



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

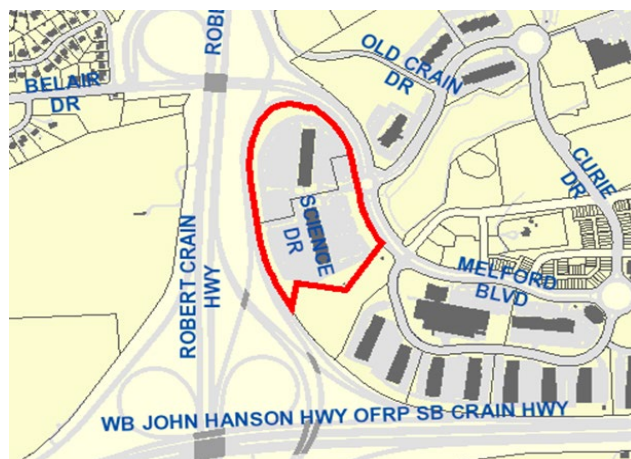
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## Detailed Site Plan Melford, Block 3, Lots 1 and 2

**DSP-07072-02**

REQUEST	STAFF RECOMMENDATION
Revision to replace two 8,167-square-foot retail buildings with one 10,260-square-foot commercial building, relocate a future pad site, and reconfigure the parking area.	With the conditions recommended herein:  •Approval of Detailed Site Plan DSP-07072-02

<b>Location:</b> On the southeast side of the intersection of MD 3 (Robert Crain Highway) and Melford Boulevard.	
Gross Acreage:	23.50
Zone:	TAC-E
Prior Zone:	M-X-T
Reviewed per prior Zoning Ordinance:	Section 27-1704(b)
Dwelling Units:	N/A
Gross Floor Area:	10,260 sq. ft.
Planning Area:	71B
Council District:	04
Municipality:	Bowie
<b>Applicant/Address:</b> St. John Properties, Inc. 2560 Lord Baltimore Drive Baltimore, MD 21244	
<b>Staff Reviewer:</b> Mridula Gupta <b>Phone Number:</b> 301-952-3504 <b>Email:</b> Mridula.Gupta@ppd.mncppc.org	



Planning Board Date:	12/01/2022
Planning Board Action Limit:	12/06/2022
Staff Report Date:	11/15/2022
Date Accepted:	09/27/2022
Informational Mailing:	06/14/2022
Acceptance Mailing:	09/23/2022
Sign Posting Deadline:	11/01/2022

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



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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION  
  
PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT:       Detailed Site Plan DSP-07072-02  
                  Type II Tree Conservation Plan TCPII-036-99-18  
                  Melford, Block 3, Lots 1 and 2

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 technical staff report.

**EVