix of design features including focal points, such as public art, sculpture, or fountains; seating areas; specialty landscaping; and specialty paving materials should be provided throughout the spaces. The Melford Village Design Guidelines book indicates that a well-designed public space system will be provided; however, this will be fully evaluated at the time of DSP.

(6) As discussed in Section 27-274(a)(10), architecture should provide a variety of building forms, with a unified harmonious use of materials and styles. The Melford Village Design Guidelines book includes an extensive list of architectural design standards and indicates approximately six different types of

building forms that should help to ensure a quality mix is provided at the time of DSP.

(7) As discussed in Section 27-274(a)(11)(B), it is noted that groups of townhouses should be arranged at right angles to each other in a courtyard design and units should front on roadways. The submitted CSP does show such an arrangement in the majority of the townhouse areas, and this should be maintained in the future preliminary plan and DSP.

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

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

parking determination will be made at the time of DSP when an assessment of the full methodology, assumptions, and data concerning parking is prescribed pursuant to § 27-574 of the Zoning Ordinance. *Id.*

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

Applicable Comprehensive Plan Provisions

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

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

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

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

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

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

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

> A range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall the centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. The centers typically have a walkable "core" or town center. Often the mix of uses is horizontal across the centers rather than vertical within individual buildings. Town Centers such as Brandywine, Konterra, and Westphalia are currently under construction and have received significant public and private investment for infrastructure improvements. These centers are envisioned to develop per the guidelines in Plan 2035 help fulfill countywide goals.

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

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

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

> The 2013 Strategic Economic Development Plan identified the locations of niche market areas in which businesses in the County's four industry clusters are concentrated. These locations provide opportunities for the county to focus strategic marketing and investment to 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) <u>At the MD 3/MD 450/gas station access intersection:</u>

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) <u>At the US 301/Gov. Bridge Road/Harbor Way intersection:</u>

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 perseveration 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, 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.

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) <u>At the MD 3/MD 450/gas station access intersection:</u>

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) <u>At the US 301/Gov. Bridge Road/Harbor Way intersection:</u>

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 Employments 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 imperious 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 imperious 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/bicycler/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**eferenced 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 May29, 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 Date 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 $96.5^{\pm}$ 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 a10-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 phase1.

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 is 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

Frances J. Guertin

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:WC:bjs

APPROVED AS TO LEGAL SUFFICIENCY.

M-NCPPC Legal Department

Date 6/20/08

CASE NAME: MELFORD, PHASE 2
CASE NO: 4-07055_PORL
APPLICANT: ST. JOHNS PROPERTIES
STAFF PERSON: CHELLIS
P.B. DATE: 5/29/08
PARTIES OF RECORD:

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BOWIE MD 20715

06/07/07
SEAN F BRUCE
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7/23/07
BRUCE D PLETSCHI PRESIDENT
SHERWOOD MANOR CIVIC ASSOCIATION
16520 ABBEY DRIVE
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Sq/08

RESOLUTION ROUTING SLIP
DRD - SUBDIVISION SECTION

PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT - M-NCPPC
DEVELOPMENT REVIEW DIVISION

PROJECT TITLE: Melford Phase II

FILE NO: 4-07055 RESOLUTION NO. 08-86

BOARD APPROVAL DATE: 5-29-08

BOARD ADOPTION DATE: 6/19

STAFF WRITER: Chellis

Please review or process as indicated and send to the next office in sequence.

TASK	OFFICE	DATE IN	DATE OUT	SIGN OFF
RESOLUTION DRAFTED	ADMIN. AIDE		6/2	bp
PROOF DRAFT/ 0K FOR FINAL	REVIEWER			
	ADMIN. AIDE	6/3	6/3	bjs
	REVIEWER	6-3	6/3	[illegible]
REVIEW FINAL	TECHNICAL HRG. WRITER	6/3	6/3	Jal
	DRD ADMIN. AIDE			
	TECHNICAL HRG. WRITER			
REVIEW FINAL	LEGAL DEPT.	6/3	6/5	[illegible]
	DRD ADMIN. AIDE			
	LEGAL DEPT.			
SUBMIT FINAL	TECHNICAL HRG. WRITER			
FINAL FOR SIGNATURE	P.B. ADMINISTR..	6/23	6/23	bj/Jal
COVER SHEET FOR SIGNATURE	REVIEWER	6/23	6/23	[illegible]
FINAL XEROX/MAILED	ADMIN. AIDE	6/23	6/23	
FILE ORIGINAL *	TECHNICAL HRG. WRITER	6/24	6/24	JL

* ORIGINAL RESOLUTION PLUS ONE COPY IS FILED WITH RECORDING SPECIALIST WHO WILL SIGN OFF AND RETURN ROUTING SLIP TO DIVISION

I:\forms\buck.sub

1. O.K. for Final.

YES	NO	Initials
☐	☒	DC

See Changes

2. O.K. for Final

YES	NO	Initials
☒	☐	DC

3. O.K. for Final

YES	NO	Initials
☐	☐	____

All Co. Staff report

6.2.08 - See additional insert + corrections.

Thank you

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

PGCPB No. 08-117

File No. DSP-07031

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on July 24, 2008 regarding Detailed Site Plan DSP-07031 for Melford, Pod 6, Lots 1-6, the Planning Board finds:

1. **Request:** The subject application is for approval of 134,480 square feet of office in four buildings on proposed Lots 1 and 3, and 248,820 square feet of research and development in seven buildings on proposed Lots 2, 4 and 5 within the existing Melford development. Lot 6 is proposed for stormwater management.

2. **Development Data Summary**

	EXISTING	**PROPOSED**
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Office/research and development
Acreage	38.56	38.56
Lots/parcels	2 parcels	6 lots
Square Footage/GFA	0	133,680 square feet of office 248,820 square feet of research and development

Parking Data

	PARKING REQUIRED PER TENANT SPACE	TOTAL PARKING REQUIRED	TOTAL PARKING PROPOSED
LOT 1		**250**	**258**
Building A 42,000 SF 3-story Office (Max. 5 tenant spaces/floor)	10		
Building B 25,840 SF 1-story Office (Max. 10 tenant spaces)	10		
Handicap Spaces		7	8
Loading Spaces		1	1
LOT 2	10	**160**	**217**
Buildings C & D 80,160 SF 1-story R&D			
Handicap Spaces		7	7
Loading Spaces		1	22
LOT 3		**203**	**235**
Building E 40,000 SF 1-story Office (Single Tenant)			
Building G 25,840 SF 1-story Office (Max. 10 tenant spaces)	10		
Handicap Spaces		7	10
Loading Spaces		1	2
LOT 4		**140**	**140**
Building H & I 70,080 SF 1-story R&D			
Handicap Spaces		5	8
Loading Spaces		1	18
LOT 5		**197**	**212**
Buildings J, K & L 98,580 SF 1-story R&D			
Handicap Spaces		7	9
Loading Spaces		1	22

3. **Location:** The subject property is located on the north side of US 50 and southeast of the intersection of Melford Boulevard and Telsa Drive.

4. **Surroundings and Use:** To the north of Pod 6 is vacant undeveloped acreage within Pod 2, to the east is more undeveloped acreage in Pod 7, to the south is US 50/US 301, and to the west are Lots 3 and 4 of Block 4, developed as an office building and research and development.

5. **Previous Approvals**: On January 25, 1982, the District Council approved Zoning Map Amendment Application and Basic Plan No. A-9401 for the subject property with ten conditions (Zoning Ordinance No. 2-1982). This zoning map amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Planning Board decision (PGCPB Resolution No. 86-107), for the Maryland Science and Technology Center with 27 conditions and two considerations. The preliminary plan was approved by the Planning Board on September 28, 2000 (PGCPB Resolution No. 99-28(A)). Specific Design Plan SDP-0103 was approved by the Planning Board on April 26, 2001. A final plat of subdivision was approved on December 24, 2003 for the subject property.

   The property was included in the *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B.* On February 7, 2006, the property was rezoned from the E-I-A Zone to the M-X-T Zone through the approval of CR-11-2006. On February 15, 2007 the Planning Board approved CSP-06002, which proposed a mixed-use development consisting of a hotel, office, retail, restaurant, research and development, and residential (366 single-family detached and attached units, and 500 multifamily units).

   On September 11, 2007, the District Council approved Conceptual Site Plan CSP-06002, rejecting the residential component of the proposed development.

   On April 3, 2008, the Planning Board approved Detailed Site Plan, DSP-07072 for the development of three retail buildings located within Lots 1 and 2, Block 3, where a 136,000-square-foot office building exists and a 150,000-square-foot office building is currently under construction.

   On April 17, 2008, the Planning Board approved the Marriott Hotels at Bowie, Detailed Site Plan DSP-06069, for three hotels including the Courtyard Marriott, the Residence Inn and Springhill Suites.

   On May 29 2008, the Planning Board reviewed Preliminary Plan of Subdivision, 4-07055 for 176.2 acres of land, including the subject property.

6. **Design Features:** The detailed site plan for Pod 6 proposes research and development, office, and stormwater management on the site, on six separate lots. Also included in the application, Lot 3, is

a proposed Prince George's County public office use. The following summarizes development proposed on a lot by lot basis:

Lot 1—	4.35 acres	Building A	42,000 square feet of office
		Building B	25,840 square feet of office
Lot 2—	7.21 acres	Building C	40,080 square feet of research and development
		Building D	40,080 square feet of research and development
Lot 3—	5.80 acres	Building E	40,000 square feet of office
		Building G	25,840 square feet of office
Lot 4—	6.31 acres	Building H	35,040 square feet of research and development
		Building I	35,040 square feet of research and development
Lot 5—	9.05 acres	Building J	32,040 square feet of research and development
		Building K	30,420 square feet of research and development
		Building L	36,120 square feet of research and development
Lot 6—	Stormwater management pond only		

The subject site has approximately 1,280 linear feet of frontage on US 50/US 301 and is served by the internal street system within the Melford development. The site is roughly rectangular in shape and consists of 38.56 acres of land. The site was previously graded and contains little or no woodland.

The architectural elevations of the three-story building proposed on Lot 1, at the intersection of Melford Drive and Telsa Drive, include a pink and beige colored brick covering the entire structure with a green colored standing seam roof. The architectural detailing of the building appears to be satisfactory and the standing seam roofing material proposed provides a high level of quality.

The architectural elevations for the one-story, 40,000-square-foot office building located on Lot 3, is proposed as coppertone and buff colored brick covering the entire structure, with a metal panel equipment screen shown as a parapet. The architectural detailing consists of recessed door entries and tri-pane windows.

The remaining buildings proposed are called out on the architectural elevations as either office or research and development. These buildings are simple rectangular shaped buildings. The 15-foot-high office buildings are designed with a double face, with doors regularly placed on each side of the building and no loading doors are proposed. The exterior materials are brick with one color scheme combining coppertone and buff.

The 18.5-foot-high research and development buildings are also simple rectangular shaped buildings. One side of each building is similar in design to the office buildings with doors regularly placed along the façade of that side of the building. The opposite side of the building is lined with loading doors placed approximately four feet above grade, raised entrances with stairs and double pane windows.

Signage for the project includes free standing campus identification signs, building identification, tenant monument signage, directional signage and building-mounted signage. The materials are brick in a "pearl grey" color with a painted metal panel insert and metal letters with the St. John Property logo.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The Requirements of the Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the M-X-T Zone and has been found acceptable.

8. **Section 27-548:** Section 27-548 includes regulations for the M-X-T Zone. The requirements relevant to the subject project are included in bold faced type below and are followed by staff's comment:

(a) Maximum floor area (FAR):

(1) Without the use of the optional method of development—0.40 FAR; and

(2) With the use of the optional method of development—0.80 FAR.

Comment: Section 27-548(a) limits the development within the M-X-T Zone to a maximum floor area ratio (FAR) of 0.40, unless an applicant proposes use of a specified optional method of development, which would increase it to a maximum of 8.00. Further, Section 27-548(e) indicates that the floor area ratio shall be applied to the entire property that is the subject of the conceptual site plan. The following chart lists all development within the Melford development for use in calculating floor area ratio:

SDP/DSP	Development Quantity	Status
Pre-1998	240,000 sq. ft.	Built
SDP-0103	153,250 sq. ft.	Built
SDP-0104	300,000 sq. ft.	Under construction
SDP-0201	83,680 sq. ft.	Built
SDP-0203/01	81,600 sq. ft.	Approved
SDP-0405	136,957 sq. ft.	Approved
DSP-07072	24,375 sq. ft.	Approved
DSP-06096	362 room hotel 253,289 sq. ft.	Approved
DSP-07031	383,300	This Plan
Total	1,656,451 sq. ft.	

The floor area ratio, including all approved and pending development on the 244.84 net tract acreage of the Melford site and reflected on the chart above, is 0.16, well within the M-X-T Zone 0.40 maximum floor area ratio requirement. Future detailed site plans for the Melford development should include an updated FAR development chart and a recalculation as necessary of the floor area ratio to demonstrate conformance to Section 27-548. A condition of approval requiring such information is included in the recommendation section of this report.

9. **M-X-T Zone:** The proposed mixed-use development is a permitted use in the M-X-T Zone. The detailed site plan must also comply with the following findings listed in **Section 27-546(d)** for development in the M-X-T Zone:

1. The proposed development is in conformance with the purposes and other provisions of this division;

Section 27-542(a)(1)—To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

The development of Lots 1–6 will provide for modest expansion of employment for the citizens of the county because the development provides for 383,300 square feet of office and research and development. Increased employment opportunities could be provided with multi-story office buildings (as are called for in the ultimate build-out of this pod) as opposed to the predominant single-story buildings proposed in the subject application.

Section 27-542(a)(2)—To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;

The review of the CSP for this case implemented the master plan as a regulatory tool for the development of the property. Pursuant to various provisions of the master plan, certain conditions were attached to the approval of the CSP that must be fulfilled at the time of the DSP. See Finding No. 10 for those conditions that have either been fulfilled or need revisions to the DSP prior to being considered fulfilled. If the proposed conditions of approval are adopted, the plans will conform to the CSP and thus, to the master plan and general plan.

Section 27-542(a)(3)—To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;

The development of the property located within Pod 6 does not maximize the public investment and the private development potential of the subject property. Specifically, the use of single-story, single-use, flex buildings and expansive asphalt surface parking and loading compounds on proposed Lots 2, 4 and 5 does not maximize the development potential of the site. Condition No. 24 of approved CSP-06002 suggests that the development on proposed Lots 2, 4 and 5 be considered as interim uses, as described in the master plan, and that in the future, these uses should be superseded by more intense development. Also, staff recommended that the development of these lots be phased to the later phases of the project in order to leave the land vacant, in case more intense uses are demanded by the market in the near future. However, the Planning Board disagrees with the staff and did not adopt the recommended condition of staff to phase the project

Section 27-542(a)(4)—To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;

The site is not located in close proximity to a metro station. Residential development is not proposed within the subject application and was previously eliminated from the CSP through District Council action. Therefore, the finding above does not apply.

Section 27-542(a)(5)—To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;

The proposed development has the potential to encourage a 24-hour environment with the mix of office and retail uses within the overall development. Office uses will generate activity on the site

from 6:00 a.m.–7:00 p.m. The retail component is expected to generate activity all day with uses open from 10:00 a.m.–9:00 p.m.

Section 27-542(a)(6)—To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;

The plan proposes a clear horizontal separation of uses of office and research and development. The design of the materials of the buildings blends harmoniously together.

Section 27-542(a)(7)—To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;

The proposed architectural design of the buildings should blend together based on the consistent approach to the design of the buildings in regard to exterior finish materials and color palette. Outdoor storage of materials should be discouraged for the research and development buildings.

Section 27-542(a)(8)—To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;

The application proposes single-purpose office buildings and research and development. Optimum use of the site is not expected until the site is redeveloped as required by Condition No. 24 of CSP-06002.

Section 27-542(a)(9)—To permit a flexible response to the market and promote economic vitality and investment; and

Comment: CSP-06002 allows flexibility in response to the market per Condition No. 24.

Section 27-542(a)(10)—To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

Comment: By recognizing that the research and development buildings are interim uses, it allows the developer the choice to achieve excellence in planning and design in the future.

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

Comment: The project is designed with an outward orientation toward Melford Circle and Telsa Drive to the west. The project will also be highly visible, even with a 30-foot landscape strip, from the US 50 corridor. Unlike the existing research and development structures along US 50 which

are located above the grade of the adjacent lanes of the highway, the majority of this portion of the site will be highly visible, particularly development on Lots 2 and 4. The change in grade from the site to the highway is only slight. The issue of outward orientation is an important one at this location in the county. This property is the first property entering Prince George's County from Anne Arundel County, located directly east of the subject site. Landmark buildings at this location would be preferable to the single-story buildings proposed. The appearance of development on the property should be of the highest quality, particularly on Lots 2 and 4, where the views into the site are not obscured through vegetation. Even though the CSP recognized research and development buildings as interim uses, in the meantime, as a measure to protect the views from the highway into the loading areas, staff recommends the incorporation of walls similar in size and style as those erected along Telsa Drive to screen the research and development loading areas from US 50.

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

Comment: The office uses complement the existing uses in the vicinity including the future hotel uses and proposed retail in the larger Melford development.

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

Comment: The mix of uses, as proposed by the subject application and the previously approved applications, will provide for the arrangement and design of buildings in order to reflect a cohesive development capable of sustaining an independent environment of quality and stability. A condition of approval recommends that the landscape plans use native plant materials which will contribute to a sustainable environment.

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

Comment: It is anticipated that the first building to be built will be Building E on Lot 3. Staff recommends that the project be phased to reserve the land adjacent to US 50 for a landmark building should the market for such a building develop, rather than the one-story flex type buildings proposed.

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

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

Comment: The trails coordinator reviewed the plans for the two conditions above and made the following comments in regard to the pedestrian systems proposed for the development:

> "The subject application includes standard sidewalks along both Melford Boulevard and Telsa Drive. The subject application also reflects sidewalks around the perimeter of the proposed buildings; however, no sidewalks are included along the internal street accessing the office buildings. Furthermore, no connections are shown from the proposed buildings to the existing sidewalk along Melford Boulevard. Given the conditions noted above, staff recommends that sidewalks be provided along both sides of the planned access road and that connections be provided from the buildings to the sidewalk along this road and Melford Boulevard."

The Planning Board adopts the staff recommendation.

10. **Conceptual Site Plan CSP-06002:** Conformance of the detailed site plan to the underlying conceptual site plan is required by the Zoning Ordinance. The following finding is taken from the District Council's action on the conceptual site plan for Melford:

Finding C. **The 2006 Master Plan, in its goals, objectives, and recommendations, calls for development of primarily high-quality, Class A, office-employment uses on the subject property. This property, originally over 400 acres in size, lies at the intersection of two central arteries in Prince George's County, US 50 and US 301/MD 3. It includes land proposed for technology-oriented employment uses, primarily office, and land areas devoted to transportation and open space. Both US 50 and US 301/MD 3 are planned to be expanded and upgraded, in the State's five-year needs assessment and construction program, and office and employment uses will be needed at this location, before the next Master Plan and Sectional Map Amendment updates are scheduled for this area.**

Comment: The finding above states "The 2006 Master Plan, in its goals, objectives, and recommendations, calls for development of primarily high-quality, Class A, office-employment uses on the subject property. The following definition from the Wikipedia encyclopedia defines Class A office space:

> "Class A Office Space describes the highest quality office space locally available. The architecture of Class A office structures always prioritizes design and visual appeal over cost, and sometimes over practicality - a Class A building can be considered a monument and a testament to the success and power of its tenants. In most areas, Class A office space is built in multi-story (usually 3 floors or more) buildings using structural steel and composite concrete construction. Cost for the structure alone (excluding land purchase and site improvements) is typically greater than $150 per square foot, and often rises to several hundred per square foot depending on the tenant's preferences for interior finishes.

"Office buildings are classified according to a combination of location and physical characteristics. Class B and Class C buildings are always defined in reference to the qualities of 'Class A' buildings. There is no formula by which buildings can be placed into classes; judgment is always involved. A fair number of the Class C office spaces in the inventory are not truly office buildings but rather walk-up office spaces above retail or service businesses."

"The Urban Land Institute, a noted authority on commercial land uses, says the following about these classifications in its Office Development Handbook. Class A space can be characterized as buildings that have excellent location and access, attract high quality tenants, and are managed professionally. Building materials are high quality and rents are competitive with other new buildings. Class B buildings have good locations, management, and construction, and tenant standards are high. Buildings should have very little functional obsolescence and deterioration. Class C buildings are typically 15 to 25 years old, but are maintaining steady occupancy. Tenants filter from Class B to Class A and from Class C to Class B.

"In a normal market, Class A rents are higher than Class B, which are above Class C. This makes sense because Class A buildings offer higher quality to the tenants and cost more to provide."

Comment: The proposed buildings, which are the subject of this case, are not of the Class A building type referred to in the order of approval. The subject plans include a majority of the development as research and development flex space, which Condition No. 24 of CSP-06002 defined as interim uses. See Condition No. 24 below for further discussion on this issue.

The conceptual site plan was approved by the District Council on September 11, 2007, with the following conditions applicable to the review of the proposed detailed site plan:

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

Comment: This condition is carried over to the approval of this plan.

2. **Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process,**

and (c) have an agreed-upon timetable for construction with the appropriate operating agency.

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

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

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

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

Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

Comment: The condition above should be carried over as a condition of approval for the DSP. The two conditions above relate to the overall land area contained within Conceptual Site Plan, CSP-06002.

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

Comment: The subject application is not within the immediate vicinity of the Melford Historic Site.

8. **Prior to issuance of building permits for any property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and outbuildings shall be completed prior to issuance of use and occupancy permits for any future hotel or office uses.**

Comment: The owner of the Melford historic property, St. John Properties, is currently proceeding forward with the improvements to the historic site.

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

Comment: The applicant is in compliance with the requirement above to submit regular quarterly condition reports for the historic site, and is expected to continue to do so until a permanent use for the building is identified.

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

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

Comment: The subject application includes standard sidewalks along both Melford Boulevard and Telsa Drive. The subject application also reflects sidewalks around the perimeter of the proposed buildings. However, no sidewalks are included along the internal street accessing the office buildings. Furthermore, no connections are shown from the proposed buildings to the existing sidewalk along Melford Boulevard. Given the conditions noted above, sidewalks should be provided along both sides of the planned access road, and that connections be provided from the buildings to the sidewalk along this road and Melford Boulevard.

The Bowie and Vicinity Master Plan also recommends that trails be provided along publicly-owned land within the Patuxent River corridor (Master Plan, page 52). The trail along the Patuxent River is beyond the scope of the subject application and has been addressed via approved Preliminary Plan 4-07055.

The Master Plan also designates Melford Boulevard as a designated bikeway. Melford Boulevard is within the City of Bowie and will be operated and maintained by the city. The City of Bowie has been implementing a comprehensive bikeway and trails plan for the city that includes bikeway signage along designated roadways. Melford Boulevard is designated as a master plan bikeway in both the City of Bowie Trails Plan and the Adopted and Approved Bowie and Vicinity Master Plan. Staff does not make a specific recommendation regarding the provision of the signage as this agreement can be developed directly between the applicant and the City.

However, staff supported the implementation of the bikeway along Melford Boulevard and will support an agreement between the applicant and the City for the provision of appropriate bikeway signage along this road. Staff also supported including a condition of approval for this bikeway signage, if proposed by the City. Staff recommended the following condition of approval:

In conformance with the Adopted and Approved Bowie and Vicinity Master Plan, the applicant, the applicant's heirs, successors and/or assignees shall provide the following:

a. Provide standard sidewalks along both sides of the internal road, within Pod 6, from Telsa Drive to the eastern most building on Lot 5 and Melford Boulevard.

b. Provide sidewalk connections from the perimeter walkways around the proposed buildings to the existing or planned sidewalks along Melford Boulevard and the internal roadway for Pod 6.

The Planning Board adopts the staff recommendation.

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

Comment: The current DSP does not include portions of the site subject to this condition.

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

Comment: There are no disturbances to the floodplain buffer associated with this application.

18. **Prior to approval of any DSP, the applicant shall dedicate to the M-NCPPC 108±, acres including but not limited to 100-year floodplain and floodplain buffer, as shown on the Department of Parks and Recreation (DPR) Exhibit "A".**

Comment: The applicant has not conveyed the 100-year floodplain and floodplain buffer to M-NCPPC. The Department of Parks and Recreation staff recommends conveyance of the parkland prior to certificate approval of DSP-07031.

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

Comment: This condition should be carried over to the approval of the subject DSP.

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

a. **Development plans shall show minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.**

Comment: The submitted TCPII and DSP propose surface parking and paved loading areas throughout the site within this application. According to the DSP, there are 112 parking spaces proposed over the minimum spaces required. No structured parking is shown on the plans. The design, as shown on the TCPII, DSP and landscape plans, does not allow for the micromanagement of stormwater through natural infiltration. The parking spaces in excess of the minimum requirement should be designed with permeable paving or other applicable design method that will allow natural infiltration on the site.

Condition: Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of permeable paving materials to reduce the area of impervious surfaces and promote natural infiltration. This shall be applied to all parking spaces above the minimum required number of spaces.

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

Comment: There are no disturbances to the stream or floodplain buffers associated with this application.

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

Comment: The TCPII shows the clearing of 28.81 of on-site woodland. This clearing is consistent with the TCPI approved with the CSP and previous TCPII approvals. The TCPII must be revised for the overall site prior to certification.

24. **Detailed site plans for new research and development "flex space" shall not exceed 10 percent of total space (excluding existing research and development) within the M-X-T Zone. Generally this flex space is intended as an interim use, which shall be redeveloped predominantly with office use, as market conditions permit. When an area is initially developed as research/development, flex space or warehouses, that area should be the first considered for redevelopment, when market conditions permit new office development. The applicant shall demonstrate that its long-term**

goal is to have all flex space uses converted to commercial office, with supporting retail (including a main street) and hotel uses, within a reasonable time period.

Comment: Condition 24 of the District Council order refers to "research and development 'flex space.'" The Zoning Ordinance does not define any of these terms. The St. John Properties internet site (www.stjohnpropertiesinc.com/property_portfolio/property_flex.aspx) describes "flex/office" as follows:

> "The typical St. John Properties flex/office building offers 30-foot-wide bay spacing and 16-foot-high ceilings for maximum tenant flexibility."

In regard to the buildings labeled "research and development" on the plans, the product type features office fronts on one side of the building and loading areas on the rear of the building. This product type is described as "flex space" in an on-line article entitled "*Flex Space is Future of Office, Storage Needs,*" by Edward A. St. John, an excerpt is provided below:

> "Throughout the country, flex space is on the rise. While flex buildings do not contend for profiles in Architectural Digest, they do attract companies in a wide variety of industries.
>
> "Just what are flex buildings and how do companies utilize the space?
>
> "Flex buildings evolved from industrial buildings that prevailed in the 1970s. These were geared to trucks that transported goods to and from the properties, and usually had front loading docks. Employees and visitors had to position themselves around the trucks to enter the buildings.
>
> "As the '80's approached, everything seemed to get flashier and sleeker, including industrial parks. At the same time, the demand for office space increased.
>
> "Thus came the emergence of flex space as we know it: one-story buildings with high ceilings, rear loading docks, surface parking and generous landscaping.
>
> "The building shells are designed to accommodate companies needing office, light manufacturing and/or warehouse space."

As mentioned, the Zoning Ordinance does not define "research and development" or "flex" buildings, but the two terms appear to be more or less interchangeable in common usage. The previously approved SDPs for the subject property also listed research and development as the proposed use on the property. However, a site investigation revealed that the uses currently occupying the space previously approved as research and development, may actually be other categories of use.

The specific design plans approved under the previous E-I-A Zone associated with the previously built structures that are specified as flex buildings were initially approved as research and

development and office. However, the tenant mix for the two different designations is actually quite similar, and includes such uses as contractor services, private schools, churches and general office. The difference between office flex and research and development flex space is the use of loading facilities at the rear of the research and development buildings and the lack thereof on the office buildings. Both the research and development and some of the office products built within Melford are considered "flex" type construction (See the attached advertisements for the project taken from the web).

The term "flex" buildings is generally known in the industry as buildings that are flexible as to the tenant leasing. The buildings are basically a shell construction and the interior space and finishing for tenants are simply designed so that a single tenant could lease an entire building or multiple tenants could lease pre-determined segments of the building with a minimal amount of construction cost associated with the interior alteration of the buildings.

The following specific design plans have been approved for the Melford development as research and development "flex" buildings:

SDP	Lot/block	Building designation	GFA of building(s)	Type of flex building	Status
SDP-0103	Lot 1 block 4	Building A	33,120	R&D flex	existing
	Lot 1 block 4	Building B	28,560	R&D flex	existing
	Lot 2 block 4	Building C	29,560	R&D flex	existing
	Lot 2 block 4	Building D	31,560	R&D flex	existing
SDP-0201	Lot 3 block 4	Building E	32,560	R&D flex	existing
	Lot 3 block 4	Building F	26,560	R&D flex	existing
	Lot 3 block 4	Building G	25,560	R&D flex	existing
SDP-0402	Lot 5 block 4		40,440	R&D flex	existing
Total			247,920		existing

In regard to conformance to Condition No. 24 above, it could be argued that "total space...within the M-X-T Zone" should apply only to property within the subject CSP, however, staff conceded that "M-X-T Zone" can as easily be interpreted to include all of the contiguous M-X-T zoned property, as the applicant contends, which would include the existing Census Bureau, the IDA building and the Masonry Institute.

The Planning Board accepted this as a reasonable assumption, but does not accept the applicant's assumption that "total space...within the M-X-T Zone" refers to the overall projected ultimate build-out of the site as approved on the CSP, which was 4,837,060 square feet of GFA. Total build-out of the site, up to the maximum square footage of the CSP, may never come to fruition due to numerous hurdles that could stand in the way, such as the current traffic study not supporting the projected maximum density of the development shown on the CSP. In addition, the type of development shown on the subject detailed site plan may consume so much land area that it would not be feasible to achieve the maximum development shown on the CSP because of reduced land availability. Furthermore, basing the ten percent calculation on this very large and

probably unrealistic number would provide no practical brake on construction of flex space. The Planning Board believed that it is more consistent with the intent of the condition to base the ten percent limitation on existing development, i.e. built, permitted or under construction on the site at the time of the application for building permit for additional flex space.

The intent of the condition is clearly to restrict the amount of future development of flex buildings in order to hasten the day when "all flex space uses are converted to commercial office with supporting retail (including a main street) and hotel uses within a reasonable period of time."

Staff believed that the only way to insure that the intent of the condition is fulfilled, and that the site is in conformance at all times, is to require that every future building permit for a "flex" or "research and development" building should demonstrate conformance with the ten percent limitation. In order to find conformance with the condition above, the following calculation should be performed at the time of each building permit in order to determine the amount of additional flex space allowed at Melford based on the amount of existing development:

[(Total GFA within the M-X-T Zone either built or permitted at the time of application for a new permit for R&D	**– Existing R&D)** as of 2008 (274,456 sq. ft.)	**+ GFA of R&D]** flex building for which permit is requested	**x .10 =**	**Cumulative total of GFA of additional R&D** flex space for which permit may be approved subsequent to approval of DSP-07031

The Planning Board agreed with the staff's conclusions and adopted the formula above as a condition to be enforced at the time of building permit.

The following chart defines the total square feet of GFA within the M-X-T Zone either built or permitted as of this date:

	GFA	AREA	SDP/DSP	Status
Lot 2 block 2	40,800	10.51	SDP-0203/01	existing
Lot 3 Block 2	40,800	9.14	SDP-0203/01	existing
Lot 4 block 2	30,450	3.74	SDP-0103	existing
Lot 1 block 3	150,000	10.88	SDP-0104	existing
Lot 1 block 4	61,680	7.18	SDP-0103	existing
Lot 2 block 4	61,120	5.97	SDP-0103	existing
Lot 3 block 4	83,690	9.07	SDP-0201	existing
Lot 5 block 4	67,966	6.36	SDP-0402	existing
Masonry school	234,000	25.19	SDP-0405	existing

Census Bureau	120,560	9.00	N/A	existing
IDA	87,500	14.21	N/A	existing
Lot 2 block 3	150,000	10.88	SDP-0103	existing
Total	1,916,066			

The following chart defines the total square feet of existing research and development as of this date:

	GFA	AREA	SDP/DSP	Status
Lot 1 block 4	61,680	7.18	SDP-0103	existing
Lot 2 block 4	61,120	5.97	SDP-0103	existing
Lot 3 block 4	83,690	9.07	SDP-0201	existing
Lot 5 block 4	67,966	6.36	SDP-0402	existing
Total	274,456			

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

Comment: There are no stream channels on this portion of the site that have not been shown. Staff recommends that the amount of future research and development be restricted as stated above in the formula, at the time of building permit.

26. Prior to the approval of a detailed site plan, the following issues shall be addressed:

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

Comment: There is one stormwater management pond located on the site, on lot 6. Landscaping of the area is not proposed on the plans. The landscape plan should be revised prior to signature approval to reflect an abundant amount of landscaping with native plant material.

27. Detailed site plans shall provide a minimum 30-foot-wide landscape buffer between the development and US 50, if research and development flex space is proposed. The buffer shall be measured from the public utility easement.

Comment: Additional landscaping is recommended to screen the development from US 50.

28. Recreation Facilities Conditions:

a. The applicant shall provide private recreational facilities as determined appropriate at the time of review of the detailed site plan (DSP). The

recreational facilities shall be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.

Comment: This condition appears to be a carryover from the original CSP that included a residential component. That plan was approved with a condition to remove the residential component from the plans; however, it appears that the condition relating to the development of residential units still remains on the plans. No recreational facilities are proposed for the site.

c. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of $250,000 for the design and construction of the Green Branch Athletic Complex.

Comment: Since the proposed lots are subject to a final plat of subdivision, the above condition should be carried over to the approval of this plan.

d. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the public park.

Comment: Currently there are no roads extending to the future parkland. Since the applicant is required to dedicate 108± acres to M-NCPPC prior to approval of any DSP, public access to the parkland will not be available at this time. However, DPR staff recommends that temporary public access should be provided from the public street to the parkland at the location agreeable to DPR and the applicant.

e. The applicant shall submit three original, executed Recreational Facilities Agreements (RFA) for trail and trailhead construction to the DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by the DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

f. The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits.

Comment: This condition appears to be a carryover from the original CSP that included a residential component. These conditions do not apply to the subject project.

11. **Landscape Manual:** The plans are subject to Sections 4.2, 4.3(a) and (c), 4.4 and 4.7 of the *Landscape Manual*. The plans have attempted to demonstrate conformance; however, they should be revised to incorporate a 4.7 schedule of the *Landscape Manual* to demonstrate adequate buffering of the subject property to the adjacent O-S zoned property, and the plans should be revised accordingly. In addition, Sections 4.2 and 4.3(a) require additional shrub plantings and the schedules and plans should be revised accordingly. Section 4.4 requires screening of loading areas

from US 50. A condition has been included to incorporate screening walls. Conditions of approval require the plans to be revised prior to certificate of approval.

12. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it has previously approved tree conservation plans. The most recently approved plan, TCPI/44/98-03, was in conjunction with Preliminary Plan 4-07055. The preliminary plan and the TCPI have not yet been submitted for signature approval. Most of the woodland on this site was cleared in conjunction with the first TCPII approval, TCPII/036/99.

A revised Type II Tree Conservation Plan (TCPII/36/99-08) has been submitted. The TCPII indicates that the site within the area of this application contained 30.68 acres of woodland and that 28.81 acres was cleared in a previous phase of development. The remaining 1.87 acres, located within the existing wetland on the east portion of the site, is proposed for preservation. The clearing and preservation are consistent with the detailed site plan.

The worksheet shows information for other phases of development (TCPII/36/99-06 and TCPII/36/99/07) that have been approved by the Planning Board, but have not yet received certification. If the final approvals for those applications do not occur prior to certification of this application, those phases must be removed from the worksheet prior to the TCP signature approval.

The DSP shows proposed grading outside the limits of disturbance (LOD). Revise the LOD on the TCPII and DSP to include all proposed grading for this site. The site contains a wetland on the east portion of the site; however, this is not shown on the DSP. Revise the DSP to show the wetland and wetland buffer of the site in accordance with the signed Natural Resource Inventory (NRI/054/06-01).

Under the signature approval block, add the following note: "The -08 revision to this TCPII is associated with the approval of DSP-07031."

Condition: Prior to certification of the detailed site plan, the limits of disturbance on the DSP and TCPII shall be revised to reflect all proposed grading necessary for the development of this site.

Condition: Prior to certification of the detailed site plan, the DSP shall be revised to show the wetland and wetland buffer in accordance with the Natural Resource Inventory (NRI/054/06-01).

Condition: Prior to certification of the detailed site plan, the TCPII shall be revised as follows:

a. Remove the calculations for phases of development that have not yet received certification and signature approval.

b. Show the required easement for the stormwater management outfall on Sheet 12.

c. Add the following note under the signature approval block on the coversheet:

"The -08 revision to this TCPII is associated with the approval of DSP-07031."

d. Have the plans signed and dated by the qualified professional who prepared the plan.

REFERRALS

13. **Subdivision:** The ultimate right-of-way should be labeled on the site plan (27-282(e)(6)). The width of the right-of-way has not been determined by the City of Bowie. Provide bearings and distances on all property lines (27-282(e)(2)).

14. **Archeology:** A Phase I archeological survey is not recommended on the subject property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. Aerial photographs indicate that this 48.19-acre tract has been previously impacted by grading and the construction of a pond in the southeastern part of the tract. It is unlikely that intact archeological deposits will be found on this site. The subject property does not lie within the impact review area for the Melford Historic Site (#71B-016) and will have no impact on the viewshed from the property.

However, Section 106 review may require an archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

15. **Community Planning:** In a memorandum dated December 4, 2007, the Community Planning North Division stated that the application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and conforms to the 2006 Bowie and vicinity master plan's recommendation for mixed-use development. They also pointed out, however, that the application does not meet certain guidelines of the master plan. More specifically:

a. Detailed site plans shall provide a minimum 30-foot-wide landscape buffer between the development and US 50, if research and development flex space is proposed. The buffer shall be measured from the public utility easement.

Comment: This plan does show the minimum requirement of a 30-foot-wide landscape buffer between the development and US 50.

b. The applicant shall provide standard sidewalks along both sides of all internal roads in keeping with guideline 3 of CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required. The project shall be pedestrian-friendly.

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

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

Comment: Conditions have been included to improve the pedestrian systems as stated above.

g. Development plans shall show minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.

Comment: The plan does not show efforts to minimize any impervious surfaces with this detailed site plan. See Finding No. 10, Condition 20(a) above for additional information on this subject.

16. **Transportation:** Transportation staff has reviewed issues regarding the development of the subject site and the larger Maryland Science and Technology Center (total of 466 acres) in conjunction with A-9401, CDP-8601, Preliminary Plan of Subdivision 4-88030 and CSP-06002. Since those plans were approved, there has been considerable development within the Maryland Science and Technology Center. The preliminary plan and CDP approvals established a square footage cap for the initial phase of 1.95 million square feet. Preliminary Plan of Subdivision 4-98076 affirmed a trip cap of 2,200 AM and 2,605 PM peak hour vehicle trips for all remaining development on the site within phase 1.

The subject application reflects Pod 6, which is one of five development pods (Pods 1, 5, 6,7B and P2) that are part of the approved Preliminary Plan of Subdivision (4-07055) for the subject property. The area designated as proposed Pod 1, is located in the section of the site that is covered under approved Preliminary Plan 4-98076 and the trip cap of 2,200 AM and 2,605 PM peak hour vehicle trips. Based on the trips that have been allotted for either approved and/or existing developments, the remaining trips that can be utilized for proposed Pod 1 shall be the 392 AM trips and 875 PM trips as shown in Table 1 below.

Table 1

SDP	Development Quantity	Status	AM Trip Generation	PM Trip Generation
SDP-0103	153,250 sq. ft.	Built	112	115
SDP-0104	300,000 sq. ft.	Approved	600	555
SDP-0201	83,680 sq. ft.	Built	127	118
SDP-0203/01	81,600 sq. ft.	Approved	163	151
SDP-0402	62,440 sq. ft.	Approved	103	095
DSP-06096	253,289 sq. ft.	Under Const.	235	290
DSP-07072	24,375 sq. ft.	Under Const.	168	122
4-07055 (partial)	164,750 sq. ft. (Pod 1)	Approved	392	875
Total development and traffic to date	**1,357,384 sq. ft.**		**1900**	**2321**

Regarding the remaining Pods 5, 6, 7B and P2, those pods would be required to be developed with a trip generation that does not exceed the difference between the trip caps established by 4-98076 and CSP-06002. That difference is reflected in Table 2 below:

Table 2

	AM Trip Generation	PM Trip Generation
CSP-06002	2774	3593
4-98076	**1900**	**2321**
Difference (Pods 5, 6, 7B and P2)	**874**	**1272**

The approved CSP-06002 showed an internal street network that provided an adequate internal circulation of traffic. Staff is recommending that a similar internal street layout be proposed for the subject application.

Immediately south of the subject property (Pods 6 and 7) is the northern section of parcel 4, The Zehner Property. That portion of parcel 4 is sandwiched between Pods 6, 7 and US 50. Given the

fact that the State Highway Administration (SHA) has acquired the access controls along US 50, parcel 4 is prohibited from direct access to US 50. Consequently, without access from either Pod 6 or Pod 7, parcel 4 will be considered land-locked. Based on the circulation pattern that is proposed for Pod 6, staff finds that access to parcel 4 from Pod 6 would be more desirable than from Pod 7.

Parking Analysis

Pursuant to the requirements for parking as outlined in Section 27-574 of the county code, the seven proposed buildings require 950 parking spaces, while 1,062, a *surplus* of 112 spaces, have been proposed. Section 27-574(b)(4)(A) through (C) provides conditions under which the base requirements may be minimized. Since the applicant is proposing more than the minimum, and from the perspective of traffic circulation, staff has no issue with the excess parking.

TRANSPORTATION STAFF CONCLUSIONS

Based on the preceding findings, the Transportation Planning Section determined that the plan conforms to the approved CSP-06002 and finds the proposed DSP to be acceptable if the application is approved with the following conditions:

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

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

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

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

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

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

Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped to provide two outbound lanes for approximately 250 feet, all as recommended by DPW &T.

c. Prior to approval of the detail site plan for the Pod 6 (DSP-07031), the site plan shall be revised to provide access to the northern portion of parcel 4.

Comment: Conditions A and B above have been included in the recommendation section of this report. Additionally, the trip cap for approved Conceptual Site Plan, CSP-06002, is a condition of approval as well because both trip caps apply to the subject property. This will require the M-NCPPC to track building permits for each trip cap.

In regard to proposed Condition C above, the following is Finding 16 from PGCPB Resolution No. 08-86, 4-07055:

> **"Part of Parcel 4 (Zehner Property)**—Immediately south of the subject property (Pods 6 & 7) is part of Parcel 4 known as the Zehner property, zoned O-S, and extends south of US 50. In total, Parcel 4 is 111± acres and is divided by the right-of-way of US 50. The SHA has acquired the access controls from the property owner of Parcel 4 along US 50. Therefore, the part of Parcel 4 immediately south of Melford is prohibited from direct access to US 50, unless otherwise approved by the State Roads Commission.
>
> "Section 24-104 of the Subdivision Regulations establishes the purposes of Subtitle 24 and specifically (a)(3) states in part "[t]o facilitate public and private actions in order to provide adequate and efficient transportation." Based on the circulation pattern that is proposed for Pod 6, staff finds that access to Parcel 4 from the internal public street across Pod 6 would be an appropriate location to provide adequate access to Parcel 4. Access across Pod 7 would not be appropriate due to the location of the stormwater management pond and existing environmental features on the Melford property, which abut the northern property line of Parcel 4. The specific location of a possible future access easement should be located on the detailed site plan for proper siting, if an agreement can be reached between the property owners.
>
> "The applicant is this case indicated that they should not be required to provide access to the adjoining property, in part because that property owner has frontage on a public street (US 50) and previously negotiated away the right of access to the State Highway Administration. The M-NCPPC Associated General Council, in discussions with staff, agrees with the applicant's position. However, we acknowledge that the two private parties could negotiate an access easement to serve that part of Parcel 4 located on the north side of US 50."

Comment: Based on the finding of the preliminary plan approval above, the proposed condition (c.) above was not adopted by the Planning Board.

17. **Department of Parks and Recreation:** The Department of Parks and Recreation (DPR) has reviewed Detailed Site Plans DSP-06096 and DSP-07031 for conformance with conditions of CSP-06002 and District Council Resolution SP-06002, and found that the following conditions from the previous approvals are applicable to the above application:

Condition 18 of the SP-06002 states: Prior to approval of any DSP, the applicant shall dedicate to the M-NCPPC 108± acres including but not limited to 100-year floodplain and floodplain buffer, as shown on the Department of Parks and Recreation (DPR) Exhibit "A".

Condition 19 of the SP-06002 states: Land to be conveyed is subject to Conditions 1–9, in the attached Exhibit "B". See the following conditions of Exhibit "B".

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

Condition 2. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalls, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.

Condition 3. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.

Condition 4. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.

Condition 5. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.

Condition 6. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.

Condition 7. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.

Condition 8. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.

Condition 9. No stormwater management facilities, tree conservation or utility easements shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

Comments: The applicant has not conveyed the 100-year floodplain and floodplain buffer to M-NCPPC. DPR staff recommends conveyance of the parkland prior to certificate approval of DSP-06096 or DSP-07031, whichever comes first.

Condition 29 of the SP-06002 states: Recreational Facilities Conditions: If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the park.

Comments: Currently, there are no roads extending to the future parkland. The applicant is planning to submit a preliminary plan of subdivision for the eastern portion of the property which will provide public access to the parkland. Since the applicant is required to dedicate 108± acres to M-NCPPC prior to approval of any DSP, public access to the parkland will not be available at this time. However, DPR staff recommended that temporary public access should be provided from the public street to the parkland at the location agreeable to DPR and the applicant.

The Department of Parks and Recreation staff recommended to the Planning Board the following conditions of approval for Detailed Site Plan DSP-07031:

a. Six weeks prior to submission of the plans for certification of any DSP in the project area, including DSP-06096 and DSP-07031, an original, special warranty deed along with a metes and bounds description for the property to be conveyed to M-NCPPC, (signed by the WSSC Assessment Supervisor) shall be submitted to the DPR for their review and approval. Upon approval by the DPR, the deed shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.

c. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.

d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.

e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.

f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.

g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.

h. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.

i. The land to be conveyed shall not be encumbered by prescriptive or descriptive easements that are to the benefit of other properties without the expressed written permission of DPR. If encumbered, the DPR shall review the location and the rights and privileges associated with those easements and their anticipated impact on the future development of the parkland. If appropriate, DPR may require the applicant to relocate said easements.

j. No stormwater management facilities, tree conservation or utility easements (other than typical public utility easements (PUE) associated with the edge of a public right-of-way) shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

k. A temporary 20-foot-wide access easement shall be recorded along with the parkland dedication deed to provide suitable vehicular access to the parkland until the public roads be extended to the parkland.

The Planning Board adopts the proposed conditions.

18. **Permits:** In a memorandum dated June 18, 2008, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below. It should be noted that Building E, located on Lot 3, is proposed as a public building for use by Prince George's County. Section 27-292 requires that all public buildings, structures and uses must be specifically approved by the District Council.

19. **Environmental Planning:** The Environmental Planning Section has reviewed the detailed site plan submitted for Melford, Pod 6, DSP-07031, stamped as received on June 13, 2008, and the Type II Tree Conservation Plan, TCPII/36/99-08, stamped as received on June 25, 2008. The Environmental Planning Section recommends approval of Detailed Site Plan DSP-07031 and revised Type II Tree Conservation Plan, TCPII/36/99-08, subject to the conditions found at the end of this memo. This is the first and only review of this DSP by the Environmental Planning Section.

The area in this application is part of an overall site that the Environmental Planning Section previously reviewed in conjunction with the following applications: Basic Plan A-9401, Comprehensive Design Plan CDP-08601, Preliminary Plans of Subdivision 4-02093, 4-98076, and 4-07055, Type I Tree Conservation Plan TCPI/44/98; and Type II Tree Conservation Plan TCPII/36/99. All of these plans were approved. Conceptual Site Plan CSP-06002 was approved by the Planning Board on January 11, 2007. The District Council approved this plan on September 11, 2007. The CSP and revised TCPI have been certified. The most recent approval for this site is for a Preliminary Plan of Subdivision (4-07055) and TCPI/044/98-03; however, these plans have not received signature approval at this time.

The Melford site consists of several lots and parcels totaling 431.55 acres. The current DSP application is for the commercial development of Pod 6, in the M-X-T Zone.

The 38.56-acre property identified as Pod 6, is part of the 431.55-acre Melford (Maryland Science and Technology Center) site that is zoned M-X-T. Pod 6 is located in the southeast quadrant of Telsa Drive and Melford Boulevard. The larger Melford site is located in the northeast quadrant of the intersection of US 50 and US 301/MD 3. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on the overall property. The predominant soils found to occur, according to the *Prince George's County Soil Survey*, include Adelphia, Collington, Mixed alluvial land, Ochlockonee and Shrewsbury. The Mixed alluvial land and the Adelphia soils have limitations with respect to high water tables and impeded drainage. The other soil series pose few difficulties to development. According to available information, Marlboro clay is not found to occur in the vicinity of this property. US 50

(John Hanson Highway) and MD 3 are existing freeways and traffic-generated noise impacts are anticipated. Based on information obtained from the Maryland Department of Natural Resources, Wildlife and Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property; however, there are records of 'species of concern' known to occur on the property to the west known as the Nash Property. There are no designated scenic and historic roads in the vicinity of this property. According to the *Approved Countywide Green Infrastructure Plan*, all three network features (regulated areas, evaluation areas and network gaps) are present on the overall site. This property drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River, and is located in the Developing Tier in the adopted General Plan.

The site has a signed Natural Resource Inventory (NRI/054/06-01) which includes forest stand delineation (FSD). The FSD was found to meet the requirements of the technical manual. The overall site contained a total of 175 acres of woodland on the net tract, of which 30.68 were on the subject site; however, most of this woodland was cleared in conformance with TCPII/36/99.

Comment: No additional information is required with regard to Natural Resource Inventory. A copy of the stormwater management concept plan approval letter and plan were not included in the submittal of the DSP.

Condition: Prior to certification of the detailed site plan, copies of the approved stormwater management concept plan and approval letter shall be submitted. The concept must be correctly reflected on the TCPII.

20. **City of Bowie:** On March 17, 2008, the Bowie City Council conducted a public hearing on DSP-07031. At the conclusion of the hearing, the City Council voted unanimously to recommend APPROVAL of DSP-07031 with conditions. The letter from the City of Bowie indicates that the proposed conditions are intended to maintain the consistency of the features of this project with existing and approved projects in the Melford development, to comply with adopted City policy, and to improve the quality and aesthetics of the subject development.

Comments: The City's recommended conditions have been included as Conditions 12 and 13.

21. **Sherwood Manor Civic Association:** The Sherwood Manor Civic Association submitted a letter into the record stating the following concerns and recommendation, dated July 8, 2008:

> **"The Sherwood Manor Civic Association recommends disapproval of DSP-07031 for seven "R&D" "flex" buildings, two single-story flex office buildings, a single-story build-to-suit office building and one three-story office building on Pod 6 of the Melford/Maryland Science and Technology Center because it does not comply with conditions 20a and 24 of the Conceptual Site Plan, (CSP)-06002, concerning minimization of impervious surfaces and restrictions on the amount of additional 'flex' space that can be built.**

"This letter reflects recent changes by the applicant to DSP-07031 and supersedes our previous letter of May 1, 2008.

"Findings

"1. **The application proposes excessive impervious surfaces, which are harmful to the environment and violate Condition 20a of CSP-06002.** That condition states that: *"Development plans shall show minimization of impervious surfaces, through all phases of the project."* In addition, the recently approved Maryland Stormwater Management Act of 2007 highlights a new approach that minimizes impervious surface to provide opportunities for water to infiltrate directly into the soil, reducing the inflow into stormwater management ponds. The Melford/MSTC property is adjacent to the Patuxent River wetlands, which feeds into the Chesapeake Bay. The runoff from this development goes directly into the Patuxent River.

"a. **The applicant has not provided a calculation of total impervious surfaces or an explanation of how they would be minimized.** The impervious surfaces on this site include not only the building footprint (383,300 square feet, 8.8 acres) and 1,062 parking spaces (191,691 square feet, 4.4 acres), but vast expanses of pavement between and behind the flex buildings that include the loading docks. **By our calculations, there's a total of 247,080 square feet (5.67 acres) of pavement between the backs of the "R&D" flex buildings that is not being counted as parking,** an area almost equivalent to the footprint of the 'flex' buildings themselves (248,820 square feet, see Annex 1). No justification has been offered by the applicant for paving these additional 5.67 acres.

"b. **The applicant proposes 12 percent more parking spaces and 1,180 percent more loading docks than required.** The proposal includes a total of 1,062 parking spaces, 112 more than required, and 64 loading docks (59 more than required), altogether 1.2 acres of excess impervious surface (see Annex 1). The applicant has recently revised *upward* the minimum number of parking spaces required, from 803 to 950, by assuming the maximum number of tenants. However, in the M-X-T zone, the minimum can be adjusted *downward* based on estimates of peak time demand, the timing of uses, and joint uses. We intend to submit additional evidence at the public hearing that the minimum number of spaces proposed by the applicant is in excess of what is actually needed.

"2. **The application proposes more than four times the amount of 'flex' buildings allowed in CSP-06002.** Condition 24 of CSP-06002 states that: "Detailed site plans for new research and development 'flex space' shall not

exceed 10 percent of total space (excluding existing research and development) within the M-X-T zone". The applicant claims that the DSP includes 248,820 sq. ft. of one-story 'flex' office space labeled "R&D", which includes seven buildings (C,D,H, I, J, K, L). However, he is proposing two other one story office buildings (B, G) that are also proposed for multiple tenants as flexible office space, totaling 51,680 sq. ft. The only difference between these two categories seems to be the excessive loading docks behind the buildings labeled "R&D"; the office buildings themselves appear to be identical. **Thus, by our calculation this application includes 300,500 sq. ft. of flex buildings, including flex "R&D" and flex office** (see Annex 2). We also note that "R&D" is not defined in the zoning ordinance and that the existing "R&D" buildings on the site are used for many purposes that are not research and development uses, including office, security, medical offices, dance studio, and church.

"We believe that the intent of CSP-06002 was to apply this 10 percent limit to the M-X-T zone within the area covered by the CSP, which includes 653,830 sq. ft. of existing office/hotel/commercial space that is not one-story flex (see Annex 2). **Thus, the applicant would be entitled to an additional 65,383 sq ft of flex building. The current application for 300,500 sq. ft. is more than four times what is permitted.** If all existing or approved buildings in the M-X-T zone are included, even those not within the CSP, then the total non-flex comes to 1,127,830 sq. ft. and the total permitted is 112,783 sq. ft.

"The applicant suggests that the proper denominator for calculating allowable flex space is the total hypothetical build-out of nearly 5 million square feet, which would allow nearly 500,000 square feet of additional flex space. We aren't sure where this number came from, but we disagree with the argument that the flex space should be calculated on a hypothetical build-out that may never materialize within the constraints of the existing road infrastructure and trip caps. By including this condition, the District Council clearly wanted to make sure that 'flex' space remains a small and temporary part of the office park development; this same restriction was noted in the Master Plan for the site. **If this DSP were to be approved as submitted, the total flex space would amount to 45 percent of all uses in the MXT zone within the area covered by the CSP and a third of all uses in the entire MXT zone.**

"3. **Beyond these issues of compliance with CSP-06002, we would like to point to the following problems with the proposal**.

"a. **Warehouse uses are not permitted in the MXT zone**. The excessive number of loading docks behind the "R&D" flex buildings, in addition to the excessive pavement between and behind them, would lead one to believe that there is significant warehouse use.

"b. **Full cut-off lighting should be required.** General note 16 says that "Outdoor lighting shall use full cut off fixtures that are fully shielded *wherever possible*..." The words "wherever possible" should be dropped.

"c. **Open space requirements should not be waived for this property**. General note 20 says that "The 100-year floodplain area along the Patuxent River shall be dedicated to the M-NCPPC at Stage II of the development *in lieu of open space requirements for individual parcels.*" While the conveyance of the floodplain is in ccordance with CSP-06002 and prior approvals under the E-I-A zone, we are aware of no language that allowed the applicant to waive any open space requirements for individual parcels.

"Recommendation

"We recommend that the Planning Board disapprove DSP-07031. The entire concept needs to be re-worked to come into compliance with CSP-06002, replacing most of the proposed flex buildings with multi-story office buildings, removing parking spaces above the minimum number required, removing the pavement behind the flex R&D buildings, and requiring that a share of the required parking be in permeable pavement. It could not be approved in its current form without conditions that dramatically change what is proposed. The public and the Planning Board should be allowed to review such radical revisions at another public hearing before the application is approved."

Comment: The Planning Board disagrees with the Sherwood Manor Civic Association in regard to the methodology proposed for the restriction of "flex" space to be developed on the property and that the impervious surfaces should be reduced beyond the staff's recommendation.

22. **Preliminary Plan of Subdivision:** The property is the subject of Preliminary Plan 4-07055. The resolution of approval was adopted by the Planning Board on June 19, 2008 (PGCPB Resolution No. 08-86) and contains 34 conditions. The preliminary plan does not have signature approval, but should prior to the approval of the detailed site plan. There are a number of revisions required to the preliminary plan which could result in modifications to the detailed site plan. Please note Condition 33, which could result in a modification of the rights-of-way. The following conditions relate to the proposed detailed site plan:

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

Comment: This condition will be carried over to the approval of the subject application.

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

Comment: The DSP and TCPII propose the use of bioretention on the site. The bioretention facility will serve to treat some of the runoff from the site before being conveyed to an adjacent stormwater management pond. No further information is required at this time with regard to low impact development.

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

Comment: The submitted DSP did not include information regarding the incorporation of green building techniques and energy efficient building methods. The proposed buildings should incorporate green building techniques and innovative technologies for energy efficient building methods as recommended by the Bowie and Vicinity Master Plan.

Recommended Condition: Prior to certification of the detailed site plan, the applicant shall demonstrate to the satisfaction of the Planning Board or its designee that green building techniques and energy efficient building methods have been incorporated into the design and the details of the proposed architectural products.

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

Comment: This condition will be carried over to the approval of the subject application.

14. **Prior to signature approval of the preliminary plan, an inventory of all disturbances to the 100-foot natural buffer and the 150-foot floodplain buffer shall be submitted. The inventory shall be in table form with each area labeled for reference with the acreage of impact needing mitigation. The table shall be added to the TCPI. The TCPI shall also identify conceptually where the "natural buffer alternatives" will be provided as mitigation so that each subsequent DSP can meet its portion of the overall requirement. The TCPI shall receive signature approval at least 30 days prior to any Planning Board hearings on the first DSP associated with this approval so that this issue is fully addressed on any future plans to be brought before the Planning Board.**

Comment: This condition requires the completion of the TCPI signature approval process 30 days prior to the public hearing for the first DSP, which is the subject DSP. The condition focuses on

issues related to the stream and floodplain buffers. These areas are not located on the subject DSP. Because of this situation, staff recommends that the subject DSP not be required to be in conformance with this condition. Any future DSPs, however, must conform to Condition 14 of the Planning Board's approval on the preliminary plan. No further information is required at this time for conformance with the preliminary plan conditions. Future DSPs will be required to meet this condition.

15. Prior to signature approval of the preliminary plan, the TCPI shall be revised to delineate the area of land to be dedicated to the Department of Parks and Recreation (DPR Exhibit A, Preliminary Plan 4-07055), and if permission for woodland conservation on the dedicated land has not been granted by DPR in writing, the TCPI shall be revised to eliminate all woodland conservation on land to be dedicated.

Comment: This condition will be addressed when the TCPI is revised.

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

Comment: This condition will be carried over to the approval of the subject application.

23. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVES the Type II Tree Conservation Plan (TCPII/36/99-08) and further APPROVES Detailed Site Plan DSP-07031 for the above-described land, subject to the following conditions:

1. Total development within the limits of CSP-06002 shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. No development with an impact beyond those limits may be approved, until the applicant revises the CSP and the Planning Board and District Council make a new determination that transportation facilities will be adequate for proposed uses. The applicant shall prepare and file another traffic analysis, to support a finding of adequacy.

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

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

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

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

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

Governors Bridge Road shall be widened and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

3. Total development within the limits of 4-07055 shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1,272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.

4. Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of permeable paving materials to reduce the area of impervious surfaces and promote natural infiltration. This shall be applied to 112 parking spaces at a minimum.

5. Prior to certification of the detailed site plan, the limits of disturbance on the DSP and TCPII shall be revised to reflect all proposed grading necessary for the development of this site.

6. Prior to certification of the detailed site plan, the DSP shall be revised to show the wetland and wetland buffer in accordance with the Natural Resource Inventory (NRI/054/06-01).

7. Prior to certification of the detailed site plan, the TCPII shall be revised as follows:

   a. Remove the calculations for phases of development that have not yet received certification and signature approval.

   b. Show the required easement for the stormwater management outfall on Sheet 12.

c. Add the following note under the signature approval block on the coversheet:

"The -08 revision to this TCPII is associated with the approval of DSP-07031."

d. Have the plans signed and dated by the qualified professional who prepared the plan.

8. Prior to certification of the detailed site plan, copies of the approved stormwater management concept plan and letter shall be submitted. The concept must be correctly reflected on the TCPII.

9. Six weeks prior to submission of the plans for certification of any DSP in the project area including DSP-07031, an original, special warranty deed along with a metes and bounds description for the property to be conveyed to M-NCPPC (signed by the WSSC Assessment supervisor), shall be submitted to the DPR for their review and approval. Upon approval by the DPR, the deed shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

10. Property to be conveyed to M-NCPPC shall be subject to the following conditions:

a. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.

b. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.

c. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.

d. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.

e. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.

f. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.

g. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.

h. The land to be conveyed shall not be encumbered by prescriptive or descriptive easements that are to the benefit of other properties without the expressed written permission of DPR. If encumbered, the DPR shall review the location, the rights and privileges associated with those easements and their anticipated impact on the future development of the parkland. If appropriate, DPR may require the applicant to relocate said easements.

i. No stormwater management facilities, tree conservation or utility easements (other than typical public utility easements (PUE) associated with the edge of a public right-of-way) shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

11. A temporary 20-foot-wide access easement shall be recorded along with the parkland dedication deed to provide suitable vehicular access to the parkland until the public roads will be extended to the parkland.

12. Prior to certification of Detailed Site Plan DSP-07031, the applicant shall comply with the following:

a. The grades and design from Pod 6 shall be revised to allow future road access to Nash Drive.

b. The plans shall be revised to include a Tracking Table that shows how much square footage has been permitted for each use, how much has been approved for the entire Melford development, and how much is proposed for this site.

c. Roofing plans shall be included and the applicant shall:

(1) Note the use of high energy reflective roofing material; and

(2) Design the rooftops such that the mechanical equipment, as seen from above, is grouped in a more aesthetically pleasing arrangement.

d. The Landscape Manual's minimum height of 12–14 feet for shade trees shall be indicated on the landscape plans.

e. A native groundcover shall be included in the landscape plans such that 50 percent of the groundcover is non-invasive, native or native hybrid.

f. The landscape plan shall be revised to show a 30-foot landscaped buffer between US 50 and the proposed adjacent flex buildings with 50 percent more additional plant material and larger evergreens at 8–10 feet.

g. A note shall be added to the plans that all lighting shall have timing devices, be more energy efficient, and details of the timing device shall be provided.

h. The plans shall be revised to provide decorative crosswalks at the six entrances to the site.

i. The plans shall be revised to provide continuous sidewalk connectivity between all of the buildings on the site and the adjoining public street sidewalks.

j. The applicant shall calculate the total percentage of impervious surface area on the site and offset the impervious surface area by utilizing low-impact development techniques such as bioretention areas, green roofs, conservation landscaping, etc. The applicant shall revise the plans to include:

(1) Bioretention areas distributed within the site plan in a manner as to improve visual appeal and provide a public amenity;

(2) Minimal use of lawn and lawn type products in favor of utilizing native plants, where possible.

k. The plans shall be revised such that there are no more than 15 parking spaces without an island.

l. The applicant shall include at least three public amenity spaces: a 'Viewing Area' adjacent to the wet pond, located south of the most easterly flex building on the site; a 'Boulevard' streetscape along Melford Circle and Melford Boulevard in front of the two office buildings; and a minimum of three 'Pavilion' features spread throughout the site.

(1) The scenic 'Viewing Area' shall have interpretative signage describing the native plants and wildlife in the wet pond, the reasons for utilizing native plants, and the advantages to the Chesapeake Bay.

(2) The 'Boulevard' streetscape shall have an enhanced sidewalk with decorative pavers at the office building entrances with decorative lighting no greater than 16 feet high, tree grates, outdoor seating, accent lighting on the building street elevations that is low-wattage so as to not cause off-site glare, bicycle racks, and plantings to create a pedestrian-friendly atmosphere between the office buildings and Melford Boulevard.

(3) A minimum of three 'Pavilion' features shall be designed as respite areas for pedestrians and on-site workers that are accessible, safe, and comfortable and have decorative paving, decorative lighting and some benches and/or eating surfaces that create a sense of place between the parking areas and the buildings.

m. The applicant shall revise the plans such that the dumpster adjacent to the eastern end of Melford Boulevard is relocated to the rear of the site or heavily landscaped to shield its view from Melford Boulevard. The dumpster enclosure shall be eight feet high and be constructed of masonry to match the buildings.

n. A note shall be placed on the plans that all decorative banners and signs shall be prohibited from the site other than one standard size American flag.

o. The plans shall be revised such that the square footage of all of the signage and the height of the monument sign is in conformance with SDP-0204.

p. The stormwater management plan shall be revised such that there are only non-invasive, native, or native hybrid plants specified.

q. A note shall be place on the plans that "Share the Road" with a bike signs shall be provided along extended Melford Boulevard frontage from Melford Circle and Curie Drive to the eastern portion of this site where it connects to proposed Nash Drive.

13. Prior to issuance of any new sign permits for the Melford development, the applicant shall:

a. Survey the overall development for all existing and approved signage; and,

b. Submit a unified CSP for signage for the entire Melford development that complies with the approved CDP and the recently approved CSP. The signage program should show consistency between previously approved signage and proposed signage in terms of size (height), location (setback), square footage, materials, logos, colors and lighting.

14. Prior to certification of the detailed site plan, the applicant shall demonstrate to the satisfaction of the Planning Board or its designee that green building techniques and energy efficient building methods have been incorporated into the design and the details of the proposed architectural products.

15. Prior to signature approval of the plans the following changes shall be made:

a. The plans shall provide retaining walls of the same size, style and contrast as those approved along Telsa Drive, used to screen the loading areas from Telsa Drive for Lots 1, 2 and 3 of Block 4. Retaining walls shall be provided to screen views of large expanses of

asphalt and loading areas as viewed from US 50 and Melford Boulevard Extended and Telsa Drive.

b. The Landscape plan shall be revised to include 80 percent of the plant material as native plant material and an abundant amount of landscaping shall be provided around the proposed stormwater management pond.

c. The plans shall be revised to include full cut-off lighting systems on the site.

d. The plans shall be revised to demonstrate conformance to the *Landscape Manual* in regard to Sections 4.2, 4.3(a), 4.4 and 4.7.

e. In conformance with the Adopted and Approved Bowie and Vicinity Master Plan, the applicant, the applicant's heirs, successors, and/or assignees shall provide the following:

(1) Provide standard sidewalks along both sides of the internal road within Pod 6 from Telsa Drive to the eastern most building on Lot 5 and Melford Boulevard, and include curb cuts, cross walks and pedestrian safety features where appropriate.

(2) Provide sidewalk connections, curb cuts and cross walks from the perimeter walkways around the proposed buildings to the existing or planned sidewalks along Melford Boulevard and the internal roadway for Pod 6.

f. The cover sheet shall be updated to include the layout of buildings and lot lines.

g. The building data in regard to Lot 3, as shown on the cover sheet, shall be revised to match the plans.

16. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of $250,000 for the design and construction of the Green Branch Athletic Complex.

17. Issuance of each building permit for new research and development/flex space shall be limited to the amount of GFA permitted by the following formula:

[(Total GFA within the M-X-T Zone either built or permitted at the time of application for a new permit for R&D	**– Existing R&D)** as of 2008 (274,456 sq. ft.)	**+ GFA of R&D]** flex building for which permit is requested	**x .10 =**	**Cumulative total of GFA of additional R&D** flex space for which permit may be approved of DSP-07031

c. The plans shall be revised to include full cut-off lighting systems on the site.

d. The plans shall be revised to demonstrate conformance to the *Landscape Manual* in regard to Sections 4.2, 4.3(a), 4.4 and 4.7.

e. In conformance with the Adopted and Approved Bowie and Vicinity Master Plan, the applicant, the applicant's heirs, successors, and/or assignees shall provide the following:

(1) Provide standard sidewalks along both sides of the internal road within Pod 6 from Telsa Drive to the eastern most building on Lot 5 and Melford Boulevard, and include curb cuts, cross walks and pedestrian safety features where appropriate.

(2) Provide sidewalk connections, curb cuts and cross walks from the perimeter walkways around the proposed buildings to the existing or planned sidewalks along Melford Boulevard and the internal roadway for Pod 6.

f. The cover sheet shall be updated to include the layout of buildings and lot lines.

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[(Total GFA within the M-X-T Zone either built or permitted at the time of application for a new permit for R&D	**– Existing R&D)** as of 2008 (274,456 sq. ft.)	**+ GFA of R&D]** flex building for which permit is requested	**x .10 =**	**Cumulative total of GFA of additional R&D** flex space for which permit may be approved of DSP-07031

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 Vaughns, with Commissioners Squire, Vaughns and Parker voting in favor of the motion, and with Commissioners Cavitt and Clark absent at its regular meeting held on Thursday, July 24, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of September 2008.

Oscar S. Rodriguez
Executive Director

Frances J. Guertin

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:SL:bjs

APPROVED AS TO LEGAL SUFFICIENCY.
M-NCPPC Legal Department
Date 9/15/07

AMENDED STATEMENT OF JUSTIFICATION
DSP-07031-04
Encompass Health Inpatient Rehabilitation Facility

OWNER:	MSTCIII Holdings LLC 2560 Lord Baltimore Drive Baltimore, Maryland 21244
APPLICANT:	Encompass Health 9001 Liberty Parkway Birmingham, Alabama 35242 Contact: John Tschudin Tele: 205 970-5677
ATTORNEY/AGENT:	Matthew C. Tedesco, Esq. McNamee, Hosea, Jernigan, Kim, Greenan & Lynch, P.A. 6411 Ivy Lane, Suite 200 Greenbelt, Maryland 20770 (301) 441-2420 Voice (301) 982-9450 Fax
CIVIL ENGINEER:	Soltesz, LLC 4300 Forbes Boulevard, Suite 230 Lanham, Maryland 20706 Contacts: David Bickel, Brian Gillette Tele: 301 794-7555
REQUEST:	A detailed site plan to develop an inpatient rehabilitation facility on Lot 5 of Pod 6 within Melford (hereinafter the "Property").

I. DESCRIPTION OF PROPERTY

1. Addresses – 5081 Howerton Way, Bowie, Maryland, and is identified as Lot 5 of "The Melford Property – Pod 6, Lots 1 – 6."

2. Use – Inpatient rehabilitation facility. As described in greater detail below, and pursuant to Section 27-547(b)(4), this use is permitted in the M-X-T Zone as a use that is of an appropriate size that can be justified as similar to one of the uses listed in Section 27-547(b).

3. Incorporated Area – City of Bowie

4. Council District – 4th.

5. Lot – Pod 6, Lots 1-6. Inpatient rehabilitation facility will be located on Lot 5.

6. Total Area – Overall = 38.88 Acres, Lot 5 = 6.48 acres.

7. Plat Book – Plat Book PM 232 Plat No. 22.

8. Tax Map/Grid – 48/A4.

9. Location – Pod 6 is located in the southwest quadrant of the intersection of Melford Boulevard and Marconi Drive. Lot 5 is located on the northeastern portion of Pod 6.

10. Zoned: M-X-T.

11. 200 Sheet – 207NE15.

II. APPLICANT'S PROPOSAL

The subject property is located within the Melford development; a 466 acre comprehensively planned mixed-use community located in the northeast quadrant of the intersection of Robert Crain Highway (MD 3) and John Hanson Highway (US 50/301) in Planning Area 71 and Council District 4, Bowie, Maryland. Melford has been designated for employment and institutional uses since it was rezoned in 1982 by the District Council from the R-A (Residential Agricultural) and O-S (Open Space) to E-I-A (Employment and Institutional Area). Through the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity*, the District Council rezoned Melford from the E-I-A Zone to the M-X-T (Mixed-Use Transportation-Oriented) Zone. On May 6, 2014, the District Council approved the *Plan Prince George's 2035 Approved General Plan* ("Plan 2035"), which created new town center designations, and placed Melford within the Bowie Town Center and retained it as an "Employment Area."

Melford is the subject of multiple prior approvals. The specific cases relevant to this geographic area are CSP-06002 and CSP-06002-01, 4-07055, and DSP-07031 with revisions 01 through 03. The development of Pod 6 is subject to DSP-07031 and revisions 01 through 03.

The total area of Pod 6 is 38.88 acres. This Detailed Site Plan, however, is being submitted to accommodate the development of Lot 5 of Pod 6 with an Inpatient Rehabilitation Facility (hereinafter "IRF"). An IRF, subject to DSP approval based on the M-X-T Zone, is permitted in the M-X-T Zone pursuant to Section 27-547(b)(4) since it is appropriately sized and similar to other uses (i.e., a "nursing or care home"[1] and/or "hospital"[2] for which an IRF encompasses similarities with these uses, as they are defined in the Zoning Ordinance) that are permitted in Section 27-547(b). Specifically, this IRF will serve patients who, following treatment for an acute event at a local acute-care hospital, requires physical rehabilitation before returning to a normal home environment. This IRF do not provide substance abuse or psychiatric treatment. A typical patient at an IRF has suffered an acute event within one of the following diagnosis categories:

[1] Section 27-107.01(a)(168) provides that "[a] nursing home is a licensed institution which provides comprehensive medical and nursing services for chronically ill, disabled, or convalescent patients who require supervised care on a twenty-four (24) hour basis. Services are rendered by or under the supervision of a registered nurse. The term includes facilities providing subacute level nursing care and restorative care. A care home is a licensed facility which provides care to four or more individuals who, because of advanced age or physical or mental disability, require intermittent assistance in performing the activities of daily living, which may include the supervision and/or administration of medication, in a protective environment.

[2] Section 27-107.01(a)(121) defines a "Hospital" as "[a]n institution receiving inpatients and rendering medical care on a twenty-four (24) hours per day basis. The term includes general hospitals, sanitariums, sanatoriums, and institutions in which service is limited to special fields, such as cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin, cancer, mental, tuberculosis, chronic disease, and obstetrics. The facilities may also include outpatient care, ambulatory care, offices of medical practitioners, adult day care, respite care, medical day care and day care for sick children, gift shops, restaurants, and other accessory uses."

- Neurological
- Stroke
- Orthopedic conditions
- Disability impairments
- Brain dysfunction
- Trauma
- Cardiac conditions
- Spinal cord dysfunction
- Amputation

The facility does not provide comprehensive inpatient services such as surgical, diagnostic, emergency services nor drug/alcohol or mental rehabilitation.

The City of Bowie has determined that the proposed IRF use is permissible under the original Declaration of Covenants, recorded among the Land Records for Prince George's County in Liber 6256 at folio 142, as "an institutional use of a medical nature." As indicated above, the purpose of an inpatient rehabilitation facility is to provide specialized inpatient healthcare dedicated to improving, maintaining, or restoring physical strength, cognition and mobility; typically to patients after illness, injury or surgery. All patients must meet certain criteria, must be medically stable, have the ability to participate in a minimum of three hours of therapy per day and be admitted by a physician. Patients in an IRF receive nursing care 24 hours per day, 7 days per week and the average length of stay is approximately 13 days with 76% of patients discharged to the community.

Although Section 27-547(b) does not specially, list an IRF, subpart (4) does permit ***any other use that is of an appropriate size that can be justified as similar to one of the uses listed in Section 27-547(b).*** Given the definitions of a nursing or care home and hospital, both of which are permitted uses in the M-X-T Zone, collectively encompass aspects of an IRF, and the size of the proposed facility is appropriate to that of those uses, the applicant contends that the use is permitted under Section 27-547(b)(4).

The proposed 6.48 acre IRF Site is comprised of 6.15 acres from the former Lot 5, Block 6 shown on University of Maryland Science and Technology Center plat and a contiguous 0.33 acre vacant strip of Pod 7, located south of Marconi Drive.

DSP-07031-04 proposes a state of the art, 61,809 square foot IRF within a one-story building that is approximately 32' in height. Sixty (60) beds are proposed. For this use, 90 parking spaces and 1 loading space are required. DSP-07031-04 provides 144 surface parking spaces and 1 loading space. Of the required parking spaces, 27 spaces are handicap accessible including 8 van spaces. In the first year, the number of full-time employees will be 121 and by the fifth year, the number of full time employees will increase to 169. Employees will arrive at different times throughout the day to work staggered 12 hour shifts. The L-shaped building is centrally located on the property with its long axis roughly parallel to Melford Boulevard. A future 20 bed addition (Phase II) will close the "L" and create an enclosed central courtyard. No additional parking or loading is required for the Phase II addition.

The State of Maryland, for an inpatient rehabilitation facility, requires a Certificate of Need ("CON"). The applicant has applied for the CON, however, it may take up to one year for the State's final decision. During the pendency of the CON review, the Owner and the Applicant have agreed to process the instant 04 revision to the approved DSP. If the CON is denied, for whatever reason, the Owner has the option to exercise its right to repurchase the Property and to develop the Property as currently approved under DSP-07031-01/03. In a letter dated May 22, 2018, Principal Counsel for the Maryland-National Capital Park and Planning Commission ("M-NCPPC") agreed that the processing and approval of DSP-

07031-04 for the IRF will not unilaterally void the current approval for 68,160 gross square feet of flex space (Building 'J' and Building 'L') as approved under DSP-07031 until such time as the 04 revision to the approved DSP is certified. Simply stated, prior to the certification of DSP-07031-04, the Owner can rely on DSP-07031-01/03. Because all DSP Planning Board and District Council approvals are subject to conditions, which must be satisfied, and a validity period, if the applicant does not satisfy the conditions of approval, and DSP-07030-04 is not certified or vested, the existing DSP-07031-01/03 permitting 68,160 gross square feet of flex space to be developed on the IRF Site would remain valid.

Design Features

Two points of ingress egress are proposed from Melford Boulevard, both continue around the perimeter of the property to form a loop road and provide access to the parking, loading and drop-off areas. The 144 parking spaces are distributed around the building in four parking areas, with the majority of the spaces, serving the public, located between the building and Melford Boulevard. The service/loading area and employee parking is located on the south side of the property adjacent to the stormwater management facility. One identification freestanding sign, approximately 5-foot high and 12.5-square foot, is proposed for the facility along the Melford Boulevard frontage. Owner signage, including door signs, panel signs, building mounted signs and freestanding monument signs will be in conformance with the approved Melford sign design standards.

The proposed architecture combines a variety of high quality materials including: glass, brick and exterior insulation finish systems in a range of earth tones, and powder-coated aluminum panels. The flat roofed building has multiple articulations and varying wall and canopy heights of different materials on all four elevations. Walls are capped with metal copings and roof mounted equipment is hidden by attractive screen walls. All four elevations also contain sufficient detailing and fenestration to provide interest and an appropriate scale to the building. The massing and contrasting coloring of the palette of materials accentuates the building entrances and makes them plainly visible from Melford Boulevard. Overall, the proposed architecture is a distinctive, attractive structure which is better than or equal to the best building designs in the Melford development.

III. PREVIOUS APPROVALS

The area of this Detailed Site Plan (DSP-07031-04) identified as "The Melford Property -Pod 6 Lots 1-6", is 39.19 acres in size and is zoned M-X-T. ("Pod 6 Property") The Pod 6 Property is the subject of a plat of subdivision entitled, "Lots 1 through 6, Block 6 - University of Maryland Science and Technology Center" recorded among the Land Records of Prince George's County in Plat Book 232 at Plat 22. Since the original rezoning of Melford in 1982, two Conceptual Site Plans (CSP-06002 and CSP-06002-01); four Detailed Site Plans (DSP-07031 and DSP-07031-01 through 03[3]), and four preliminary plans (4-98076, 4-02093, 4-07055 and 4-16006) have been approved which affect the Pod 6 Property. The only preliminary plan that is relevant to this DSP is 4-07055, the preliminary plan 4-16006 covers a different geographical area.

Below is a summary of applicable conditions from the above-referenced prior approvals.

a. The applicable conditions of approval for **CSP-06002** (PGCPB No. 07-09(C)) are as follows:

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.

[3] DSP-07031-01; DSP-07031-02; and DSP-07031-03 were all limited minor amendments approved by the Planning Director without conditions.

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.

COMMENT: Per the May 11, 2020 memorandum by LTC, Inc. the proposed facility will only generate 34 AM and 36 PM trips, which was included in the Pod 6 background information for the overall development. This will operate well within the overall cap of 2,774 AM and 3,593 PM trips.

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

   (A) At MD 3/MD 450/gas station access intersection The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450, and extend to the Patuxent River Bridge, north of MD 450.

   (B) At US 301/Gov. Bridge Road/Harbor Way intersection The applicant shall provide an additional exclusive left turn lane on the eastbound approach. The overall lane use for this approach shall be two left turn lanes and a shared left-through-right lane.

COMMENT: These improvements at MD 3 and MD 450 have already been completed. The improvements at US 301 and Harbor Way have been permitted by SHA under permit #17APPG02818, which will widen Harbor Way to include two exclusive left turn lanes, one shared left/thru lane, and one right turn lane. A copy of the SHA signal plan for permit #17APPG02818 is available, if needed.

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

COMMENT: The proposed building does not obstruct the vistas of the Melford House. Indeed, at its closest, the subject property is almost 2,000 feet to the east of the Melford House and is separated by existing flex space and the Aspen at Melford Town Center multifamily development. Consequently, due to distance, topography, and existing improvements/development, the proposed building for the IRF will not obstruct the historic vista of the Melford House.



10. Provide standard sidewalks along both sides of all internal roads, in keeping with guideline 3 of CR-11-2006. In areas of high pedestrian activity, wide sidewalks should be considered.

COMMENT: The subject property does not have internal roads. Sidewalks are adjacent to parking areas.

38. Prior to the approval of a detailed site plan, the following issues shall be addressed:

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

b. Appropriate signage should be placed near the historic site illustrating the history of the area.

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

COMMENT: The SWM ponds exist already. The applicant is not modifying any of these facilities nor does the applicant propose adding any new ponds with this application.

b. The applicable conditions of approval for **CSP-06002-01** (PGCPB No. 14-128) 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.

COMMENT: Per the May 11, 2020 memorandum by LTC, Inc. the proposed facility will only generate 34 AM and 36 PM trips which was included in the Pod 6 background information for the overall development. This will operate well within the overall cap of 4,441 AM and 4,424 PM trips.

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.

COMMENT: The SWM ponds exist already. The applicant is not modifying any of these facilities nor does the applicant propose adding any new ponds with this application.

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

COMMENT: Melford and Cemetery Environmental Setting are 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.

COMMENT: Full cut-off lights will be used, and are provided on the DSP.

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.

COMMENT: The Melford and Cemetery Historic Environmental Setting is not impacted by this application and is beyond the scope of 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.

COMMENT: The subject property does not have internal roads. Sidewalks; however, are adjacent to parking areas.

c. The applicable conditions of approval for **PPS 4-07055** (PGCPB No. 08-86) are as follows:

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

COMMENT: DSP-07031-04 is accompanied by a TCP Type II plan.

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

COMMENT: DSP-07031-04 is in conformance with Stormwater Management Concept #01-0910-207NE15 as issued by the City of Bowie. The expiration date of this concept is April 17, 2021.

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

COMMENT: Pod 6, Lots 1-6 were approved as part of the Preliminary Plan of Subdivision for 4-07055. Condition 4 of PPS 4-07055 provided a trip cap of 874 AM and 1,272 PM trips for Pods 5, 6, 7, and P2. Pod 5 was part of a subsequent Preliminary Plan of Subdivision 4-16006 with a new trip cap for the area including Pod 5 of Melford Village. Therefore, the remainder of PPS 4-07055 (Pods 6, 7, and P2) retain the 4-07055 trip cap of 874 AM and 1,272 PM trips. The included parking and trip generation analysis calculated that Pods 6, 7, and P2 will generate a total of 570 AM and PM peak hour trips which will remain well within the trip cap.

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

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

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

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

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

turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

COMMENT: The improvements required per Conditions 5.a. and 5.b. have been completed.

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

COMMENT: The applicant is proposing one micro-bioretention facility on DSP-07031-04. In addition, the applicant is proposing to use permeable pavement for 15 of its parking spaces.

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

COMMENT: The applicant will be implementing the following green building and energy efficient techniques/methods:

Mechanical:

a) Energy recovery systems on the general building exhaust to pre-treat the required outside air for the HVAC system.
b) Air Side economizers utilizing free cooling when the ambient conditions allow.
c) Variable Air Volume systems where allowable to reduce the fan energy, cooling energy, reheat energy.
d) Supply air temperature reset control reducing the cooling requirement when the ambient conditions allow.
e) Duct static pressure reset controls to reducing the fan energy when space conditions allow.
f) Building Automation System/ Energy Management System provides to control and monitoring of the system operation for best operational efficiency.
g) Outdoor air measurement and control to reduce the cooling and heating energy by only allowing the required outdoor air into the system.

Plumbing:

a) High efficiency gas water heaters.
b) Hot water recirculating system to minimize the wait time for hot water fixtures, thereby reducing the water usage.
c) Low / reduced flow plumbing fixtures for allowable plumbing fixtures.

Electrical:

a) High efficiency lighting systems, LED lighting for all interior and exterior fixtures.
b) Lighting controls for outdoor lighting for to eliminate daytime operation of outdoor lighting.
c) Occupancy sensors to reduce lighting in un-occupied spaces.
d) Daylighting controls for interior lighting adjacent to window to reduce the lighting power consumption.
e) Occupant lighting controls to allow dimming of all fixtures to reduce lighting power consumption.

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

COMMENT: A photometric plan is provided as part of the detailed site plan set and lighting details are provided on Sheet 7. DSP-07031-04 provides adequate illumination with light fixtures that enhance the character of the site, but do not negatively impact adjacent properties, featuring full cut off optics.

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.**

COMMENT: The proposed used is for an inpatient rehabilitation facility, which is not a residential development.

d. The applicable conditions of approval for **DSP-07031** (PGCPB No. 08-117) are as follows:

1. **Total development within the limits of CSP-06002 shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. No development with an impact beyond those limits may be approved, until the applicant revises the CSP and the Planning Board and District Council make a new determination that transportation facilities will be adequate for proposed uses. The applicant shall prepare and file another traffic analysis, to support a finding of adequacy.**

COMMENT: Per the May 11, 2020 memorandum by LTC, Inc. the proposed facility will only generate 34 AM and 36 PM trips which was included in the Pod 6 background information for the overall development. This will operate well within the overall cap of 2,774 AM and 3,593 PM trips.

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

(A) At MD 3/MD 450/gas station access intersection The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450 and extend to the Patuxent River Bridge, north of MD 450.

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

COMMENT: These improvements at MD 3 & MD 450 have already been completed. The improvements at US 301 & Harbor Way have been permitted by SHA under permit #17APPG02818 which will widen Harbor Way to include two exclusive left turn lanes, one shared left/thru lane, and one right turn lane. A copy of the SHA signal plan for permit #17APPG02818 is attached.

3. Total development within the limits of 4-07055 shall be limited to uses within the M-X-T Zone that generate no more than 392 AM trips and 875 PM trips for Pod 1, and 874 AM trips and 1,272 PM peak trips for Pods 5, 6, 7, 7B and P2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.

COMMENT: Per the May 11, 2020 memorandum by LTC, Inc. the proposed facility will only generate 34 AM and 36 PM trips which was included in the Pod 6 background information for the overall development. This will operate well within the overall cap of 874 AM and 1,272 PM trips.

4. Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of permeable paving materials to reduce the area of impervious surfaces and promote natural infiltration. This shall be applied to 112 parking spaces at a minimum.

COMMENT: This was satisfied by other DSP's.

14. Prior to certification of the detailed site plan, the applicant shall demonstrate to the satisfaction of the Planning Board or its designee that green building techniques and energy efficient building methods have been incorporated into the design and the details of the proposed architectural products.

COMMENT: The applicant will be implementing the following green building and energy efficient techniques/methods:

Mechanical:

a) Energy recovery systems on the general building exhaust to pre-treat the required outside air for the HVAC system.
b) Air Side economizers utilizing free cooling when the ambient conditions allow.
c) Variable Air Volume systems where allowable to reduce the fan energy, cooling energy, reheat energy.
d) Supply air temperature reset control reducing the cooling requirement when the ambient conditions allow.
e) Duct static pressure reset controls to reducing the fan energy when space conditions allow.
f) Building Automation System/ Energy Management System provides to control and monitoring of the system operation for best operational efficiency.
g) Outdoor air measurement and control to reduce the cooling and heating energy by only allowing the required outdoor air into the system.

Plumbing:

a) High efficiency gas water heaters.
b) Hot water recirculating system to minimize the wait time for hot water fixtures, thereby reducing the water usage.
c) Low / reduced flow plumbing fixtures for allowable plumbing fixtures.

Electrical:

a) High efficiency lighting systems, LED lighting for all interior and exterior fixtures.
b) Lighting controls for outdoor lighting for to eliminate daytime operation of outdoor lighting.
c) Occupancy sensors to reduce lighting in un-occupied spaces.
d) Daylighting controls for interior lighting adjacent to window to reduce the lighting power consumption.
e) Occupant lighting controls to allow dimming of all fixtures to reduce lighting power consumption.

No applicable conditions of approval for **DSP-07031-01** (Revision for minor changes to building footprint and square footage to buildings C, D, H, I and K), **DSP-07031-02** (Revision for addition of temporary-manded Real Estate Leasing sign) and **DSP-07031-03** (Amendment to increase building height by two feet) as they were all Staff Level approvals.

IV. DEVELOPMENT SUMMARY

Development Data Summary:

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use(s)	Vacant	Inpatient Rehabilitation Facility
Total DSP Acreage	39.19	39.19
Acreage (Gross)	6.48	6.48
Building Gross Floor Area	--	61,809 square feet

Other Development Data:

Parking spaces required	90 spaces
Parking Provided	144 spaces
Standard	117 spaces
ADA	27 spaces
Loading required	1 space
Loading provided	1 space

V. CRITERIA FOR APPROVAL

General Criteria for DSP Approval

Section 27-285. Planning Board Procedures.

(b) Required findings.

(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;

COMMENT: The plan does represent a reasonable alternative for satisfying the site design guidelines.

(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).

COMMENT: A conceptual site plan is not required for this development proposal.

(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.

COMMENT: DSP-07031-04 is not a DSP for infrastructure; this finding does not apply.

(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

COMMENT: The plan does not propose impacts to regulated environmental features. The IRF Site has been mass graded for development under previously approved permits, no regulated features exist on-site.

Site Design Guidelines

The DSP will be in conformance with the applicable site design guidelines contained in Section 27-274. For example, the majority of the proposed surface parking is proposed to be as near as possible to the main entrance of the building. The loading area is conveniently located in the southeastern portion of the property behind the proposed building to minimize conflicts with pedestrians or vehicles, and will be screened by the proposed building and the surrounding plantings within the parking islands and the parking lot landscape strips. Specifically, the DSP, pursuant to Section 27-283, satisfies the applicable design guidelines in Section 27-274(a) of the Zoning Ordinance as follows:

Section 27-274(a)(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:

COMMENT: The surface parking lot is located and designed to provide safe and efficient vehicular and pedestrian circulation within the site by use of clearly defined, striped and curbed access ways from Melford Boulevard and Marconi Drive. The travel ways leading to the parking, loading and service use areas are clearly defined. Additionally, sidewalks are provided around the building, and along Melford Boulevard and Marconi Drive. The circulation patterns for pedestrian, vehicles and trucks make for safe, efficient and convenient circulation of the site for both pedestrians and drivers in accordance with this requirement.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.

COMMENT: The loading area is located in the southeastern portion of the site, which should minimize conflicts with vehicles and pedestrians. Additionally, the loading area will be screened from all road frontages by the proposed building and by required landscaping. Therefore, the loading area should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians in accordance with this requirement.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.

COMMENT: The surface parking lot is located and designed to provide safe and efficient vehicular and pedestrian circulation within the site by use of clearly defined, striped and curbed access ways from Melford Boulevard and Marconi Drive. The travel ways leading to the parking, loading and service use areas are clearly defined. Additionally, sidewalks are provided around the building, and along Melford Boulevard and Marconi Drive. The circulation patterns for pedestrian, vehicles and trucks make for safe, efficient and convenient circulation of the site for both pedestrians and drivers in accordance with this requirement.

Section 27-274(a)(3), Lighting

(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character.

COMMENT: A photometric plan is provided as part of the detailed site plan set and lighting details are provided on Sheet 7. DSP-07031-04 provides adequate illumination with light fixtures that enhance the character of the site, but do not negatively impact adjacent properties.

Section 27-274(a)(4), Views

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

COMMENT: The siting of the building, with its most architecturally significant façade, the front, facing Melford Boulevard and visible from Marconi Drive helps create an attractive view to those driving or walking by in accordance with this requirement. Also, the quality of these views will be enhanced by generous landscaping along the road frontages. Lastly the quality architectural materials (brick and composite siding in a range of earth tones) and design, assist in creating attractive views from the adjacent public domain.

Section 27-274(a)(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.

COMMENT: Green areas on the subject property are located primarily along the road frontages as landscaping, as well as within the landscaped islands throughout the site. Those green areas will serve to enhance the views from the 60 inpatient rooms, and will help to soften the character of the area, which is predominantly office and research and development.

Section 27-274(a)(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.

COMMENT: Landscaping of the site along its Melford Boulevard and Marconi Drive frontages and in the landscaped islands. High quality materials have been utilized in the architecture of the building. All these factors help create an attractive, coordinated development that will enhance the use and enjoyment of the site in accordance with this requirement.

Section 27-274(a)(8), Service areas

(A) Service areas should be accessible, but unobtrusive.

COMMENT: There is a single-loading area identified in the southeastern portion of the site, along with dumpsters. Landscaping along the street frontages along with the internal landscape islands will screen it, in accordance with this requirement.

Sec. 27-542. – Purposes

(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;

COMMENT: Melford is located at the first major interchange in Prince George's County when coming west of US Route 50/301. It has also been designed as part of the Bowie Town Center. The development of the inpatient rehabilitation facility in Melford enhances the economic status of the County and provides an expanding source of desirable employment.

Encompass Health Inpatient Rehabilitation Facility of Melford will be the only the second IRF (there is an existing 12 bed facility at Laurel Regional Medical Center) in the entire Southern Maryland Health Planning Regional of 1.5 million residents. Currently most eligible patients have to travel into the District of Columbia to receive comparable care. In its first year of operation the impatient rehabilitation facility will provide 121 full time highly-skilled positions with an annual salary for Clinical and Non-clinical employees (not including benefits) of $77,000. By year five the number of full-time employees will increase to 169 with an average salary of $83,000.

(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;

COMMENT: The approved Conceptual and Detailed Site Plans for the Pod 6 Property have implemented recommendations for a walkable-mixed-use community that had been set forth in the previous 2002 Master Plan and the 2006 Master Plan. The instant 04 revision to the approved DSP-07031-01/03 does not affect the R&R/flex space employment uses on Lots 1-5 of Pod 6. The proposed development of the IRF Site add to this mix with an institutional use. The development is in close proximity to the Melford Village revision

approved in 2015 and will help complete the envisioned compact community through its connections to the existing pedestrian network and open spaces.

(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;

COMMENT: Much of the existing development in Melford is either office or R&D/flex space uses, with lesser amounts of retail and residential uses. The Encompass Health Inpatient Rehabilitation Facility of Melford along with the 140-unit assisted living facility currently under construction in Melford Village will add institutional uses which have heretofore been missing in the mix of land-uses. The location of this targeted healthcare related employment use in the Town Center established by Plan 2035 ensures that the development potential of the M-X-T zone will be maximized.

(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;

COMMENT: All of the patients at the rehabilitation facility will be arriving by non-emergency ambulance. Staff and visitor will utilize private vehicles. Access to the IRF Site is directly from Robert Crain Highway via dedicated ramps from north and southbound MD 3 and east and westbound US 50/301 directly to Melford Boulevard and does not go through any adjacent residential communities. The IRF Site is proposed to be fully connected to the Melford pedestrian and bicycle network and will provide alternative means of access for those in the immediate surrounding community including the residents of the developing Melford Village.

(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;

COMMENT: The inpatient rehabilitation facility is a 24 hour per day, 7 days per week use. Employees will report in staggered shifts throughout the day.

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

COMMENT: The proposed one story, approximately 32-foot high structure will blend harmoniously with the one-story R&D/flex space uses under construction on Lots 1-5 of Pod 6 and the proposed uses four-five story multi-family flats across Melford Boulevard in Melford Village. The IRF Site will have a greater percentage of greenspace and less impervious area than the other lots in Pod 6.

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

COMMENT: Architecturally the proposed IRF will have a character and identity that is unique in Melford. The architecture combines a variety of high quality materials including: glass, brick and exterior insulation finish systems in a range of earth tones, and powder-coated aluminum panels. The flat roofed building has multiple articulations and varying wall and canopy heights of different materials on all four elevations. All four elevations also contain sufficient detailing and fenestration to provide interest and an appropriate scale

to the building. The massing and use of distinctive materials accentuates the building entrances and makes them plainly visible from Melford Boulevard.

(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;

COMMENT: The building and site have been designed to meet and exceed State and County development standards. The use of sustainable building materials, high efficiency HVAC systems, and additional roof insulation and roof color will provide savings in energy. Stormwater management will utilize a combination of on-site ESD methods and ponds which have been sized for the entire Melford development.

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

COMMENT: An inpatient rehabilitation facility is a very specialized institutional use. The inclusion of this type of use into a mixed-use community will add diversity and promote economic vitality and investment. Other compatible and complementary healthcare related and support uses will have a greater incentive to locate in Melford once the Encompass Health Inpatient Rehabilitation Facility of Melford is operational.

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

COMMENT: The proposed architecture is a distinctive, attractive structure which is better than or equal to the best building designs in the Melford development. While the inpatient rehabilitation facility is an institutional structure with a highly specialized function, the Applicant's architect has been able to achieve excellence in building form through the massing and use of complementary, high-quality building materials.

Sec. 27-546. - Site plans.

(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:

(2) The proposed floor area ratio;

COMMENT: The FAR for the rehabilitation facility at full build-out is below the permissible FAR without the use of the optional method of development of 0.40.

(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;

COMMENT: The inpatient rehabilitation facility will be constructed in two phases. The first 60 bed phase and all of the site work has been designed as a self-sufficient entity. Phase II, a 20 bed addition has been

designed to be fully integrated into the Phase I development and will not require any additional parking or site improvements.

2010 Landscape Manual

DSP-07031-04 complies with the requirement of the 2010 Landscape Manual. Please see the Landscape Plan on Sheet 6 and the Planting Schedules on Sheet 7 for details.

VI. CONCLUSION

Based on the foregoing, as well as the detailed site plan filed in conjunction with this application, the applicant respectfully requests the approval of DSP-07031-04. This application, and the requests herein, satisfy the required findings provided in the Zoning Ordinance, and as such, must be approved.

Respectfully submitted,
MCNAMEE HOSEA

By: _____
Matthew C. Tedesco, Esq.

Date: July 23, 2020

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

September 2, 2020

MEMORANDUM

TO: Andrew Bishop, Urban Design Section, Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division HSB

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division JAS
Tyler Smith, Historic Preservation Section, Countywide Planning Division TAS

SUBJECT: **DSP-07031-04 Melford Property Pod 6**

The subject property comprises 38.88 acres in the southwest quadrant of the intersection of Marconi Drive and Melford Boulevard. The subject application proposes a 61,809 square foot inpatient rehabilitation facility on Lots 5 and 6. The subject property is Zoned M-X-T.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any Prince George's County Historic Sites or resources. This proposal will not impact any historic sites, historic resources or known archeological sites. A Phase I archeology survey is not recommended. Historic Preservation staff recommend approval of DSP-07031-04 Melford Property, Pod 6 with no conditions.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Prince George's County Planning Department
Community Planning Division
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org
301-952-3972

October 9, 2020

MEMORANDUM

TO: Andrew Bishop, Senior Planner, Urban Design Section, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division

FROM: Andrew McCray, Senior Planner, Long-Range Planning Section, Community Planning Division

SUBJECT: **DSP-07031-04 Melford Property, Pod 6**

FINDINGS

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

BACKGROUND

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

Location: 5801 Howerton Way, Bowie, MD 20715

Size: 38.88 acres

Existing Uses: Vacant

Proposal: Hospital – (medical rehabilitation facility)

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is in the Established Communities. The vision for the Established Communities is to create the most appropriate for context-sensitive infill and low-to medium density development (Pg. 20).

DSP-07031-04 Melford Property, Pod 6

Master Plan: The 2006 *Approved Plan Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B & 74B* recommends Mixed Use Residential-Office-Commerical land uses on the subject property (Pg. 193).

Planning Area: 71B

Community: City of Bowie

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

SMA/Zoning: The 2006 *Approved Plan Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B & 74B* reclassified the subject property into the M-X-T (Mixed Use Transportation Oriented) zone.

ADDITIONAL INFORMATION:
None.

c: Long-range Agenda Notebook
Scott Rowe, AICP CNU-A, Supervisor Long Range Section Community Planning Division

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
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Transportation Planning Section
Countywide Planning Division 301-952-3680

October 5, 2020

MEMORANDUM

TO: Andrew Bishop, Urban Design Section, Development Review Division

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

FROM: Glen Burton, Transportation Section, Countywide Planning Division

SUBJECT: DSP-07031-04: Melford Property, Pod 6

Proposal: This application proposes the construction of a 61,809 square-foot in inpatient rehabilitation facility.

Background
The Melford development has been the subject of several previous approvals. The overall property is governed by CSP-06002 along with preliminary plans of subdivision (PPS) 4-16002, 4-07055 and multiple detailed site plan (DSP) applications. This proposal occupies 6.48 acres on Lot 5 of Pod 6. It is projected to generate 34 AM and 36 PM peak trips. In terms of transportation issues that are germane to this application, this development is governed by conditions that are covered by the approved PPS 4-07055. Pursuant to PGCPB No. 08-86, PPS 4-07055 was approved on May 20, 2008 with multiple conditions, including the following pertaining to transportation:

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.

Applicant's Comment: Pod 6, Lots 1-6 were approved as part of the PPS for 4-07055. Condition 4 of PPS 4-07055 provided a trip cap of 874 AM and1,272 PM trips for Pods 5, 6, 7, and P2. Pod 5 was part of a subsequent PPS 4-16006 with a new trip cap for the area including Pod 5 of Melford Village. Therefore, the remainder of PPS 4-07055 (Pods 6, 7, and P2) retain the 4-07055 trip cap of 874 AM and 1,272 PM trips. The included parking and trip generation analysis calculated that Pods 6, 7, and P2 will generate a total of 570 AM and PM peak hour trips which will remain well within the trip cap.

Staff Response: Table 1 shows a trip cap analysis that indicates that the trip cap will not be exceeded.

Table 1 – Trip Cap Analysis		
	AM Peak	PM Peak
Pod 6 (Lots 1-4)	344	336
Pod 6 – Lot 5 (pending)	*34*	*36*
Pods 7 and Pod P2	192	198
Total development to date	**570**	**570**
Trip Cap: PPS 4-07055	874	1272
Trips remaining under the cap	304	702

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.

Staff's Response: All improvements pursuant to Conditions 5a and 5b have been completed. These improvements were also conditions of approval for the approved CSP-06022 and DSP-07031 as well.

Site Access and Circulation
The proposed development will be accessible from a network of roads, most of which allow on-street parking. Regarding parking, the application is proposing 143 spaces against a requirement of 90 spaces. The proposed parking is therefore deemed to be adequate.

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

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October 5, 2020

MEMORANDUM

TO: Andrew Bishop, Development Review Division

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

SUBJECT: Detailed Site Plan Review for Pedestrian and Bicycle Transportation Master Plan Compliance

The following detailed site plan (DSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation* (MPOT) and the 2009 *Approved Master Plan for Bowie and Vicinity* to provide the appropriate pedestrian and bicycle transportation recommendations.

Detailed Site Plan Number: DSP-07031-04

Development Case Name: Encompass at Melford

Type of Master Plan Bikeway or Trail

Municipal R.O.W.		Public Use Trail Easement	
PG Co. R.O.W.		Nature Trails	
SHA R.O.W.		M-NCPPC – Parks	
HOA		Bicycle Parking	X
Sidewalks	X	Trail Access	X

Detailed Site Plan Background	
Building Square Footage (non-residential)	61,809 Square Feet
Number of Units (residential)	N/A
Abutting Roadways	Curie Drive, Tesla Drive, Howerton Way
Abutting or Nearby Master Plan Roadways	Melford Boulevard (C-309), Robert Crain Highway (F-10), US 50 (F-4)
Abutting or Nearby Master Plan Trails	Existing: Patuxent River Water Trail Planned Natural Surface Trails: Melford Boulevard, Marconi Drive
Proposed Use(s)	Inpatient Rehabilitation Facility
Zoning	M-X-T
Centers and/or Corridors	Bowie Town Center, Bowie Regional Center
Prior Approvals on Subject Site	CSP-06002, CSP-06002-01, 4-07055, 4-16006, DSP-07031-01-03

Previous Conditions of Approval

Approved Conceptual Site Plan (CSP)-06002 includes the following condition of approval related to off-site improvements, specific to the subject property. Condition 2 from CSP-06002 is copied below:

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

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

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

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

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

Approved Preliminary Plan of Subdivision 4-07055 includes the following condition of approval related to off-site improvements, specific to the subject property. Condition 5 from 4-07055 is copied below:

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.

Approved Detailed Site Plan DSP-07031 includes the following condition of approval related to off-site improvements, specific to the subject property. Condition 2 from DSP-07031 is copied below:

> 2. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
>
> (A) At MD 3/MD 450/gas station access intersection
>
> The applicant shall provide an additional northbound and southbound through lane. Pursuant to SHA requirements, the additional southbound through lane shall begin at the Patuxent River Bridge, and extend 2,000 feet south of MD 450. Similarly, the additional northbound through lane shall begin 2,000 feet south of MD 450 and extend to the Patuxent River Bridge, north of MD 450.
>
> (B) At US 301/Gov. Bridge Road/Harbor Way intersection
>
> The applicant shall provide an additional exclusive left-turn lane on the eastbound approach. The overall lane use for this approach shall be two left-turn lanes and a shared left-through-right lane.
>
> Governors Bridge Road shall be widened and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

Comment: The improvements at MD 3 and MD 450 have already been completed. The applicant has indicated that the improvements at US 301, Governor Bridge Road, and Harbor Way Intersection have been permitted by the Maryland State Highway Association under permit #17APPG02818.

Approved Conceptual Site Plan CSP-06002 includes the following condition of approval related to sidewalk construction, specific to the subject property. Condition 10 from CSP-06002 is copied below:

> 10. Provide standard sidewalks along both sides of all internal roads, in keeping with guideline 3 of CR-11-2006. In areas of high pedestrian activity, wide sidewalks should be considered.

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

> 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 should be considered where reasonably appropriate, unless modified by the City of Bowie for portions of the sidewalk within the public right of way.

Comment: The applicant has included a five-foot-wide sidewalk which surrounds the facility. The portion of Melford Boulevard that fronts the subject property has sidewalks already in place.

Approved Preliminary Plan of Subdivision 4-07055 includes the following condition of approval related to bicycle signage, specific to the subject property. Condition 34 from 4-07055 is copied below:

> 34. "Share the road with a bike" signs shall be provided along Melford Boulevard frontage at the time of Detailed Site Plan.

Comment: The applicant has updated plans to display "share the road with a bike" signage along the subject property's frontage of Melford Boulevard.

Proposed Pedestrian and Bicycle Infrastructure
The subject application is for the construction of an inpatient rehabilitation facility. The site is located within the Melford Community in Bowie, approximately 0.85 miles east of the US-50 and US-301 interchange.

Sidewalks are currently in place along the subject property's frontage of Melford Boulevard. The submitted plans include an internal sidewalk network which surrounds the building and connects to parking areas. Additionally, sidewalks have been provided along both points of vehicle entry which connect to the internal sidewalk network, establishing two direct pedestrian connections from Melford Boulevard to the building. Crosswalks crossing Melford Boulevard at both points of vehicle entry have been provided. Internal crosswalks located on the west and east side of the northern drive aisle have also been provided.

The subject property is zoned Mixed-Use Transportation (M-X-T), which is designed to promote multimodal transportation, and reduce reliance, and dependence on automobiles for all trips. The submitted plans include pedestrian and bicycle facilities to support all modes of transportation.

Review of Master Plan Compliance
This development case is subject to 2009 *Approved Countywide Master Plan of Transportation*, which recommends the following facilities:

- Planned Natural Surface Trail adjacent to Patuxent River Water Trail
- Planned Natural Surface Trail along Melford Boulevard and Marconi Drive

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

> Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.
>
> Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.
>
> Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

Comment: The MPOT displays a planned natural surface trail that runs east-west along the northern portion of the subject property. Staff find that the existing sidewalk network along Melford Boulevard and along Marconi Drive provide pedestrian connectivity sought by the recommended trail. The pedestrian connectivity within the area is not adversely impacted by this trail being located within the road network. A future natural surface trail connecting the edge of the Melford community and the existing water trail is beyond the scope of this application and can be built as part of a future Capital Improvement project by the Department of Parks and Recreation as appropriate.

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

Policy 2: Incorporate appropriate pedestrian-oriented development (POD) features in all new development and improve pedestrian safety in existing development.

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

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

Comment: The subject property features sidewalks already constructed along Melford Boulevard and Marconi Drive, which provide pedestrian connectivity to the Patuxent River Water Trail. The MPOT also recommends a natural surface trail originating at the trailhead at the end of Marconi Drive which would run north, adjacent to the Patuxent River Water Trail, culminating at the intersection of MD-450 and MD-3.

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

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

Comment: Neither the area master plan nor the MPOT recommends any specific bikeway facilities in the immediate vicinity of the subject property. The submitted plans include bikeway signage along Melford Boulevard indicating a shared roadway.

Bicycle parking is an important component of a bicycle-friendly roadway and upon review of the original submission, staff recommended two bicycle racks be installed at a location convenient to the entrance of the facility. The subject property falls within the M-X-T Zone, which strongly promotes multimodal transportation between uses. Multi-family residential facilities have already been approved within the Melford Community, all of which feature bicycle parking. The submitted plans depict a single bicycle rack rear the entrance of the subject site, but the label indicates two racks. Staff recommend that the submitted plans be updated prior to certification to clearly indicate two bicycle racks.

Recommended Conditions of Approval

The Transportation Planning Section find that the pedestrian and bicyclist circulation on the site to be safe, efficient, and convenient, pursuant to Sections 27-283 and 27-274(a)(2), the relevant design guidelines for transportation. Additionally, Staff find that the submitted plan meets the purposes of the M-X-T Zone, pursuant to Section 27-542, and meets the additional M-X-T design guidelines, pursuant to 27-546(d). Staff conclude that the submitted detailed site plan is deemed acceptable from the standpoint of pedestrian and bicycle transportation, if the following condition is met:

1. Prior to certification of the detailed site plan, the applicant shall revise plans to display two Inverted-U racks, or a similar style rack that provides two points of contact for parked bicycles, at a location convenient to the entrance.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

October 5, 2020

MEMORANDUM

TO: Andrew Bishop, Senior Planner, Urban Design Section

FROM: Alice Jacobs, Principal Planning Technician, Permit Review Section

SUBJECT: DSP-07031-04 – Melford Property, Pod 6

1. Property is zoned M-X-T and all standards are set by the Planning Board.

2. No further comments are offered at this time.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Countywide Planning Division
Environmental Planning Section

301-952-3650

October 8, 2020

MEMORANDUM

TO: Andrew Bishop, Planner Coordinator, Urban Design Section, DRD

VIA: Megan Reiser, Planning Supervisor, Environmental Planning Section, DRD

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

SUBJECT: **Encompass Health of Melford (Lot 5, Pod 6)**
DSP-07031- 04 and TCPII-036-99-16

The Environmental Planning Section has reviewed the amended Detailed Site Plan submitted for Melford, Pod 6 (Lot 5), and the Type II Tree Conservation Plan, TCPII-036-99-16, accepted for review on August 27, 2020. The Environmental Planning Section recommends approval of amended Detailed Site Plan DSP-07031-04 and revised Type II Tree Conservation Plan, TCPII-036-99-16, subject to the conditions provided at the end of this memorandum.

Background

Development Review Case	Tree Conservation Plan	Approval Authority	Status	Action Date	Approval Document
CSP-06002	TCPI-044-98	Planning Board	Approved	1/11/2007	. 07-09(C)
4-07055	TCPI-044-98-01	Planning Board	Approved	5/29/2019	08-86
DSP-07031	TCPII-036-99-08	Planning Board	Approved	07/24/2008	08-117
DSP-07031-01	TCPII-036-99-08	Planning Director	Approved	12/11/2009	NA
DSP-07031-02	NA	Planning Director	Approved	04/18/2011	NA
CSP-06002-01	TCP1-044-98-04	District Council	Approved	3/23/2015	
DSP-07031-03	NA	Planning Director	Approved	11/08/2018	NA
DSP-07031-04	TCPII-036-99-16	Planning Board	Pending	Pending	Pending

The overall Melford site consists of several lots and parcels totaling 431.55 acres. The current application is located on Lot 5, in Pod 6 of the overall site, which has been previously reviewed by the Environmental Planning Section in conjunction with numerous applications. Lot 5 has been enlarged with the current application by the inclusion of a contiguous 0.33-acre vacant unforested strip of property from adjacent Pod 7.

The approvals that are relevant to the current review are provided in the background table above.

The current application is an amended DSP and revised TCPII for the development of enlarged Lot 5, Pod 6, in the M-X-T zone for development of an inpatient rehabilitation facility.

Site Description

The 38.88-acre property identified as Pod 6, is part of the 431.55-acre Melford (previously the University of Maryland Science and Technology Center (UMSTC)) site that is zoned M-X-T. The larger Melford site is located in the northeast quadrant of the intersection of US 50 and US 3/301. Pod 6 is located in the southeast quadrant of Tesla Drive and Melford Boulevard. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on the overall property. The predominant soils found to occur, according to the Prince George's County Soil Survey, include Adelphia, Collington, Mixed alluvial land, Ochlocknee, and Shrewsbury. According to available information, Marlboro and Christiana clays are not found to occur in the vicinity of this property. US 50 (John Hanson Highway) and MD 3 are existing freeways and traffic-generated noise impacts are anticipated. Based on information obtained from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), there are no Rare, Threatened, or Endangered (RTE) species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this property. According to the *Countywide Green Infrastructure Plan* (May 2017) Regulated Areas and Evaluation Areas are present on the overall site. This property drains to an unnamed tributary located in the Patuxent River basin. The overall Melford site is located directly adjacent to the Patuxent River.

The current application is limited to Lot 5, Pod 6 which is comprised of 6.15 acres from the former Lot 5, Block 6, and a contiguous 0.33-acre vacant strip from adjacent Pod 7 and is located south of Marconi Drive.

CONFORMANCE WITH PRIOR APPROVALS

The environmental conditions which have not been previously are shown in **bold type face**, and the associated comments are shown in standard type face.

Conformance with Conceptual Site Plan CSP-06002 (PPGCPB No. 07-09(C))

The approval of the CSP by the District Council included numerous conditions, several of which dealt with environmental issues to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the Detailed Site Plan are listed below. Because the TCPII must be in conformance with the TCPI associated with the Conceptual Site Plan, conditions from the CSP with regard to the TCPI are also addressed.

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

There are no disturbances to the floodplain buffer associated with this application.

20. Prior to the approval of the Preliminary Plan and Detailed Site Plan, the following shall be demonstrated:

a. Development plans shall show the minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.

Evaluation of parking required, and pavement materials proposed with the current application will be addressed by the Urban Design Section.

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

There are no disturbances to the stream or floodplain buffers associated with this application.

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

The TCPII shows the clearing of all woodlands within Pod 6, and on the development site, Lot 5, including portions in Pod 7 have previously been cleared. The provision of on -site reforestation adjacent to the current revision will be evaluated in the Environmental Review section of this memorandum.

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

There are no stream channels on this portion of the site.

Conformance with Preliminary Plan of Subdivision (PPS)-07055

The approval of the PPS included numerous conditions which dealt with environmental issues to be addressed during the review of subsequent detailed site plans, which are listed below. Because the

TCPII must be in conformance with the TCPI associated with the preliminary plan, conditions from the preliminary plan with regard to the TCPI are also addressed.

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

Stormwater management (SWM) on the Melford site is under the jurisdiction of the City of Bowie. There are previously constructed stormwater management retention ponds for the overall site, and Pond 1 is a wet stormwater management pond located on Pod 6. The current DSP and TCPII propose the use of Environmental Site Design (ESD) to augment previously constructed facilities. The bioretention recharge area on Lot 5 will treat runoff from the site before being conveyed to the adjacent stormwater management pond.

Conformance with Detailed Site Plan DSP-07031
(PPGCPB No. 14-128 and District Council Order of Approval with Conditions)

The approval of the DSP included one condition which dealt with an environmental issue to be addressed prior to certification and during subsequent DSP reviews. The environmental conditions to be addressed during the review of the Detailed Site Plan are listed below.

8. Prior to certification of the detailed site plan, copies of the approved stormwater management concept plan and letter shall be submitted. The concept must be correctly reflected on the TCPII.

This condition was addressed prior to certification of DSP-07031 and will also be addressed during the current review in the Environmental Review section of this memorandum.

Conformance with Conceptual Site Plan CSP-06002-01
(PPGCPB No. 14-128 and District Council Order of Approval with Conditions)

The approval of the amended CSP by the District Council included conditions which dealt with environmental issues to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the Detailed Site Plan are listed below, and area applicable to the current amended DSP.

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

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

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

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

All woodlands have been previously cleared from the development site currently under review.

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

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

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

No streams or regulated stream buffers are located on the development site currently under review.

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

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

The SWM features for the proposed development site were previously constructed, and no modification is proposed for the current development site. An ESD bioretention recharge area is proposed with the current plan to augment SWM capacity on the site as a landscaped area associated with the parking compound.

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.

Lot 5, Pod 6 is not within the designated view corridors established with CSP-06002-01.

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

and southwest neighborhoods appropriately relate to the character of the historic site.

Lot 5, Pod 6 is not within the Melford and Cemetery Historic Site impact review area.

ENVIRONMENTAL REVIEW

1. The site has a signed Natural Resource Inventory (NRI-054-06-02) which includes a Forest Stand Delineation (FSD). The overall Melford site contained a total of 175 acres of woodland on the net tract, of which 30.68 was originally located on Pod 6; but the entirety of Pod 6 and the adjacent portion of Pod 7 has been cleared in conformance with subsequent revisions to TCPII-036-99. No additional information is required with regard to the Natural Resource Inventory.

2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance (WCO) because it has previously approved Tree Conservation Plans. No new preliminary plan was required for the lot currently proposed for development. All of the woodland on the current site was cleared in conjunction with the first TCPII approval, TCPII-036-99, or subsequent revisions.

   A revised Type II Tree Conservation Plan (TCPII-036-99-16) dated 8/18/2020 has been submitted with the current application. The TCPII indicates that Pod 6 has been almost fully cleared over time, and when this DSP was originally reviewed only 1.87 acres of woodlands were remaining. With the -08 revision to the TCPII, an additional 0.43 acres of woodland was cleared, leaving 1.44 acres of woodland preservation located within the existing wetland on the east portion of the site, which is proposed for preservation. The clearing and preservation on Pod 6 are consistent with the detailed site plan.

   As previously stated, a contiguous 0.33-acre vacant strip of land from adjacent Pod 7 was incorporated into the Lot 5. While it has been previously cleared under prior TCP2 revisions, there was previously an afforestation/reforestation area to the northeast boundary of this subject which was shown as 1.00 acres on the -15 revision which is proposed to be reduced to 0.73 acres of afforestation/reforestation. Because of design guidelines requiring a minimum width of 35-feet for grandfathered woodland conservation area, the allowed woodland conservation credits will be further reduced for those areas that do not meet minimum standards. The cover sheet does not reflect the adjustments to Lot 5 for the addition of the contiguous land strip, or the reduction of the adjacent afforestation.

   Other technical revisions to the plan are required to be in full compliance with the requirements of the WCO and Environmental Technical Manual (ETM), which are included in the Recommendations section of this memorandum.

3. The DSP application documentation submitted includes a letter of Permit Renewal for SWM Permit Number SWM 1-0809 extending expiration of the permitting for Pod 6, Lots 1-6 until 4/16/2021. A copy of the most current Stormwater Management Concept Approval Letter and plan were included in the submittal of the DSP and the statement of justification submitted indicates that the development of the site is in conformance with Stormwater

Management Concept 01-0910-207NE15 issued by the City of Bowie with an expiration date of April 17, 2021. The adjacent SWM facilities shown on Pod 6 and Pod 7 to the current site are consistent with previous approvals.

Summary of Recommended Findings and Conditions

The Environmental Planning Section recommends approval of amended Detailed Site Plan DSP-07031-04 and revised Type II Tree Conservation Plan, TCPII-036-99-16, subject to the following findings and conditions:

Recommended Findings

1. The Regulated Environmental Features (REF) on the subject property have fully been preserved and/or restored based on consistency with the limits of disturbance shown on the previously approved CSP-06002-01 and Type 1 Tree Conservation Plan TCPI-044-98-04; and Preliminary Plan 4-07055, approved with TCP1-044-98-01. No REF is located within the limits of the current application.

Recommended Conditions

1. Prior to certification of the Detailed Site Plan, the TCPII shall be revised as follows:
    a. On all sheets of the TCPII, revise the approval block to complete the signature line for the -15 revision, and include a signature line for the -16 revision.
    b. On the Cover Sheet (Sheet 1):
        1) Revise the overall woodland conservation worksheet to indicate the correct revision number and revise as needed to reflect the reduction of afforestation/reforestation associated with the current DSP and associated calculations.
        2) Under the woodland conservation worksheet add the note associated with a Subtitle 25 variance for ST-X approved with the -015 revision.
        3) Label the location of DSP-07031-04 on the key map.
        4) Delineate the limits of Pod 6 and 7 on the Key Map.
        5) Revise the depiction of enlarged Lot 5 on the Key Map to show the addition of the contiguous strip and adjust the shape of the adjacent afforestation area to show the reconfiguration.
        6) Adjust the woodland conservation summary table to correctly reflect the adjustments to afforestation provided on Sheet 11.
        7) Provide an Owner's Awareness Certificate, which must be signed prior to signature approval of the TCPII.
    c. On Sheet 2:
        1) Revise the phased woodland conservation worksheet to correctly reflect the current revision. The column for DSP-07031 should be updated with the current DSP revision number, the current TCPII revision number, the approval date should be indicated as pending. The appropriate column should be revised to reflect the loss of afforestation area in Pod 7 resulting from the current, and all necessary adjustments shall be made.
        2) Revise the phased woodland conservation worksheet to correctly reflect the adjustments to the worksheet approved with the -015 revision to the TCP2.
        2) The Individual TCPII worksheet shall be revised to reflect the updated column in the phased worksheet for Pod 6 under the -16 revision.

d). On Sheet 11:
1) Revise the afforestation area adjacent to Lot 5 to correctly reflect the woodland conservation area that meets all dimension required to be credited and revise the label to reflect the correct quantity.
2) Delineate and label the boundaries of Pod 6 and 7 on the plan sheet.
3) Delineate and label the boundaries of DSP-07031-04 on the plan sheet.
4) Provide a woodland conservation sheet summary table on Sheet 11 to confirm the quantity of woodland conservation credited.

e) After all required revisions are made, have the plan signed and dated by the Qualified.

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

INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY
POLICE DEPARTMENT

M E M O R A N D U M

DATE: September 15, 2020

TO: Planning Coordinator, Urban Design Application Section
Development Review Division

FROM: Captain Wendy Contic, Assistant Commander, Planning & Research Division

SUBJECT: DSP-07031-04 Melford Property Pod

Upon review of the site plans, there are no comments at this time.

PGC Form #836

HEALTH DEPARTMENT
Prince George's County

Division of Environmental Health/Disease Control

12qaq2212q

Date: August 31, 2020

To: Andrew Bishop, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP- 07031-04 Melford Property POD 6 (PB)

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the detailed site plan submission for Melford Property and has the following comments / recommendations:

1. During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

2. During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.

Angela Alsobrooks
County Executive

Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, *Fax* 301-883-7266, *TTY/STS* Dial 711
www.princegeorgescountymd.gov/health

Angela D. Alsobrooks
County Executive

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

DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT

MEMORANDUM

September 21, 2020

TO: Andrew Bishop, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E. Associate Director Mary C. Giles 10/6/2020
Site/Road Plan Review Division, DPIE

RE: Melford Property, POD6
Detailed Site Plan No. DSP-07031-04

CR: John Hanson Highway

In response to Detailed Site Plan No. DSP-07031-04 referral, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is located at the Southwest quadrant of the Intersection of Marconi Drive and Melford Boulevard.

- John Hanson Highway is a State-maintained roadway; therefore, right-of-way dedication and roadway improvements are to be coordinated with the Maryland State Highway Administration (SHA) as determined necessary.

- The stormwater management concept was approved by the City of Bowie as follow:
  - September 29, 2010 (approval number 01-0910-207NE15).

- The proposed development will require a DPIE site development - Fine Grading permit.

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

MA:SJ:ag
cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
MJ Labban, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
Selam Jena, Engineer, S/RPRD, DPIE
Soltez INC, 4300 Forbes Boulevard, Suite 230 Lanham, Maryland 20706
Encompass Health, 9001 Liberty Parkway, Birmingham, AL, 35242

9400 Peppercorn Place, Suite 230, Largo, Maryland 20774
Phone: 301.636.2060 ◆ http://dpie.mypgc.us ◆ FAX: 301.925.8510

THE MELFORD PROPERTY
POD 6, LOTS 1-6
DSP-07031/04

CERTIFICATE OF APPROVAL

MELFORD, POD 6
DSP-07031-01

This revision to a Detailed Site Plan was approved on December 11, 2009, by the Development Review Division as designee of the Planning Director in accordance with Subtitle 27, Part 3, Division 9 of the Prince George's County Code.

This revision is for the purpose of minor revisions to the building footprints and square footage of buildings C, D, H, L and K, with minor changes to site details, landscape and lighting.

The Planning Director's approval of this Detailed Site Plan is consistent with the required findings in Section 27-285(b) of the Prince George's County Zoning Ordinance. Conditions of the original approval shall remain in full force and effect.

This approval includes:

1	Cover Sheet
4	Detailed Site Plans
5	Landscape Plans and Detail Sheets

APPROVED BY AUTHORITY OF: Fern V. Piret, Planning Director

By _____
Steven D. Adams
Urban Design Supervisor, Development Review Division

SITE DATA POD 6
1. PLAN AREA: 1,693,612 S.F. OR 38.88 AC.
2. ZONING: M-X-T
3. ELECTION DISTRICT NO. 7
4. 200 SCALE BASE MAP: 207NE15
5. EXISTING USE: VACANT
6. PROPOSED USE: OFFICE/R & D SPACE/INPATIENT REHABILITATION FACILITY (IRF)
7. PROPOSED LOTS: 1-6
8. ACREAGE:

LOT 1	189,514 S.F.	OR	4.35 AC.
LOT 2	330,446 S.F.	OR	7.28 AC.
LOT 3	155,451 S.F.	OR	3.57 AC.
LOT 4	355,633 S.F.	OR	6.02 AC.
LOT 5	380,607 S.F.	OR	11.18 AC.
LOT 6	282,220 S.F.	OR	6.48 AC.

9. BUILDINGS: LOT 1

'A' - OFFICE
HEIGHT: 59' +/-
AREA: 42,000 S.F.
NO. STORIES: 3

'B' - OFFICE
HEIGHT: 19' +/-
AREA: 25,840 S.F.
NO. STORIES: 1

LOT 2

'C' - R & D
HEIGHT: 19' +/-
AREA: 39,120 S.F.
NO. STORIES: 1

'D' - R & D
HEIGHT: 19' +/-
AREA: 39,120 S.F.
NO. STORIES: 1

LOT 3

'E' - OFFICE
HEIGHT: 19' +/-
AREA: 40,000 S.F.
NO. STORIES: 1

LOT 4

'H' - R & D
HEIGHT: 20'-8"
AREA: 34,560 S.F.
NO. STORIES: 1

'I' - R & D
HEIGHT: 20'-8"
AREA: 34,560 S.F.
NO. STORIES: 1

LOT 5

'J' - INPATIENT REHABILITATION FACILITY (IRF)
HEIGHT: 32' +/-
AREA: 61,809 S.F.
NO. STORIES: 1

LOT 6:

'G' - OFFICE
HEIGHT: 19' +/-
AREA: 25,840 S.F.
NO. STORIES: 1

'K' - R & D
HEIGHT: 20'-8"
AREA: 30,040 S.F.
NO. STORIES: 1

10. FLOOR AREA RATIO:

AREA OF CSP APPLICATION:			341.35 AC.
100 YR FLOODPLAIN ON APPLICATION AREA:			89.26 AC.
NET TRACT AREA OF APPLICATION:			252.09 AC.
EXISTING DEVELOPMENT OR UNDER CONSTRUCTION:	SDP-0203-01	BLOCK 2 LOT 2	40,800 S.F.
	SDP-0203-01	BLOCK 2 LOT 3	40,800 S.F.
	SDP-0103	BLOCK 2 LOT 4	30,450 S.F.
	SDP-0104	BLOCK 3 LOT 1	150,000 S.F.
	SDP-0104	BLOCK 3 LOT 2	150,000 S.F.
	SDP-0103	BLOCK 4 LOT 1	61,680 S.F. ⚠
	SDP-0103	BLOCK 4 LOT 2	61,120 S.F. ⚠
	SDP-0201	BLOCK 4 LOT 3	83,680 S.F.
	SDP-0402	BLOCK 4 LOT 5	62,440 S.F.
	DSP-07072	BLOCK 2 LOT 1 (HOTEL)	253,289 S.F.
	DSP-07072	BLOCK 3, LOTS 1&2	24,375 S.F.
	DSP-11018-02	THRIVE AT MELFORD	116,081 S.F.
	DSP-18007	THE ASPEN	457,422 S.F.
	DSP-18026	RETAIL VILLAGE EAST	57,846 S.F.
	DSP-19052	MANSIONS	705,919 S.F.
FUTURE PROPOSED DEVELOPMENT			
PROPOSED OFFICE/EMPLOYMENT			260,000 S.F.
PROPOSED COMMERCIAL			268,500 S.F.
PROPOSED RES. (2,500 D.U.)			4,683,213 S.F.
UNDEVELOPED AREAS OF POD 7			250,000 S.F.
PROPOSED DEVELOPMENT FOR POD 6	DSP-07031	OFFICE	133,680 S.F.
		R & D	177,400 S.F.
		INPATIENT REHABILITATION FACILITY (IRF)	61,591 S.F.
TOTAL DEVELOPMENT CSP APPLICATION AREA			8,130,286 S.F.
FAR FOR CSP APPLICATION AREA:			0.74
TOTAL ALLOWED F.A.R.:			1.40

11. PARKING CALCULATIONS

OFFICE:
1 PS/250 SF FOR FIRST 2,000 GFA
+1 PS/400 SF ABOVE 2,000 GFA
1 LS/100,000 GFA

R & D
1 PS/500 SF
1 LS/100,000 GFA

INPATIENT REHABILITATION FACILITY (IRF)
1.5PS/BED
1 LS/10,000-100,000 GFA

LOT 1
BUILDING A 42,000 S.F. 3 STORY OFFICE (MAX 5 TENANT SPACES/FLOOR)

PARKING REQ'D PER TENANT SPACE:	10
PARKING REQ'D FOR FLOOR:	50
PARKING REQ'D FOR BUILDING:	150

BUILDING B 25,840 S.F. 1 STORY OFFICE (MAX. 10 TENANT SPACES)

PARKING REQ'D PER TENANT SPACE:	10
PARKING REQ'D FOR BUILDING:	100

	REQUIRED	PROPOSED
TOTAL PARKING FOR LOT 1:	250	258
TOTAL HANDICAP SPACES FOR LOT 1	7	8
TOTAL LOADING SPACES FOR LOT 1:	1	1

LOT 2
BUILDINGS C & D 80,160 S.F. 1 STORY R & D

	REQUIRED	PROPOSED
TOTAL PARKING FOR LOT 2:	160	217
TOTAL HANDICAP SPACES FOR LOT 2:	7	7
TOTAL LOADING SPACES FOR LOT 2:	1	16

LOT 3
BUILDING E 40,000 S.F. 1 STORY OFFICE (SINGLE TENANT)

	REQUIRED	PROPOSED
TOTAL PARKING FOR LOT 3	103	160
TOTAL HANDICAP SPACES FOR LOT 3:	6	6
TOTAL LOADING SPACES FOR LOT 3:	1	1

LOT 4
BUILDING G 25,840 S.F. 1 STORY OFFICE (MAX 10 TENANT SPACES)

PARKING REQ'D PER TENANT SPACE	10
PARKING REQ'D FOR BUILDING	100

BUILDING H & I 70,080 S.F. 1 STORY R & D

	REQUIRED	PROPOSED
PARKING REQ'D FOR BUILDINGS	140	90
TOTAL PARKING FOR LOT 4:	240	270
TOTAL HANDICAP SPACES FOR LOT 4:	7	12
TOTAL LOADING SPACES FOR LOT 4:	1	13

LOT 5
BUILDING J 61,591 S.F. - 60 BED INPATIENT REHABILITATION FACILITY (IRF)

	REQUIRED	PROPOSED
TOTAL PARKING FOR LOT 6:	90	144
TOTAL HANDICAP SPACES FOR LOT 6:	6	27
TOTAL LOADING SPACES FOR LOT 6:	1	1

LOT 6
BUILDING G & K & STORMWATER MANAGMENT 30,040 S.F. 1 STORY R & D

	REQUIRED	PROPOSED
TOTAL PARKING FOR LOT 5:	61	72
TOTAL HANDICAP SPACES FOR LOT 5:	3	3
TOTAL LOADING SPACES FOR LOT 5:	1	6

B) ALL STANDARD PARKING SPACES SHALL BE 9.5' WIDE BY 19' DEEP
ALL HANDICAP SPACES SHALL BE 8- WIDE BY 19' DEEP
WITH STRIPED ACCESS AISLES OF 8' IN WIDTH (FOR VAN ACCESS)
ALL LOADING SPACES SHALL BE 12' WIDE BY 45' DEEP

GENERAL NOTE REGARDING LEED CERTIFICATION: FOR LOTS 1-5
LEED CERTIFICATION IS RECOGNITION THAT A CONSTRUCTINO PROJECT OR BUILDING CAN ATTAIN BY UTILIZIN ENVIONMENTALL FRIENDLY BUILDING PRACTICES DURING CONSTRUCTINO OR REMODELING. LEED IS THE ACRONYM THAT STANDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN AND IS THE GREN BUILDING RATING SYSTEM DEVELOPED BY THE U.S. GREEN BUILDING COUNCIL (USGBC).

THE USGBC ESTANLISHED THE LEED SYSTEM IN 1996 TO MEASURE HOW ECOLOGICALLY FRIENDLY A BUILDING IS. LEED IS JUST ONE OF MANY "GREEN" BUILDING CERTIFICATIONS THAT A PROPERTY OWNER CAN OBTAIN, BUT IT IS THE MOST RECOGNIZED. LEED CERTIFICATION IS ONLY AVAILABLE IN CERTAIN CATEGORIES, ONLY NEW CONSTRUCTION CAN BE CERTIFIED LEED CS. THE "CS" STANDS FOR "CORE AND SHELL" AND HAS SPECIFIC REQUIREMENTS THAT THE BUIDLINGS ON THIS PROJECT CAN MEET ONLY WHEN TENANT FIT OUT IS COMPLETED.

THE QUALIFICATIONS NEEDED TO MEET LEED CS STANDARDS ARE BROKEN UP INTO SEVERAL CATEGORIES: THE CHOOSING OF SUSTAINABLE SITES, WATER EFFICIENCY, IMPACT ON THE ATMOSPHERE AND ENDERGY USE, BUILDING MATERIALS AND RESOURCES, THE INDOO ENVIRONMENT AND WHETHER A DESIGN IS INNOVATIVE. ALL OF THESE CATEGORIES HAVE CERTAIN CRITERIA A BUILDING MUST MEET BEFORE IT CAN BECOME LEED CERTIFIED. WE HAVE ADDRESSED AS MANY OF THESE CATEGORIES AS POSSIBLE BEFORE TENENT FIT OUT IS APPROVED.

THIS PROJECT MEETS THE STANDARD PRERREQUISITES. THE PROJECT IS ELEIGIBLE TO REGISTER WITH THE LEED PROGRAM. WE HAVE MADE APPLICATION AND THE EXAMINATION PROCESS HAS STARTED. GIVEN TENANT OCCUMANCY THEN CERTIFICATION IS AWARDED. TO ACHIEVE ANY SORT OF CERTIFICATION THROUGH THE LEED CS PROGRAM, THE FINISHED BUILDING WILL BE MONITORED BY A LEED ACCREDITED PROFFESSIONAL AND A LEED GREEN ASSOCIATE.

WE HAVE TAKEN THE FOLLOWING MEASURE IN PREPARATION OF OUR LEED CS CERTIFICATION:

1. REDUCE SEDIMENT AND PLLUTION FROM ENTERING THE AIR AND WATERWAYS BY IMPLEMENTING AN EROSION AND SEDIMENTATION CONTROL PLAN ON THE SITE CONTAINING SILT FENCE, EARTH DIKES, STORM WATER TRAPS AND BY SEEDING GRADED AREAS.

2. A STORMWATER MANAGEMENT PLAN HAS BEEN INCORPORATED INTO THE SITE TO CONTROL THE AMOUNT OF RAIN WATER LEAVING THE SITE AND ALSO TO REMOVE POLLUTANTS FROM THE STORMWATER RUNOFF.

3. PREFERRED PARKING FOR LOW-EMITTING AND FUEL EFFICIENT VEHICLES.

4. OVER 75% OF CONSTRUCTION DEBRIS WILL BE DIVERTED FROM LOCAL LANDFILLS AND WILL BE RECYCLED.

5. WE HAVE PROVIDED AN AREA FOR STORING AND COLLECTION OF RECYCLABLES.

6. OVER 20% OF THE BUILDING MATERIALS COME FROM RECYCLED SOURCES REDUCING THE USE OF RAW MATERIALS.

7. ALL WOOD PRODUCTS USED ON THE BUILDNG WILL COME FROM RESPONSIBLE FOREST MANAGEMENT PROGRAMS AND WILL BE CERTIFIED BY THE FOREST STEWARDSHIP COUNCIL.

8. THERE WILL BE A WHITE TPO ROOF THAT HAS A HIGH SOLAR REFLECTANCE INDEX THAT REDUCES THE HEAT ISLAND EFFECT IN URBAN AREAS AS WELL AS HELPS REDUCE ENERGY USAGE DURING THE SUMMER.

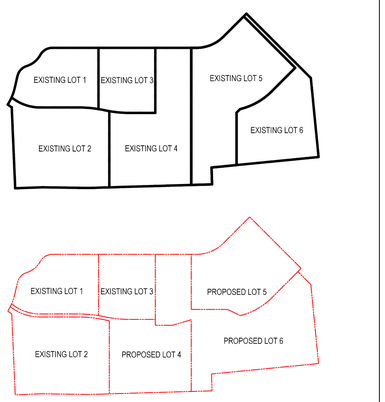
9. ADDITIONAL ROOF AND WALL INSULTATION THAT HELPS REDUCE THE AMOUNT OF ENERGY LOST FROM HEATING AND COOLING SYSTEMS.

10. THE GLAZING ON THE PROJECT HAS A LOW-E FILM USED ON THE GLASS THAT REDUCES HEAT LOSS SAVING ENERGY AND MONEY.

11. INCREASED INDOOR AIR QUALITY BY IMPLEMENTING AN INDOOR AIR QUALITY MANAGEMENT PLAN DURING CONSTRUCTION THAT REDUCES POLLUTANTS FROM ENTERING THE ENCLOSED SHELL. ALSO THE USE OF LOW-EMITTING ADHESIVES, SEALANTS, PAINTS AND PRIMER REDUCE THE AMOUNT OF CONTAMINATES THAT ARE ODOROUS AND IRRITATING BY LIMITING THE AMOUNT OF VOLATILE ORGANIC COMPOUNDS IN EACH PRODUCT.

SWM SUMMARY
THE STORMWATER MANAGEMENT PLANS FOR POD 6 WERE APPROVED BY THE CITY OF BOWIE ON 3/6/09.
WATER QUALITY, CPV, AND 10 YR CONTROL FOR THE ENTIRE SITE IS PROVIDED IN TEH WET POND LABELED AS REGIONAL POND #1.
LOW IMPACT DEVELOPMENT (LID) TECHNIQUES IN THE FORM OF TWO BIORETENTION RECHARGE AREAS ARE ALSO APPROVED TO PROVIDE WATER QUALITY RECHARGE FOR THE ENTIRE 27.81 AC. OF IMPERVIOUS AREA ON POD 6 (72% OF THE TOTAL PLAN AREA).
PERVIOUS PAVING FOR 112 PARKING SPACES IS ALSO PROVIDED ALTHOUGH NO SWM CREDIT IS GEVEN BY THE CITY OF BOWIE FOR THIS LID TECHNIQUE.

EXISTING AND PROPOSED LOT PATTERN



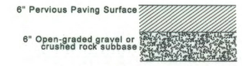
DEVELOPMENT TRACKING TABLE FOR ENTIRE MELFORD PROPERTY

SDP	LOCATION	DEVELOPMENT QUANTITY	STATUS	NON R & D USE	R & D USE
PRE-1998	CENSUS BUREAU & IDA	208,060 SQ.FT. GOVT	BUILT	208,060	-
SDP-0103	BLOCK 2, LOT 4	30,450 SQ.FT. OFFICE	BUILT	30,450	-
	BLOCK 4, LOT 1	61,680 R & D	BUILT	-	61,680
	LOCK 4, LOT 2	61,120 R & D	BUILT	-	61,120
SDP-0104	BLOCK 3, LOTS 1 & 2	300,000 SQ.FT. OFFICE	BUILT	300,000	-
SDP-0201	BLOCK 4, LOT 3	83,680 SQ.FT. R & D	BUILT	-	83,680
SDP-0203/01	BLOCK 2, LOT 2	40,800 SQ.FT. OFFICE	BUILT	40,800	-
	BLOCK 2, LOT 3	40,800 SQ.FT. OFFICE	BUILT	40,800	-
SDP-0405	BLOCK 2, LOT 5	234,000 SQ.FT. (136,957 OFFICE/156 DORMS)	BUILT	234,000	-
SDP-0402	BLOCK 4, LOT 5	62,440 SQ.FT. (22,000 S.F. OFFICE/ 40,440 R&D	BUILT	22,000	40,440
		1,123,030 SQ.FT.		876,110	246,920
DSP-06096	BLOCK 2, LOT 1	253,289 SQ.FT. (362 HOTEL ROOMS)	APPROVED	253,289	-
DSP-07072	BLOCK 3, LOTS 1 & 2	24,375 SQ.FT. RETAIL	APPROVED	24,375	-
DSP-07031	POD 6, LOTS 1-6	372,671 SQ.FT. (133,680 SQ.FT. OFFICE/ 177,400 R & D)	APPROVED	195,271 SQ.FT.	177,400 SQ.FT
TOTAL APPROVED BUT NOT PERMITTED		650,335 SQ.FT.		472,935 SQ.FT.	177,400 SQ.FT

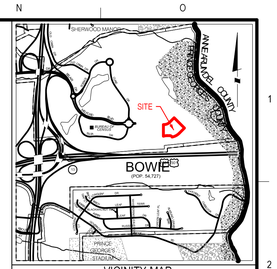




PERVIOUS PARKING SPACES TO BE MARKED WITH THIS LOGO.



TYPICAL PERVIOUS PAVING SECTION
N.T.S.



VICINITY MAP
SCALE: 1"=2000'

GENERAL NOTES

1. PARKING AREAS THAT WILL BE USED AFTER DARK ARE TO BE LIGHTED. PARKING LOT LIGHTING IS TO BE DESIGNED SO AS NOT TO CAUSE GLARE ONTO ADJACENT RESIDENTIALLY ZONED PROPERTIES OR PUBLIC STREETS.

2. PARKING AREAS ARE TO BE PAVED WITH BITUMINOUS CONCRETE.

3. ALL PARKING SPACES ARE TO BE DEFINED WITH 4-INCH WIDE DURABLE PAINTED LINE.

4. THERE IS NO 100-YEAR FLOODPLAIN AREA ON THIS PROPERTY.

5. PROVIDE AN 8 FOOT HIGH HANDICAPPPED PARKING SIGN AT EACH REQUIRED HANDICAPPED SPACE PER PGCO ORDINANCE. ALL HANDICAP STALLS SHALL BE PAINTED BLUE.

6. ON-SITE CURBING IS TO BE CITY OF BOWIE STANDARD R-1 CONCRETE CURB & GUTTER. SPILL GUTTER AT ALL LOCATIONS WHERE PAVING GRADE FALLS AWA FROM THE CURB.

7. ON-SITE PAVING IS TO BE 1-1/2" BITUMINOUS CONCRETE SURFACE COURSE OVER A 3' BITUMINOUS CONCRETE BASE COURSE. ALL OVER A 6: CRUSHED STONE (OR-6) SUBBASE. SUBGRADE IS TO BE PROOF-ROLLED UNDER THE SUPERVISION OF A GEOTECHNICAL ENGINEER WEEL IN ADVANCE OF PAVING. ALTERNATE PAVING SECTIONS MAY BE USED AT THE OWNER'S OPTION UPON APPROVAL BY THE GEOTECHNICAL ENGINEER.

8. FOOTINGS ARE TO BE PLACED IN ORIGINAL GROUND AS GRADE PERMITS. USE CLASS I STRUCTURAL FIL UNDER ALL BUILDING AREAS THAT REQUIRE FILL TO SUB-GRADE. SEE GEOTECHNICAL REPORT FOR FILL REQUIREMENTS AND RECOMMENDATIONS. ALL CLASS I FILL IS TO BE PLACED UNDER THE DIRECT SUPERVISION OF A GEOTECHNICAL ENGINEER OR HIS REPRESENTATIVE. USE CLASS II FILL UNDER ALL PARKING LOTS AND OTHER AREAS THAT WILL BE PAVED. USE CLASS III FILL LANDSCAPING PLANTERS AND SPOIL AREAS.

9. ALL ROADWAY CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE GENERAL SPECIFICATIONS FOR HIGHWAY AND STREET CONSTRUCTION THE PRINCE GEORGE'S COUNTY CODE AND THE PRINCE GEORGE'S COUNTY ROAD ORDINANCE.

10. 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 PITS BY HAND AT UTILITY CROSSINGS WELL IN ADVANCE OF TRENCHING. IF CLEARANCES TO WATER AND SEWER LINES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCES, CONTACT THE DEPARTMENT OF ENVIRONMENTAL RESOURCES BEFORE PROCEEDING WITH CONSTRUCTION.

11. ALL ELEVATIONS SHOWN ON THESE PLANS ARE REFERRED TO WSSC'S VERTICAL DATUM.

12. THE PAVEMENT SUBGRADE IS TO BE APPROVED BY THE DPW&T INSPECTOR PRIOR TO INSTALLATION OF BASE COURSE.

13. UNDERDRAIN SYSTEM SHALL BE INSTALLED WHEN WARRANTED BY FIELD CONDITIONS OR AS REQUIRED BY THE DPW&T INSPECTOR.

14. PRIOR TO STARTING ANY WORK SHOWN ON THIS PLAN, THE PERMITTEE SHALL ARRANGE A PRE-CONSTRUCTINO MEETING WITH THE DPW&T INSPECTOR BY CALLING (301) 499-8601.

15. AL WORK SHALL BE DONE SO AS TO COMPLY WITH MARYLAND HANDICAPPED CODE ACCESSIBLE CURB RAMPS ARE TO BE PROVIDED AT ALL INTERSECTIONS WITH SIDEWALKS.

16. OUTDOOR LIGHTING SHALL USE FULL CUT OFF FIXTURES THAT ARE FULLY SHIELDED WHEREVER POSSIBLE TO REDUCE THE AMOUNT OF LIGHT NEEDED AND TO REDUCE GLARE. ALL LIGHTING SHALL HAVE TIMING DEVICES, BE MORE ENERGY EFFICIENT, AND DETAILS OF THE TIMING DEVICES SHALL BE PROVIDED.

17. THERE ARE NO PERENNIAL STREAMS ON THIS SITE.

18. NO FLAGS OR BANNERS SHALL BE MOUNTED, SUSPENDED, OR OTHERWISE DISPLAYED FROM THE BUILDING OR PERMITTED ON EACH INDIVIDUAL BUILDING SITE, EXCEPT FOR ONE STANDARD SIZE AMERICAN FLAG.

19. 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.

20. THE 100-YEAR FLOODPLAIN AREA ALONG THE PATUXENT RIVER SHALL BE DEDICTED TO THE M-NCPPC AT STAGE II OF THE DEVELOPMENT IN LIEU OF OPEN SPACE REQUIREMENTS FOR INDIVIDUAL PARCELS.

21. HIGH ENERGY REFLECTIVE ROFFING MATERIAL SHALL BE UTILIZED. ROOFTOP MECHANICAL EQUIPMENT AS SEEN FROM ABOVE SHALL BE GROUPED IN A MORE AESTHETICALLY PLEASING ARRANGEMENT.

22. "SHARE THE ROAD' WITH A BIKE SIGNS SHALL BE PROVIDED ALONG EXTENDED MELFORED BLVD FRONTAGE FROM MELFORD CIRCLE AND CURIE DRIVE TO THE EASTERN PORTION OF THIS SITE WHERE IT CONNECTS TO PROPOSED MARCONI DRIVE.

23. ACCENT/PEDESTRIAN LIGHTING WILL BE ADDRESSED AT THE TIME OF BUILDING PERMITS FOR THE THREE OFFICE BUILDINGS THAT HAVE FRONTAGE ON EITHER MELFORD CIRCLE OR MELFORD BLVD. (BUILDINGS A,B, & G)

24. THE CITY OF BOWIE IS THE APPROVAL AUTHORITY FOR ALL SWM LANDSCAPING A FACILITY DESIGN.

SHEET INDEX

C-1	TITLE SHEET
C-2	APPROVAL SHEET FOR COA
C-3	OVERALL SITE PLAN
C-4	SITE PLAN
C-5	SITE PLAN
C-6	SITE PLAN
L-1	LANDSCAPE & LIGHTING PLAN
L-2	LANDSCAPE & LIGHTING PLAN
L-3	LANDSCAPE & LIGHTING PLAN
L-4	LANDSCAPE & LIGHTING PLAN
D-01	SITE DETAILS
D-02	SITE DETAILS
D-03	SITE DETAILS
A01	1 STORY OFFICE & D FLOOR PLANS
A01A	1 STORY LARGE OFFICE FLOOR PLAN
A02	R & D BLDG. ELEVATIONS COLOR ZONE I
A02A	OFFICE ELEVATIONS COLOR ZONE II
A03	LARGE OFFICE ELEVATION COLOR ZONE
A04	R & D BLDG. ELEVATIONS COLOR ZONE III
A04A	R & D BLDG. ELEVATIONS COLOR ZONE IV
A05	SCHOOL ELEVATIONS
A-06	3 STORY PLUS ELEVATIONS
A-07	SIGN LOCATIONS & DETAILS
A-08	SIGN DETAILS
LT-01	ILLUMINANCE PLAN

DRAINAGE CERTIFICATION
I CERTIFY THAT I HAVE INSPECTED THIS SITE AND THAT DRAINAGE ONTO THE SITE FROM UPGRADE PROPERTIES AND FROM THOSE ONTO OTHER DOWNGRADE PROPERTIES HAS BEEN ADDRESSED IN SUBSTANTIAL CONFORMANCE WITH APPLICABLE CODES.

SIGNATURE: _____
NAME: _____
MD. REG. NO. _____
DATE: _____

ENGINEER'S CERTIFICATION
I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO SUBTITLE 32, DIVISION 2 OF THE PRINCE GEORGE'S COUNTY WATER AND SANITARY RESOURCES AND GRADING CODE.

SIGNATURE: _____
NAME: _____
MD. REG. NO. _____
DATE: _____

1 2 3 4 5 6

400 200 0 400 800

SOLTESZ, LLC
Engineering
Surveying
Planning
Environmental Sciences

LANHAM OFFICE
4300 Forbes Boulevard, Suite 230
Lanham, MD 20706
P. 301.794.7555 F. 301.794.7656
www.soltesz.com

NO	REVISIONS	BY	DATE
4	REVISE CONFIGURATION OF POD 6, LOTS 2, 3, 4, & 6. REVISE PROPOSED DEVELOPMENT OF LOT	BCG	JULY 2018
3	REVISION TO BUILDINGS H, I & K BUILDING HEIGHT AND COLOR OF EXTERIOR BUILDING MATERIALS	OTHERS	5-24-18
2	ADDED TEMPORARY LEASING SIGN DETAIL AND LOCATION TO SHEETS A-02 AND A-07	OTHERS	3-07-11
1	UPDATED R&D BLDG JOGS PER ARCH PLANS AND MODIFIED GRADING AS NECESSARY, TOTAL R&D REDUCED FROM 246,820 S.F. TO 245,560 S.F.	OTHERS	10-29-09

DATE: JUNE 2018 | CAD STANDARDS VERSION: | VB - NCS
DESIGNED: BCG | TECHNICIAN: BCG | CHECKED: DJB

MISS UTILITY NOTE
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND. WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER/DEVELOPER/APPLICANT
ENCOMPASS HEALTH
9001 LIBERTY PARKWAY
BIRMINGHAM, AL 35242
CONTACT: JOHN TSCHUDIN

MAP: _____ GRID: _____
TAX MAP: 48 - A4 | ZONING CATEGORY: M-X-T
WSSC 200' SHEET: 207NE15
SITE DATUM
HORIZONTAL: NAD83
VERTICAL: XXXXXX

STATE OF MARYLAND · DAVID SCOTT BOWLES · 21302 · LANDSCAPE ARCHITECT

DETAILED SITE PLAN DSP-07031/04
ENCOMPASS HEALTH OF MELFORD
LOT 5
QUEEN ANNE (7TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = 400'
SHEET 1 OF 8
PROJECT NO. 3842-00-00
DSP-07031-04 Building No. 2 of 2

P:\38420000\Engineer\Sheet_Files\Site\C1.sht Scale= 400.0000 sf / in. User= yroh PLTdrv= PDF_Grey_150.pltcfg PenIb= TEXT_SUB.tbl 8/18/2020 2:46:07 PM

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CERTIFICATE OF APPROVAL

MELFORD, POD 6, LOTS 1-5
DSP-07031

The resolution for this Detailed Site Plan was approved on September 11, 2008 by the Prince George's County Planning Board in accordance with Subtitle 27, Part 3, Division 9 of the Prince George's County Code. The official decision of this case is enclosed in Prince George's County Planning Board Resolution No. 08-137, which contains the conditions listed below:

1. Total development within the limits of CSP-06002 shall be limited to uses within the M-X-T Zone that generate no more than 2,774 AM or 3,593 PM peak-hour vehicle trips. No development with an impact beyond those limits may be approved, until the applicant revises the CSP and the Planning Board and District Council make a new determination that transportation facilities will be adequate for proposed uses. The applicant shall prepare and file another traffic analysis, to support a finding of adequacy.

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

   (A) At MD 5/MD 450/gas station access intersection

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

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

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

   Governors Bridge Road shall be widened and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the easternmost complex driveway, and the entire roadway shall be restriped to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.

3. Total development within the limits of 4-07055 shall be limited to uses within the M-X-T Zone that generate no more than 592 AM trips nor 875 PM trips for Pod 1, and 874 AM trips and 1,272 PM peak trips for Pods 5, 6, 7, 7B and F2 combined. Any development with an impact beyond that identified herein above shall require a revision to the CSP and a new preliminary plan with a new determination of the adequacy of transportation facilities.

4. Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of permeable paving materials to reduce the area of impervious surfaces and promote natural infiltration. This shall be applied to 1/2 parking spaces as a minimum.

5. Prior to certification of the detailed site plan, the limits of disturbance on the DSP and TCPII shall be revised to reflect all proposed grading necessary for the development of this site.

6. Prior to certification of the detailed site plan, the DSP shall be revised to show the wetland and wetland buffer in accordance with the Nature Resource Inventory (NRI/054/06-01).

7. Prior to certification of the detailed site plan, the TCPII shall be revised as follows:

   a. Remove the calculations for phases of development that have not yet received certification and signature approval.

   b. Show the required easement for the stormwater management outfall on Sheet 12.

   c. Add the following note under the signature approval block on the coversheet:

   "The -08 revision to this TCPII is associated with the approval of DSP-07031."

   d. Have the plans signed and dated by the qualified professional who prepared the plan.

8. Prior to certification of the detailed site plan, copies of the approved stormwater management concept plan and letter shall be submitted. The concept must be correctly reflected on the TCPII.

9. Six weeks prior to submission of the plans for certification of any DSP in the project area including DSP-07031, an original, special warranty deed along with a metes and bounds description for the property to be conveyed to M-NCPPC (signed by the WSSC Assessment supervisor), shall be submitted to the DPR for their review and approval. Upon approval by the DPR, the deed shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

10. Property to be conveyed to M-NCPPC shall be subject to the following conditions:

   a. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.

   b. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.

   c. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.

   d. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.

   e. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.

   f. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.

   g. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.

   h. The land to be conveyed shall not be encumbered by prescriptive or descriptive easements that are to the benefit of other properties without the expressed written permission of DPR. If encumbered, the DPR shall review the location, the rights and privileges associated with those easements and their anticipated impact on the future development of the parkland. If appropriate, DPR may require the applicant to relocate said easements.

   i. No stormwater management facilities, tree conservation or utility easements (other than typical public utility easements (PUE) associated with the edge of a public right-of-way) shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

11. A temporary 26-foot-wide access easement shall be recorded along with the parkland dedication deed to provide suitable vehicular access to the parkland until the public roads will be extended to the parkland.

12. Prior to certification of Detailed Site Plan DSP-07031, the applicant shall comply with the following:

   a. The grades and design from Pod 6 shall be revised to allow future road access to Nash Drive.

   b. The plans shall be revised to include a Tracking Table that shows how much square footage has been permitted for each use, how much has been approved for the entire Melford development, and how much is proposed for this site.

   c. Roofing plans shall be included and the applicant shall:

      (1) Note the use of high energy reflective roofing material; and

      (2) Design the rooftops such that the mechanical equipment, as seen from above, is grouped in a more aesthetically pleasing arrangement.

   d. The Landscape Manual's minimum height of 12-14 feet for shade trees shall be indicated on the landscape plans.

   e. A native groundcover shall be included in the landscape plans such that 50 percent of the groundcover is non-invasive, native or native hybrid.

   f. The landscape plan shall be revised to show a 30-foot landscaped buffer between US 50 and the proposed adjacent flex buildings with 50 percent more additional plant material and larger evergreens at 8-10 feet.

   g. A note shall be added to the plans that all lighting shall have timing devices, be more energy efficient, and details of the timing device shall be provided.

   h. The plans shall be revised to provide decorative crosswalks at the six entrances to the site.

   i. The plans shall be revised to provide continuous sidewalk connectivity between all of the buildings on the site and the adjoining public street sidewalks.

   j. The applicant shall calculate the total percentage of impervious surface area on the site and offset the impervious surface area by utilizing low-impact development technicians such as bioretention areas, green roofs, conservation landscaping, etc. The applicant shall revise the plans to include:

      (1) Bioretention areas distributed within the site plan in a manner as to improve visual appeal and provide a public amenity;

      (2) Minimal use of lawns and lawn type products in favor of utilizing native plants, where possible.

   k. The plans shall be revised such that there are no more than 15 parking spaces without an island.

   l. The applicant shall include at least three public amenity spaces: a "Viewing Area" adjacent to the wet pond, located south of the most easterly flex building on the site; a "Boulevard" streetscape along Melford Circle and Melford Boulevard in front of the two office buildings; and a minimum of three "Pavilion" furniture spread throughout the site.

      (1) The scenic "Viewing Area" shall have interpretative signage describing the native plants and wildlife in the wet pond, the reasons for utilizing native plants, and the advantages to the Chesapeake Bay.

      (2) The "Boulevard" streetscape shall have an enhanced sidewalk with decorative pavers at the office building entrances with decorative lighting no greater than 16 feet high, tree grates, outdoor seating, accent lighting on the building street elevations that is low-wattage so as to not cause off-site glare, bicycle racks, and plantings to create a pedestrian-friendly atmosphere between the office buildings and Melford Boulevard.

      (3) A minimum of three "Pavilion" furniture shall be designed as separate areas for pedestrian and on-site workers that are accessible, safe, and comfortable and have decorative paving, decorative lighting and some benches and/or eating surfaces that create a sense of place between the parking areas and the buildings.

   m. The applicant shall revise the plans such that the dumpster adjacent to the eastern end of Melford Boulevard is relocated to the rear of the site or heavily landscaped to shield its view from Melford Boulevard. The dumpster enclosure shall be eight feet high and be constructed of masonry to match the buildings.

   n. A note shall be placed on the plans that all decorative banners and signs shall be prohibited from the site other than one standard size American flag.

   o. The plans shall be revised such that the aggregate footage of all of the signage and the height of the monument sign is in conformance with SDP-0204.

   p. The stormwater management plan shall be revised such that there are only non-intrusive, native, or native hybrid plants specified.

   q. A note shall be place on the plans that "Share the Road" with a bike sign shall be provided along extended Melford Boulevard frontage from Melford Circle and Carts Drive to the eastern portion of this site where it connects to proposed Nash Drive.

13. Prior to issuance of any new sign permits for the Melford development, the applicant shall:

   a. Survey the overall development for all existing and approved signage; and,

   b. Submit a unified CSP for signage for the entire Melford development that complies with the approved CDP and the recently approved CSP. The signage program should show consistency between previously approved signage and proposed signage in terms of size (height), location (setback), square footage, materials, logos, colors and lighting.

14. Prior to certification of the detailed site plan, the applicant shall demonstrate to the satisfaction of the Planning Board or its designee that green building techniques and energy efficient building methods have been incorporated into the design and the details of the proposed architectural products.

15. Prior to signature approval of the plans the following changes shall be made:

   a. The plans shall provide retaining walls of the same size, style and contrast as those approved along Telsa Drive, used to access the loading areas from Telsa Drive for Lots 1- 2 and 2 of Block 4. Retaining walls shall be provided to screen views of large expanses of asphalt and loading areas as viewed from US 50 and Melford Boulevard Extended and Telsa Drive.

   b. The Landscape plan shall be revised to include 80 percent of the plant material as native plant material and an abundant amount of landscaping shall be provided around the proposed stormwater management pond.

   c. The plans shall be revised to include full cut-off lighting systems on the site.

   d. The plans shall be revised to demonstrate conformance to the *Landscape Manual* in regard to Sections 4.2, 4.3(a), 4.4 and 4.7.

   e. In conformance with the Adopted and Approved Bowie and Vicinity Master Plan, the applicant, the applicant's heirs, successors, and/or assignees shall provide the following:

      (1) Provide standard sidewalks along both sides of the internal road within Pod 6 from Telsa Drive to the eastern most building on Lot 5 and Melford Boulevard, and include curb cuts, cross walks and pedestrian safety features where appropriate.

      (2) Provide sidewalk connections, curb cuts and cross walks from the perimeter walkways around the proposed buildings to the existing or planned sidewalks along Melford Boulevard and the internal roadway for Pod 5.

   f. The cover sheet shall be updated to include the layout of buildings and lot lines.

   g. The building data in regard to Lot 3, as shown on the cover sheet, shall be revised to match the plans.

16. Prior to approval of the first final plat for the project, the applicant shall make a monetary contribution in the amount of $250,000 for the design and construction of the Green Branch Athletic Complex.

17. Issuance of each building permit for new research and development/flex space shall be limited to the amount of GFA permitted by the following formula:

[(Total GFA within the M-X-T Zone at the time of application for a new permit for R&D – **Existing R&D** is of 2008 (274,456 sq. ft.)) **+ GFA of R&D/** flex building for which permit is requested **x .10 = Cumulative total of GFA of additional R&D** flex space for which permit may be approved of DSP-07031

This approval includes:

1	Cover Sheet
1	Approval Sheet
4	Detailed Site Plans
5	Landscape Plans
3	Detail Sheets
6	Architectural Elevations
2	Floor Plans
2	Sign Plans
1	Illuminance Plan
14	Tree Conservation Plans

Any departure from this plan shall be resubmitted to the Planning Board for approval.

This Detailed Site Plan is valid for 3 years, until September 11, 2011, or as provided for in Section 27-287.

CERTIFIED BY AUTHORITY OF:
The Prince George's County Planning Board

Signed: Steven D. Adams
Steven D. Adams, Urban Design Supervisor

CERTIFICATE OF APPROVAL

MELFORD, POD 6
DSP-07031-02

This revision to a Detailed Site Plan was approved on April 18, 2011 by the Development Review Division at designee of the Planning Director in accordance with Subtitle 27, Part 3, Division 9 of the Prince George's County Code.

This revision is for the purpose of the addition of a temporary real estate leasing sign.

The Planning Director's approval of this Detailed Site Plan is consistent with the required findings in Section 27-285(b) of the Prince George's County Zoning Ordinance. Conditions of the original approval shall remain in full force and effect.

This approval includes:

1	Cover Sheet
1	Approval Sheet
1	Detail Sheet
1	Architectural Elevation

APPROVED BY AUTHORITY OF: Fern V. Piret, Planning Director

By
Steven D. Adams
Urban Design Supervisor, Development Review Division

CERTIFICATE OF APPROVAL

MELFORD, POD 6
DSP-07031-01

This revision to a Detailed Site Plan was approved on December 11, 2009, by the Development Review Division as designee of the Planning Director in accordance with Subtitle 27, Part 3, Division 9 of the Prince George's County Code.

This revision is for the purpose of minor revisions to the building footprints and square footage of buildings C, D, H, I, and K, with minor changes to site details, landscape and lighting.

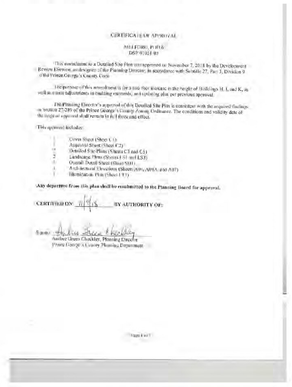
The Planning Director's approval of this Detailed Site Plan is consistent with the required findings in Section 27-285(b) of the Prince George's County Zoning Ordinance. Conditions of the original approval shall remain in full force and effect.

This approval includes:

1	Cover Sheet
4	Detailed Site Plans
5	Landscape Plans and Detail Sheets

APPROVED BY AUTHORITY OF: Fern V. Piret, Planning Director

By
Steven D. Adams
Urban Design Supervisor, Development Review Division


CERTIFICATE OF APPROVAL

MELFORD, POD 6
DSP-07031-03

This revision to a Detailed Site Plan was approved on November 7, 2011 by the Development Review Division, as designee of the Planning Director, in accordance with Subtitle 27, Part 3, Division 9 of the Prince George's County Code.

The purpose of this amendment is for minor floor revisions to the height of Buildings H, I, and K, as well as some adjustments to building entrances, and a parking plan per previous approval.

The Planning Director's approval of this Detailed Site Plan is consistent with the required findings in Section 27-285 of the Prince George's County Zoning Ordinance. The conditions and validity date of the original approval shall remain in full force and effect.

This approval includes:

1	Cover Sheet (Sheet 1/1)
1	Approval Sheet (Sheet 4/2)
2	Detailed Site Plans (Sheets C3 and C1)
2	Landscape Plans (Sheets L1 and L3/5)
1	Overall Detail Sheet (Sheet 5/6)
1	Architectural Elevations (Sheets 20/9, 40/15, and 50/17)
1	Illumination Plan (Sheet 11/13)

Any departure from this plan shall be resubmitted to the Planning Board for approval.

CERTIFIED BY 11/7/11 BY AUTHORITY OF:

Name: Andrew Bishop, Planning Director
Author/Team Chairman, Planning Director
Prince George's County Planning Department

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P. 301.794.7555 F. 301.794.7656

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NO.	REVISIONS	BY	DATE

DATE: JUNE 2018 | CAD STANDARDS VERSION: V8 - NCS
DESIGNED: BCG | TECHNICIAN: BCG | CHECKED: DJB

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER/DEVELOPER/APPLICANT

ENCOMPASS HEALTH
9001 LIBERTY PARKWAY
BIRMINGHAM, AL 35242
CONTACT: JOHN TSCHUDIN

MAP _____ GRID _____

TAX MAP	ZONING CATEGORY
48 - A4	M-X-T
WSSC 200' SHEET	
207NE15	

SITE DATUM
HORIZONTAL: NAD83
VERTICAL: XXXXXX

STATE OF MARYLAND — DAVID J. DUNN — 21610 — LANDSCAPE ARCHITECT

DETAILED SITE PLAN DSP-07031/04
ENCOMPASS HEALTH OF MELFORD LOT 5

QUEEN ANNE (7TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = 30'

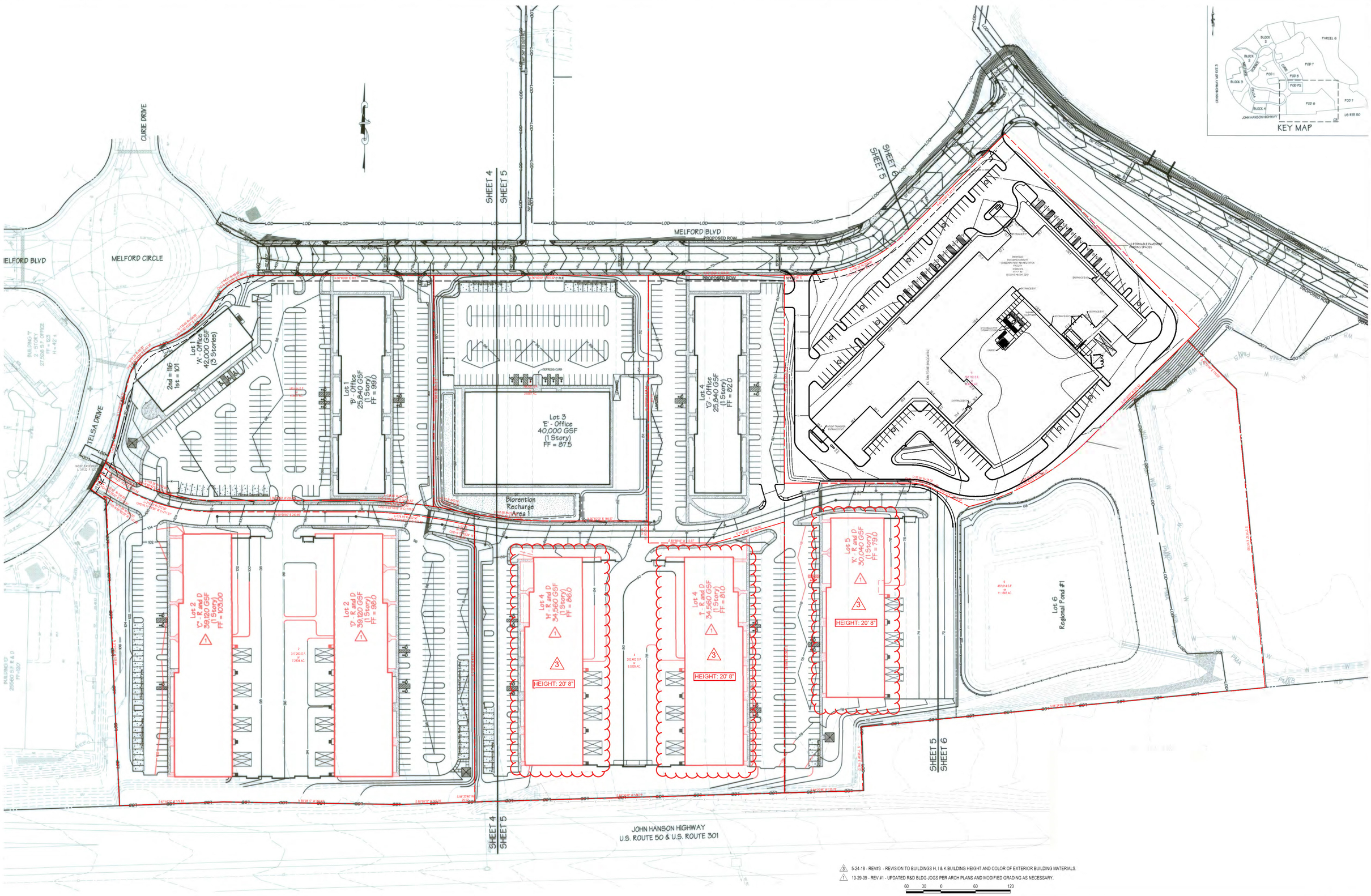
SHEET 2
OF 8

PROJECT NO.
3842-00-00

DSP-07031-04 Backup 286 of 300

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CURIE DRIVE
MELFORD BLVD
MELFORD CIRCLE
TESLA DRIVE
MELFORD BLVD
PROPOSED ROW
SHEET 4
SHEET 5
SHEET 6
SHEET 5
SHEET 6
SHEET 4
SHEET 5
JOHN HANSON HIGHWAY
U.S. ROUTE 50 & U.S. ROUTE 301
Lot 1
'A' - Office
42,000 GSF
(3 Stories)
2nd = 116
1st = 101
Lot 1
'B' - Office
25,840 GSF
(1 Story)
FF = 99.0
Lot 3
'E' - Office
40,000 GSF
(1 Story)
FF = 87.5
Lot 4
'G' - Office
25,840 GSF
(1 Story)
FF = 82.0
Bioretention
Recharge
Area 1
Lot 2
'C' - R and D
39,120 GSF
(1 Story)
FF = 103.00
Lot 2
'D' - R and D
39,120 GSF
(1 Story)
FF = 96.0
Lot 4
'H' - R and D
34,560 GSF
(1 Story)
FF = 86.0
Lot 4
'I' - R and D
34,560 GSF
(1 Story)
FF = 81.0
Lot 5
'K' - R and D
30,040 GSF
(1 Story)
FF = 79.0
HEIGHT: 20' 8"
HEIGHT: 20' 8"
HEIGHT: 20' 8"
Lot 6
Regional Pond #1
BUILDING 'F'
25,840 S.F. OFFICE
FF = 123
H = 42.1
BUILDING 'G'
25,840 S.F. R & D
FF = 82.0
BUILDING 'H'
34,560 S.F. R & D
FF = 86.0
BUILDING 'I'
34,560 S.F. R & D
FF = 81.0
BUILDING 'K'
30,040 S.F. R & D
FF = 79.0
PROPOSED ROW
PROPOSED ROW
PROPOSED ROW

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REFERENCE GRID

MSTC VIII, LLC
BLOCK 4, LOT 3
ZONE: M-X-T
USE: R & D OFFICE

MSTC IX, LLC
BLOCK 4, LOT 5
ZONE: M-X-T
USE: OFFICE

H = 42' ±

TELSA DRIVE

MELFORD CIRCLE

MELFORD BLVD.

JOHN HANSON HIGHWAY
U.S. ROUTE 50 & U.S. ROUTE 301

Lot 2
'C' - R and D
39,120 GSF
(1 Story)
FF = 103.00

Lot 2
'D' - R and D
39,120 GSF
(1 Story)
FF = 98.0

Lot 1
'A' - Office
42,000 GSF
(3 Stories)

2nd = 116
1st = 101

Lot 1
'B' - Office
25,840 GSF
(1 Story)
FF = 99.0

POD P2
MSTC IIIE HOLDINGS, LLC
ZONE: M-X-T
USE: VACANT

30' LANDSCAPING BUFFER

Pervious Concrete Paving

DUMPSTER

7' High Screen Wall

DUE SOUTH 497.21'

DUE EAST 254.95'

DUE SOUTH 309.65'

N 0°00'00" E 476.91'

N 90°00'00" E 332.11'

S 90°00'00" W 254.95'

N 90°00'00" E 240.89'

5-24-18 - REV#3 - REVISION TO BUILDINGS H, I & K BUILDING HEIGHT AND COLOR OF EXTERIOR BUILDING MATERIALS.

10-29-09 - REV #1 - UPDATED R&D BLDG JOGS PER ARCH PLANS AND MODIFIED GRADING AS NECESSARY.

60 30 0 60 120

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DATE: JUNE 2018 | CAD STANDARDS VERSION: | VB - NCS
DESIGNED: BCG | TECHNICIAN: BCG | CHECKED: DJB

MISS UTILITY NOTE

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OWNER/DEVELOPER/APPLICANT

ENCOMPASS HEALTH
9001 LIBERTY PARKWAY
BIRMINGHAM, AL 35242
CONTACT: JOHN TSCHUDIN

MAP	GRID
TAX MAP: 48 - A4	ZONING CATEGORY: M-X-T
WSSC 200' SHEET: 207NE15	
SITE DATUM HORIZONTAL: NAD83 VERTICAL: XXXXXX	

STATE OF MARYLAND · JOHN WILLIAM HESSLER · No. 21420 · LANDSCAPE ARCHITECT

DETAILED SITE PLAN DSP-07031/04
ENCOMPASS HEALTH OF MELFORD LOT 5

QUEEN ANNE (7TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = 30'

SHEET 4 OF 8

PROJECT NO. 3842-00-00

DSP-07031-04 Backup 288 of 300

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SEE MATCHLINE SHEET 4

Lot 4
'H' - R and D
34,560 GSF
(1 Story)
FF = 86.0
HEIGHT: 20' 8"

Lot 4
'I' - R and D
34,560 GSF
(1 Story)
FF = 81.0
HEIGHT: 20' 8"

Lot 5
'K' - R and D
30,040 GSF
(1 Story)
FF = 79.0
HEIGHT: 20' 8"

Lot 5
'J' - R and D
32,040 GSF
(1 Story)
FF = 79.0

SEE SHEET 7 FOR REVISED LAYOUT FOR THIS AREA

Lot 3
'E' - Office
40,000 GSF
(1 Story)
FF = 87.5

Lot 4
'G' - Office
25,840 GSF
(1 Story)
FF = 82.0

Bioretention Recharge Area 1

JOHN HANSON HIGHWAY
U.S. ROUTE 50 & U.S. ROUTE 301

MELFORD BLVD.
PROPOSED ROW

KEY MAP

POD P2
MSTC IIIE HOLDINGS, LLC
ZONE: M-X-T
USE: VACANT

5-24-18 - REV#3 - REVISION TO BUILDINGS H, I & K BUILDING HEIGHT AND COLOR OF EXTERIOR BUILDING MATERIALS.
10-29-09 - REV #1 - UPDATED R&D BLDG JOGS PER ARCH PLANS AND MODIFIED GRADING AS NECESSARY.

60 30 0 60 120

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DATE: JUNE 2018	CAD STANDARDS VERSION: V8 - NCS		
DESIGNED: BCG	TECHNICIAN: BCG	CHECKED: DJB	

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OWNER/DEVELOPER/APPLICANT

ENCOMPASS HEALTH
9001 LIBERTY PARKWAY
BIRMINGHAM, AL 35242
CONTACT: JOHN TSCHUDIN

MAP	GRID	ZONING CATEGORY
TAX MAP 48 - A4		M-X-T
WSSC 200' SHEET 207NE15		
SITE DATUM HORIZONTAL NAD83	VERTICAL XXXXXX	

STATE OF MARYLAND — JOHN JOSEPH DJB — 21460 — LANDSCAPE ARCHITECT

DETAILED SITE PLAN DSP-07031/04
ENCOMPASS HEALTH OF MELFORD LOT 5

QUEEN ANNE (7TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = 30'

SHEET 5 OF 8

PROJECT NO. 3842-00-00

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SEE MATCHLINE SHEET 5

POD P2
MSTC IIIE HOLDINGS, LLC
ZONE: M-X-T
USE: VACANT

MELFORD BLVD.

Biorention Recharge Area 2

Lot 5
"L" - R and D
36,120 GSF
(1 Story)
FF = 72.0

Lot 6
Regional Pond #1

20'L x 13'W CL. I RIP RAP
ON FILTER CLOTH
d_{50}=9.5" 19" THICK
dmax = 15"
Q_{10} = 176.93 c.f.s.
V_{10} = 9.11f.p.s.

10'L x 13'W CL. I RIP RAP
ON FILTER CLOTH
d_{50}=9.5" 19" THICK
dmax = 15"
Q_{10} = 30.42 c.f.s.
V_{10} = 4.30 f.p.s.

12' wide gate
Curb Cut

4'-6" high fence

SEE SHEET 7 FOR REVISED LAYOUT FOR THIS AREA

JOINT USE EASEMENT

PROP WSSC ROW

DEPRESS CURB

60" RCP

30" RCP

27" RCP

21" RCP

36" RCP

18" RCP

15" RCP

I-1 I-2 I-3 I-3A I-4 I-5 I-37 I-54

E-1 E-2 M-1A

B4 B5

282,169 S.F.
or
6.4776 AC.

N65°00'00"E 195.87'

S45°00'00"W 32.94'

S45°00'00"E 148.49'

S05°35'32"E 517.85

N64°24'28"W 163.94'

DUE SOUTH 341.93'

N/F MARTIN ZEHNER, JR. et al.
L.4017 F.714
(NO METES AND BOUNDS DESCRIPTION AVAILABLE)

POD 7B
MARYLAND SCIENCE AND TECH CENTER II, LLC
ZONE: M-X-T
USE: VACANT

POD 7
MARYLAND SCIENCE AND TECH CENTER II, LLC
ZONE: M-X-T
USE: VACANT

MARCONI DR.

LOD PMA PMB W

KEY MAP

3 5-24-18 - REV#3 - REVISION TO BUILDINGS H, I & K BUILDING HEIGHT AND COLOR OF EXTERIOR BUILDING MATERIALS.
1 10-29-09 - REV #1 - UPDATED R&D BLDG JOGS PER ARCH PLANS AND MODIFIED GRADING AS NECESSARY.

60 30 0 60 120

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DATE: JUNE 2018 | CAD STANDARDS VERSION: V8 - NCS
DESIGNED: BCG | TECHNICIAN: BCG | CHECKED: DJB

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OWNER/DEVELOPER/APPLICANT

ENCOMPASS HEALTH
9001 LIBERTY PARKWAY
BIRMINGHAM, AL 35242
CONTACT: JOHN TSCHUDIN

MAP	GRID	
TAX MAP: 48 - A4		ZONING CATEGORY: M-X-T
WSSC 200' SHEET: 207NE15		
SITE DATUM HORIZONTAL: NADB3	VERTICAL: XXXXXX	

STATE OF MARYLAND — JOHN JOSEPH DJB — No. 3200 — LANDSCAPE ARCHITECT

DETAILED SITE PLAN DSP-07031/04
ENCOMPASS HEALTH OF MELFORD LOT 5

QUEEN ANNE (7TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = 30'

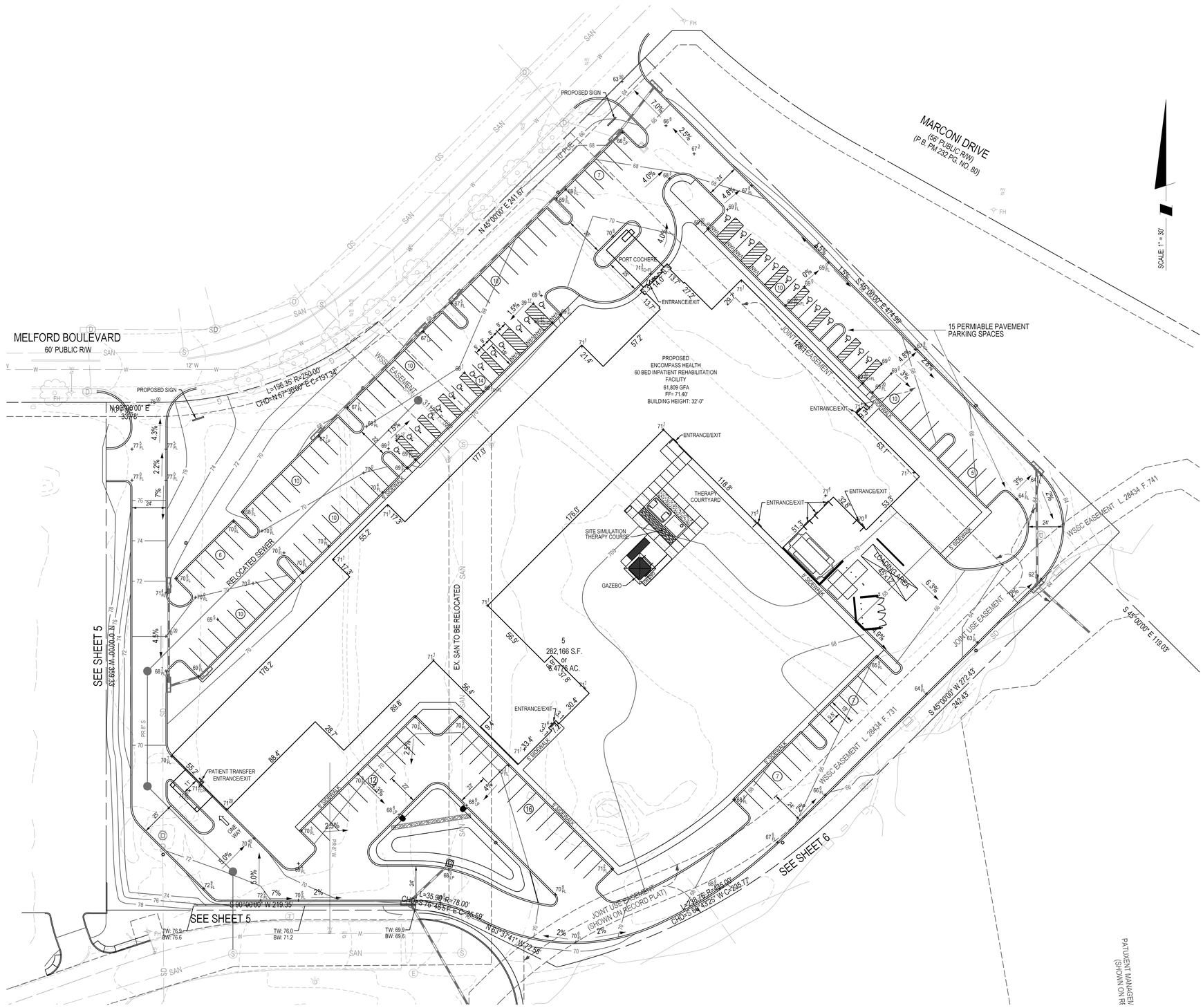
SHEET 6 OF 8

PROJECT NO. 3842-03-00

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LEGEND

- PROPOSED PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED SPOT SHOT
- EASEMENT
- PROPOSED STORMDRAIN
- EXISTING STORMDRAIN
- PROPOSED WATER
- PROPOSED SEWER
- EXISTING WATER
- EXISTING SEWER
- EXISTING FIRE HYDRANT
- EXISTING GAS LINE
- EXISTING ELECTRIC
- PROPOSED SITE LIGHTING

SCALE: 1" = 30'

GENERAL NOTES

1. SUBDIVISION NAME: UNIVERSITY OF MARYLAND SCIENCE TECHNOLOGY CENTER
2. TOTAL ACREAGE: 6.48
3. EXISTING ZONING: M-X-T
4. PROPOSED USE OF PROPERTY: HOSPITAL - REHABILITATION FACILITY
5. NUMBER OF LOT, PARCELS, OUTLOTS & OUTPARCELS: 1 LOT
6. BREAKDOWN OF PROPOSED DWELLING UNITS BY TYPE: N/A - NO RESIDENTIAL
7. GROSS FLOOR AREA: 61,809 GFA
8. 200 FOOT MAP REFERENCE: 207NE15
9. TAX MAP NUMBER AND GRID: 48-A4
10. AVIATION POLICY AREA: N/A
11. WATER/SEWER DESIGNATION EXISTING: W-3, S-3
12. WATER/SEWER DESIGNATION PROPOSED: W-3, S-3
13. STORMWATER MANAGEMENT CONCEPT PLAN NUMBER:
14. 10-FOOT PUBLIC UTILITY EASEMENT ALONG ALL RIGHTS-OF-WAY
15. MANDATORY PARK DEDICATION: N/A - NOT RESIDENTIAL
16. CEMETERIES ON OR CONTIGUOUS TO THE PROPERTY: NO
17. HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY: NO
18. STREAMS: NO
19. WETLANDS: NO
20. 100-YEAR FLOODPLAIN: NO
21. WITHIN CHESAPEAKE BAY CRITICAL AREA: NO
22. SOURCE OF TOPOGRAPHY
23. APPLICANT: ENCOMPASS HEALTH
9001 LIBERTY PARKWAY
BIRMINGHAM, AL 35242

PARKING AND LOADING SCHEDULE:
(CONVENSIONAL METHOD TO CALCULATE PARKING SPACES)

TYPICAL STANDARD PARKING SPACE SIZE: 9.5' X 19'
STANDARD HANDICAP PARKING SPACE SIZE: 8' X 19'
STANDARD HANDICAP ACCESS AISLE SIZE: 5' X19'
VAN HANDICAP PARKING SPACE SIZE: 8' X 19'
VAN HANDICAP ACCESS AISLE SIZE: 8' X 19'

REQUIRED PARKING:
TOTAL PROPOSED PARKING: 144 SPACES
TOTAL HANDICAP SPACES REQUIRED: 6
STANDARD: 5
VAN: 1
TOTAL HANDICAP SPACES PROPOSED: 27
STANDARD: 19
VAN: 8

REQUIRED LOADING: 1
PROPOSED LOADING: 1

30 15 0 30 60

SOLTESZ, LLC

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NO.	REVISIONS	BY	DATE

DATE: JUNE 2018 | CAD STANDARDS VERSION: V8 - NCS
DESIGNED: BCG | TECHNICIAN: BCG | CHECKED: DJB

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER/DEVELOPER/APPLICANT

ENCOMPASS HEALTH
9001 LIBERTY PARKWAY
BIRMINGHAM, AL 35242
CONTACT: JOHN TSCHUDIN

MAP _____ GRID _____

TAX MAP:	ZONING CATEGORY:
48 - A4	M-X-T
WSSC 200' SHEET:	
207NE15	
SITE DATUM	
HORIZONTAL: NAD83	
VERTICAL: XXXXXX	

STATE OF MARYLAND · DARREL JOHN BRACK · No. 3902 · LANDSCAPE ARCHITECT

DETAILED SITE PLAN DSP-07031/04
ENCOMPASS HEALTH OF MELFORD LOT 5

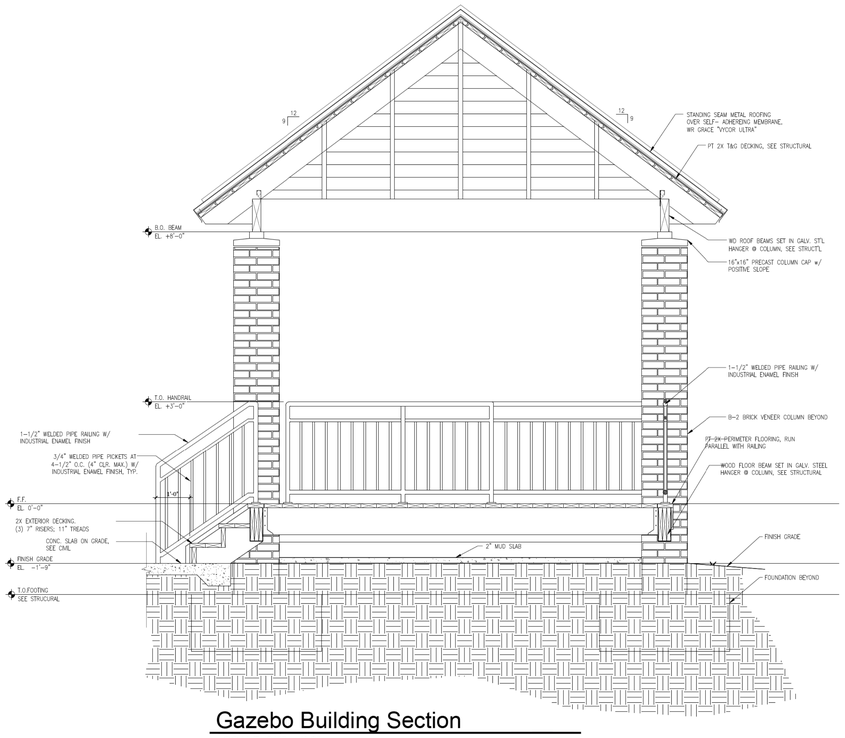
QUEEN ANNE (7TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

ALL ONE INCH SCALE
1" = 30'

SHEET 7 OF 8

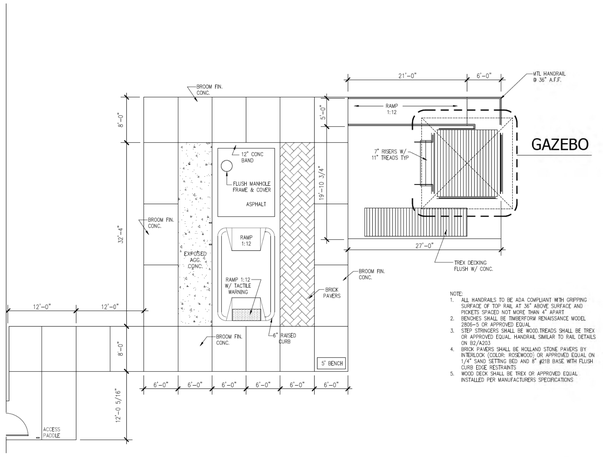
PROJECT NO.
3842-00-00
DSP-07031/04 Review: 2nd of 3rd

P:\38420000\Engineer\Sheet_Files\SiteIC7.sht Scale= 30.0000 sf / in. User= yroh PLTdrv= PDF_Grey_150.pltcfg PenIbl= TEXT_SUB.tbl 8/18/2020 3:07:10 PM



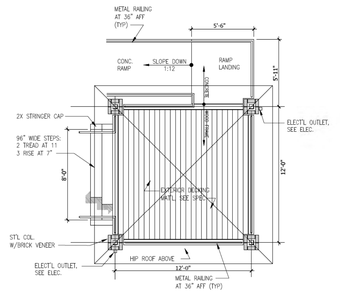
Gazebo Building Section

SCALE: 3/4" = 1'-0"



Physical Therapy Courtyard Plan

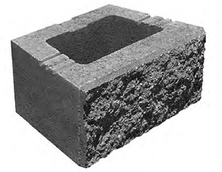
SCALE: 1/8" = 1'-0"



Enlarged Gazebo Plan

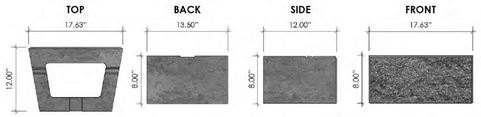
SCALE: 1/4" = 1'-0"



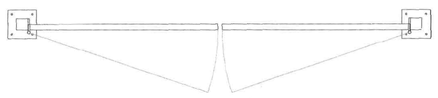


18" x 12" x 8"
80 lbs. / unit • 1 unit / sq. ft.
24 units / pallet • 1,920 lbs. / pallet
112 cu. ft. / per core

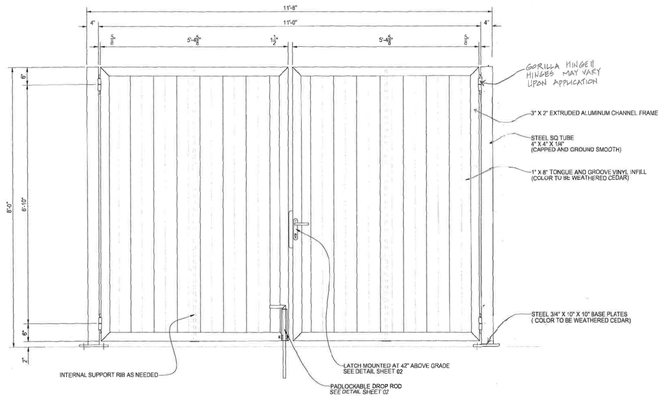
SETBACK:
- Chamfer = 0.35" per course or 2.5°
- First Groove = 1" per course
- Second Groove = 2" per course



COLOR: EARTH TONE



PLAN VIEW



TRASH ENCLOSURE DETAILS
N.T.S.

The original of this drawing document was prepared by Soltesz, Inc. ISOLTESZ). If this document was not obtained directly from SOLTESZ and/or it was transmitted electronically, SOLTESZ cannot guarantee that unauthorized changes and / or alterations were not made by others. If verification of the information contained hereon is needed, contact should be made directly with SOLTESZ. SOLTESZ makes no warranties, express or implied, concerning the accuracy of any information that has been transmitted by electronic means.

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Engineering
Surveying
Planning
Environmental Sciences
LANHAM OFFICE
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Lanham, MD 20706
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www.solteszco.com

NO.	REVISIONS	BY	DATE

DATE: JUNE 2018 | CAD STANDARDS VERSION: V8 - NCS
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WSSC 200' SHEET: 207NE15	
SITE DATUM HORIZONTAL: NAD83 VERTICAL: XXXXXX	

STATE OF MARYLAND — DAVID JOHN CARLSON — LANDSCAPE ARCHITECT

DETAILS

DETAILED SITE PLAN DSP-07031/04

ENCOMPASS HEALTH OF MELFORD LOT 5

QUEEN ANNE (7TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = NTS

SHEET 8 OF 8

PROJECT NO. 3842-00-00

DSP-07031-05_Backup_290 of 300

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DL_200917_24124_14980_211055078_1.pdf - Changemark Notes (8 Notes)

1 - Hydraulic comments

Created by: Shari Djourshari
On: 09/17/2020 09:20 PM

1)Submit a hydraulic planning analysis package for review.

2)This project is in 210 A pressure zone. This zone receives water from 350A pressure zone and in turn the source of water is from city of Bowie water system.

3) sewer flows are treated within WSSC service area

4) Local service to the pressure zone is from WSSC existing water system.

5) A 12-inch water main abuts the proposed site

6)Multiple 8-inch gravity sewer mains are abutting in all directions of the proposed site boundary.

7) Normally a hospital site requires two source of water to the site. This site can only receive water form system PRV feeding the pressure zone since the pressure zone is located at the end of WSSC system on the east Prince George's county.

8) the 10" main south of the property (howerton way) ends at a division valve. Therefore, no water is pulled from 350A pressure zone using 10" water main on Howerton Way. The 10" main receives water from the existing PRV on the 12" along Melford Blvd.

9) plan shows a poitential water service from 10". A better water service would be connecting to the 12" main in Melford Blvd.

--------- 0 Replies ---------

2 - Design Comments

Created by: Shari Djourshari
On: 09/17/2020 10:10 PM

1) The plan proposes the relocation of existing 8" gravity sewer (1985-6603L) and is constructing a building over the location of existing sewer. There is also an existing 10" water main within the exsiting easement through the site. Buildings are not allowed over WSSC facilities.

2)There is an existing 12" force main within WSSC easement south of the property, it must be shown on plans and properly labeled.

3)All proposed and existing pipelines (water and sewers) as well as water and sewer house connections must be shown on plan. Additionally, if easements are required for proposed pipelines, their limits and locations must be shown. See WSSC 2017 Pipeline Design Manual Part Three, Section 2; easements and Construction Strips.

4)Water and sewers service connection must avoid environmental, storm water management facilities, ESD Devices, other utilities, landscaping, tree boxes and structures or paving impacts for future maintenance.

5)Existing water and sewer mains shown on plan should be labeled with correct pipe size, material, protection wraping (if any), class, and WSSC contract number.

6)Easement limits for all existing and proposed water and sewer mains must be shown and properly labeled.

7) Generally, if water mains are aligned below or parallel to sewer main, building drain, sewer house connection or septic field and when pipe crosses other utilities, proper protection of water supply is required.

8) water and sewer pipelines that conflicts with large storm drains, culverts, deep side ditches, etc. must be realigned and must maintain the required horizontal clearances from other utilities, retaining walls, sediment traps, street lights, paving, etc. See WSSC 2017 Pipeline Design Manual Part Three, Section 3; Pipeline Crossings and Clearances.

9)There is a 12-inch diameter water main located near this property. WSSC records indicate that the pipe material is Ductile Iron (DI). Prior to submittal of Phase 2 System Integrity review, it is the applicant's responsibility to test pit the line and determine its exact horizontal and vertical location as well as to verify the type of pipe material. The applicant's engineer is responsible for coordinating with WSSC for monitoring and inspecting test pits for this project.

10) Pipelines (water & sewer) 12-inch and smaller must have the greater of: a minimum of 15 feet horizontal separation from any building or dwelling or a 1:1 slope from the bottom of the foundation of the existing or proposed building to the bottom edge of the pipeline trench.

11)Pipelines larger than 12-inch must have a minimum of 25 feet horizontal separation from any building or dwelling. The building must also be outside the WSSC existing or proposed easement.

12) Service connections to WSSC sewer mains 15-inch up to 27-inch require special review and approval.

13) the proposed sewer alignment shown for the relocated sewer seems to go against the drainage grade. Realign sewer to avoid deep sewers. replacement sewer must be gravity and provide similar or better capacity.

--------- 0 Replies ---------

3 - Site utility requirements

Created by: Shari Djourshari
On: 09/17/2020 11:13 PM

1)Review of plan indicates a grinder pump system may be required. Grinder pump systems must be approved by WSSC. The developer/owner is responsible for all on-site installation (materials, electrical equipment, plumbing hook-up, etc.) and must be installed by a registered plumber. The property owner is responsible for all on-site maintenance of grinder pump systems. This requirement should be disclosed at settlement to new purchasers.

2)OUTSIDE METER requirement: 3-inch and larger meter settings shall be furnished and installed by the utility contractor in an outside meter vault. Show and label vault and required WSSC easement. WSSC prefers an outside meter in a vault, however and indoor meter may be allowed under certain conditions. See WSSC 2019 Plumbing & Fuel Gas Code 111.5.7 & 603.4.1

--------- 0 Replies ---------

4 - Easement requirements

Created by: Shari Djourshari
On: 09/17/2020 11:29 PM

1)WSSC easements must be free and clear of other utilities, including storm drain systems, ESD

devices, gas, electric, telephone, CATV, etc., with the exception of allowed crossings designed in accordance with the WSSC 2017 Pipeline Design Manual. Landscaping and Hardscaping are also not allowed without approval. Under certain conditions (and by special request) the items listed above may be permitted within the WSSC easement. However, this will be evaluated on a case by case basis and if allowed, will require execution of a special agreement and/or Hold Harmless Agreement between WSSC and the developer.

2)Private Alley Easement Requirements. Service mains proposed for this project are located in roadways that are or may be private. Private water and sewer mains are preferred in private streets and alleys. If the applicant desires public water and sewer mains in these private streets and alleys, then the following criteria must be met:
-- All separation requirements in the WSSC 2017 Pipeline Design Manual (PDM) must be met.
-- A 10 foot Public Utility Easements (PUE) shall be provided on both sides of the private street -and/or alley or space within the private street will be provided to assure PDM separations are met and limiting utility crossings of the WSSC water and sewer lines.
-- Blanket easements for other utilities (gas, electric, telephone, CATV, fiber optic, etc.) within the private street and/or alley parcel will not be allowed. The HOA documents shall not provide for a blanket easement across and under a private street and/or alley parcel.
-- Dry utilities are to be located in the PUE or as described above. No dry utilities are to be placed within the WSSC easement for public water and sewer except to cross perpendicular to the public water and sewer mains.
-- The storm drain system located in a private street and/or alley containing public water and sewer mains shall also be public and maintained by the County

3)WSSCs minimum easement width for a normal (14-inch diameter or less) pipeline (water or sewer at normal depth) is 20-feet. When both water and sewer (normal diameter and depth) are installed in the same easement, the minimum width is 30-feet. Installation of deep or large water/sewer will require additional easement width.

4)Balconies or other building appurtenances must not encroach within WSSC easements. Water/Sewer pipeline alignment should maintain a minimum 5-foot horizontal clearance from storm-drain pipeline/structures and other utilities. Review of plan submitted does not meet these requirements.

--------- 0 Replies ---------

5 - Environmetal requirements

Created by: Shari Djourshari
On: 09/17/2020 11:32 PM

1)Pipelines, generally, must avoid or minimize environmental concerns such as: tree save areas, forested areas, rural/rustic roads, blasting areas, utilities, water quality, champion trees, historic or burial properties, landfills or other soil contaminated areas

--------- 0 Replies ---------

6 - General information for all sites

Created by: Shari Djourshari
On: 09/17/2020 11:36 PM

Submit an Excavation Support System Plan (ESS) to WSSC for review if your project involves subsurface features such as an underground parking garage or a deep excavation which will require tiebacks in the area of existing or proposed WSSC mains. This ESS Plan submission

should be made at the time of Design Plan Submission. If, however, the excavation support work will be done before the Design Plan Submission, it will be necessary to submit the plan as a Non-DR Plan to WSSC. No work should be done in the vicinity of WSSC mains until the ESS Plans have been reviewed by WSSC. If no ESS Plans are required for the project, the engineer should provide a letter from the Project Structural Engineer certifying that the building does not require it.

2)Any grading change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Unit at (301) 206-8672 for review procedures and fee requirements.
See WSSC 2017 Pipeline Design Manual, Part Three, Section 5 & Section11.

3)WSSC facilities/structures cannot be located with a public utility easement (PUE) however WSSC pipelines may cross over a PUE. Revise the plan to relocate any pipeline, valve, fire hydrant, meter vault and any other WSSC facilities/structures outside of the PUE.

--------- 0 Replies ---------

7 - -WSSC Standard Comments for All Plans

Created by: Dave Margolis
On: 09/14/2020 10:18 AM

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.

2. Coordination with other buried utilities:

a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.
b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.
c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSCs pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
g. Upon completion of the site construction, utilities that are found to be located within WSSCs rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicants expense.

3. Forest Conservation Easements are not permitted to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water

and/or sewer systems) must be reviewed and approved by County staff.

4. Unless otherwise noted: ALL extensions of WSSCs system require a request for Hydraulic Planning Analysis and need to follow the System Extension Permit (SEP) process. Contact WSSC's Permit Services Section at (301-206-8650) or visit our website at https://www.wsscwater.com/business--construction/developmentconstruction-services.html for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSC's Permit Services Section at (301) 206-4003.

--------- 0 Replies ---------

8 - -WSSC Plan Review Comments

Created by: Dave Margolis
On: 09/14/2020 10:19 AM

Plan # DSP-07031-04

Encompass Health and Rehabilitation Hospital

--------- 0 Replies ---------

City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

October 20, 2020

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

RE: Detailed Site Plan #DSP-07031-04
Encompass Health Inpatient Physical Rehabilitation Facility
Lot 5, Pod 6, Melford

Dear Chairman Hewlett:

On October 19, 2020, the Bowie City Council conducted a public hearing on the above referenced Detailed Site Plan. The subject property, Lot 5, Pod 6 in the Melford development, is located on the south side of Melford Boulevard, approximately 50 feet west of Marconi Drive. The vacant property, which contains 6.48 acres, is zoned M-X-T (Mixed Use – Transportation Oriented). The applicant, Encompass Health, is proposing to construct a one-story/61,809 sq. ft./60-bed physical rehabilitation facility on the site.

During the public hearing, the City Council expressed its appreciation to the applicant for bringing a much-need facility of the type proposed to Bowie and Prince George's County.

At the conclusion of the public hearing, the Council voted to recommend **APPROVAL** of **Detailed Site Plan #DSP-07031-04** for Lot 5, Pod 6 in Melford with the following conditions, which are intended to improve site and building aesthetics, and to conform to the City's Development Review Guidelines and Policies:

1. A Detailed Site Plan revision for Phase II shall be submitted for the review of: building architecture and materials of construction; impacts on pedestrian and vehicular circulation; alteration of the parking and loading spaces; and, impacts on the landscaping, to the service area, and on stormwater management.

2. The entire area where permeable pavement is proposed to be utilized shall be clearly identified on the plan by a technique such as shading, cross-hatching or striping.

3. The plans shall be revised to clearly show depressed curb and handicap accessible sidewalk along the heads of the handicap parking spaces proposed on the northern and eastern sides of the building, and a detail of this design shall be provided on the plan.

4. At least two parking spaces shall be provided for low-emitting/fuel efficient vehicles, and at least another two parking spaces shall be provided for Electric Vehicles. The locations and quantities of the parking spaces for these types of vehicles shall be shown and identified on the DSP, as well as a detail of the signage identifying the associated parking spaces.

5. Bike racks, to accommodate five bicycles, shall be located on the subject property. One area for consideration for the bike racks to be placed is in the open area in the northeastern area of the building, opposite the proposed handicap parking spaces. The location of the bicycle racks shall not interfere or hinder pedestrian or patient access/walkability.

6. The trash enclosure area shall be designed to accommodate the storage and collection of recyclable materials.

7. Landscaping
   A. The five shade trees proposed along the southeastern property line shall be identified on the Landscape Plan.

   B. The quantity of Black Chokeberry shrubs proposed along the western property shall be recalculated and the correct number shall be shown on the plan and in the Plant List (Sheet 6).

   C. The planting detail for Evergreen Trees, shown on Sheet 7 of the Landscape Plan, shall be removed, since no evergreen trees are proposed by this project.

8. Lighting
   A. The height of the light poles proposed shall be reduced to 25 feet to comply with the City's Design Guidelines.

   B. Either pedestrian scale lighting along the walkway at the building's main entrance, or building accent lighting shall be provided to illuminate this area for safety purposes.

   C. Building-mounted lighting shall be provided to illuminate the gazebo/therapy courtyard area.

9. Signage
   A. Details regarding the two signs proposed at the site access points shall be provided prior to certification of the Detailed Site Plan.

   B. Low growing, decorative landscaping shall be planted around the base of each sign proposed at the site access driveways.

   C. Information regarding how all three signs will be lit shall be provided. Illumination by spotlights shall be prohibited.

During the hearing, the applicant expressed his agreement with the recommendation of approval, and the above stated conditions.

Detailed Site Plan #DSP-07031-04
Encompass Health Inpatient Physical Rehabilitation Facility
Lot 5, Pod 6, Melford

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

Sincerely,

Bowie City Council
Timothy J. Adams
Mayor

cc: Mr. Robert J. Antonetti, Jr., Shipley and Horne, P.A.
Mr. David Bickel, RLA, Soltesz, LLC
Mr. Andrew Bishop, Urban Design Section, M-NCPPC
Mr. Ken Findley, P.E., St. John Properties, Inc.
Ms. Jill Kosack, Urban Design Section, M-NCPPC
Mr. Mike Lenhart, P.E., P.T.O.E., Lenhart Traffic Consulting, Inc.
Mr. Andrew Roud, Regional Partner, St. John Properties, Inc.
Mr. Matt Tedesco, McNamee, Hosea, Jernigan, Kim, Greenan and Lynch, P.A.
Mr. John Tschudin, Encompass Health

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Additional Back-up

For

Detailed Site Plan DSP-07031-04
Melford Property POD 6

ENCOMPASS HEALATH
AT MELFORD

DSP-07031-04

* * * * * * * * *

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-07031-04, and Type II Tree Conservation Plan TCPII-036-99-16, for Melford Property, Pod 6, subject to the following conditions:

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

* * * * * * * * *

c. Provide a note that states that the site is exempt from the Tree Canopy Coverage ~~Schedule showing conformance to the Tree Canopy Coverage~~ Ordinance~~, or a note regarding the applicable exemption~~.

* * * * * * * * *

e. Provide details of the trash enclosures, with the side and rear constructed with masonry materials similar to those used on the building.

* * * * * * * * *

KEY:
Underline indicates language added to findings/conditions;
~~Strikethrough~~ indicates language deleted from findings/conditions;
Asterisks *** indicate intervening existing findings/conditions that remain unchanged.



Melford

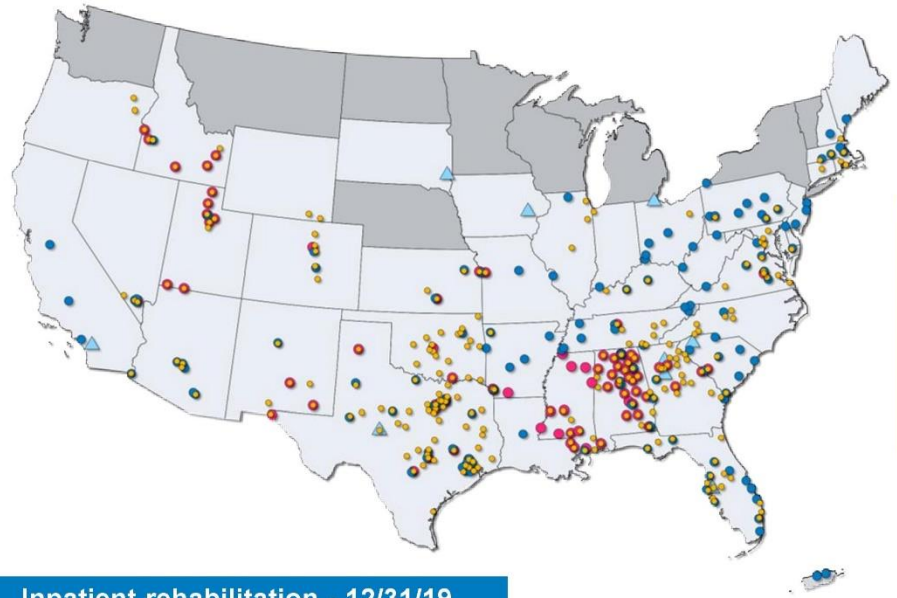
OVERALL SITE PLAN

Encompass Health

ST JOHN PROPERTIES

Encompass Health

a leading provider of inpatient rehabilitation and home-based care



Market overlap
89 of EHC's IRFs have an EHC home health location within the service area.*

Portfolio as of December 31, 2019
Inpatient rehabilitation hospitals ("IRFs")
Home health locations
Hospice locations
9 Future IRFs**
37 States and Puerto Rico ~43,400 employees

Inpatient rehabilitation - 12/31/19
133 IRFs (47 are joint ventures)
33 States and Puerto Rico
~31,600 Employees
23% of licensed beds†
31% of Medicare patients served†
Key statistics – year ended 12/31/19
186,800 Inpatient discharges
~$3.5 Billion in revenue

Largest owner and operator of IRFs

4th Largest provider of Medicare-certified skilled home health services

Home health and hospice - 12/31/19
245 Home health locations
83 Hospice locations
31 States
~11,800 Employees
Key statistics – year ended 12/31/19
159,700 Home health admissions
10,500 Hospice admissions
~$1.1 Billion in revenue

* Excluding markets that have home health licensure barriers ** Previously announced under development † Based on 2017 and 2018 data

Encompass Health

Melford

ENCOMPASS HEALTH

ST JOHN PROPERTIES

Encompass Health

Description of an Encompass Health Facility

Encompass Health Corporation (Encompass) is a leading provider of post-acute medical services and is the nation's largest owner and operator of inpatient rehabilitation facilities (IRFs). Encompass IRFs treat patients who have undergone treatment for acute medical events such as strokes, spinal cord injuries, neurological conditions, amputations, lower extremity fractures or joint replacements, etc. and, following treatment, need short-term intensive physical rehabilitation prior to the patients return to the community. Encompass IRFs do not offer comprehensive inpatient services, such as surgical or diagnostic services, and do not operate emergency departments. Furthermore, Encompass IRFs do not provide drug and alcohol or mental health rehabilitative services.

Patients arrive at an Encompass IRF by non-emergency transport vehicles. Prior to admission, an Encompass patient undergoes evaluation to ensure that the patient is medically stable and is capable of participating in intensive therapy. The average age of an Encompass patient is 71. Encompass IRFs cannot accept walk-in patients.

Patient therapy occurs during daytime hours. Patients may receive visitors during designated visitation hours; which typically end each evening at 8:00pm. Patients reside in their rooms overnight. No activity occurs outside of the facility during evening and overnight hours.

A patient's stay in an Encompass IRF averages 13 days. Encompass facilities provide short-term therapy services and are not residential in nature. An Encompass patient is discharged to community upon successful completion of his/her therapy and typically leaves the facility by private car.

The physical characteristics of a newly constructed Encompass IRF incorporates private patient rooms, a physical therapy gym, a kitchen and cafeteria, day rooms and administrative offices. By way of example, an 80 bed IRF approximates 78,000 square feet in size, requires 7 to 8 acres of land and employs on average 250 employees to operate 7 days a week, 24 hours a day. Impact to local traffic is nominal. Encompass has engaged professionals to perform numerous traffic and site impact studies which have consistently concluded that traffic created by an IRF is significantly less that that created by an acute care hospital, by an office complex or by a retail center of similar size.

Encompass Health | Patient Profile

ADMISSION CRITERIA

- 3 hours therapy/day (or 15 hours/week)
- Physician care - 3 times/week
- Reasonable and necessary
- Nursing care - 24/7
- Medically stable

REFERRAL SOURCE

- **90%** Acute Hosp.
- **8%** Physician
- **2%** SNF

COMMON DIAGNOSIS

Neurological	21.5%
Stroke	18.5%
Disability impairments	11.3%
Brain dysfunction	10.0%
Orthopedic conditions - other	8.5%
Fracture lower extremity	7.4%
Trauma major multiple	5.2%
Cardiac conditions	4.5%
Spinal cord dysfunction	3.9%
Replacement lower extremity joint	3.4%
Amputation	2.7%
Other	3.1%

Source: Encompass Health Investor Reference Book, as of August 20, 2019

Encompass Health

Care Providers and Services







Rehabilitation Physicians

Manage and treat medical conditions and oversee rehabilitation program

Rehabilitation Nurses

Provide personal care and oversee treatment plan for patients

Physical Therapists

Address physical function, mobility, strength, balance, and safety

Occupational Therapists

Promote independence through Activities of Daily Living (ADL)

Speech-language Therapists

Address speech/voice functions, swallowing, memory/cognition, and language/communication

Respiratory Therapists

Provide assessment and treatment of acute and chronic dysfunction of the cardiopulmonary system

Case Managers

Coordinate care plan with physician, care transition coordinators, caregivers and family

Post-discharge Services

Outpatient therapy and home health

Encompass Health

Facility Characteristics and Timing

Proposed Encompass



Facility Size

60 beds-~62,000 square feet
All private rooms

Ground Breaking

March 2021

Grand Opening

May 2022

Initial Development Cost

~47 million







Encompass Health

Melford

ENCOMPASS HEALTH

ST JOHN PROPERTIES

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Recently Constructed Facilities



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Sample Therapy Gym, Daily Living (ADL) Suite, Reception Lobby and Nursing Station









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Sample Patient Room and In-Suite Bathroom





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Sample Dining Room and Outside Grounds













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RENDERED SITE PLAN

Encompass Health

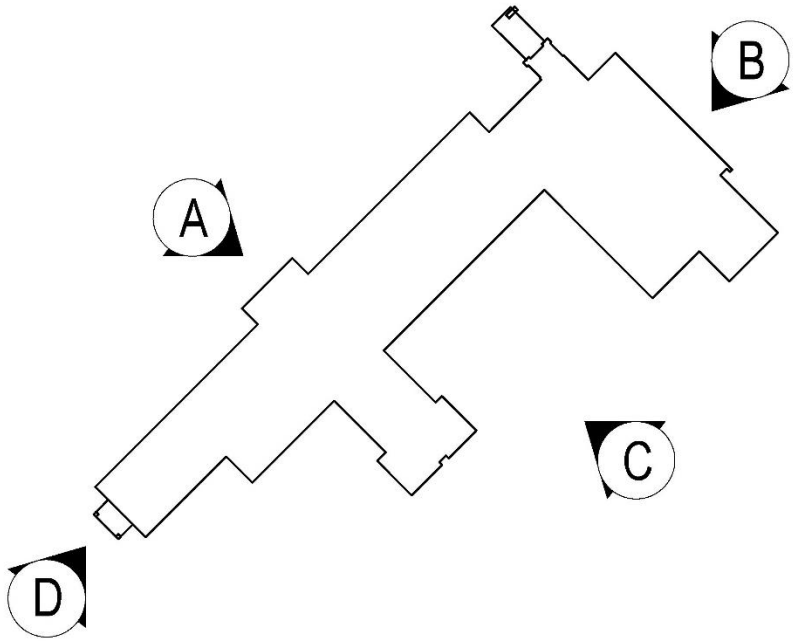
ST JOHN PROPERTIES



ELEVATION A



ELEVATION B

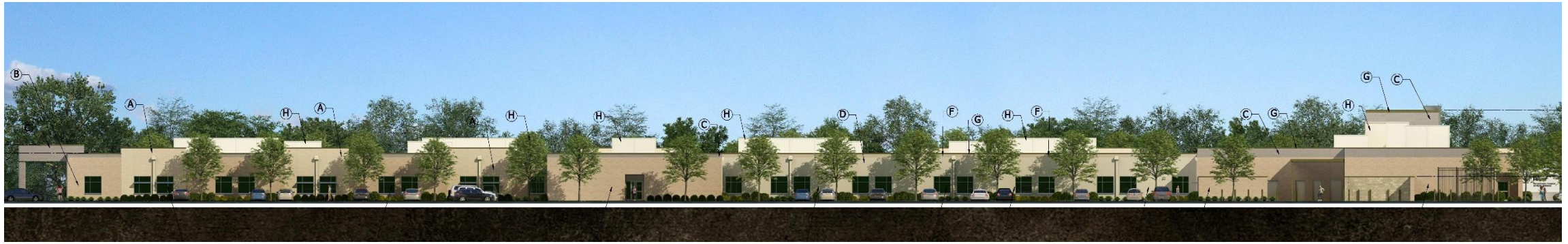


Encompass Health

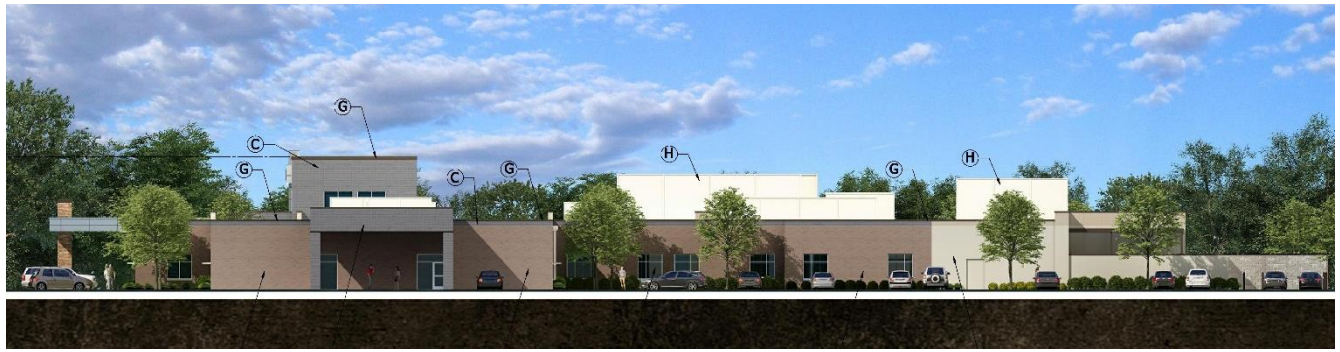
Melford

COLOR ELEVATIONS

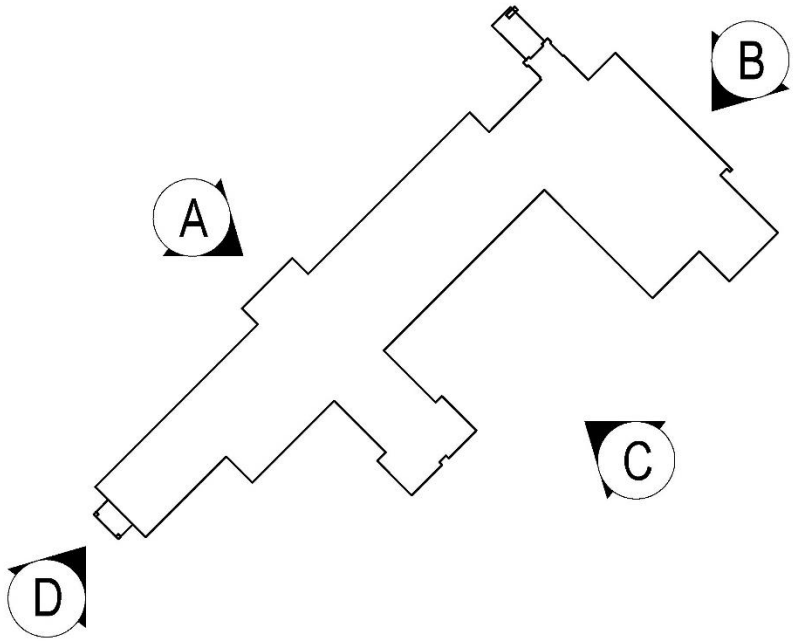
ST JOHN PROPERTIES



ELEVATION C



ELEVATION D



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COLOR ELEVATIONS

ST JOHN PROPERTIES



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PERSPECTIVE

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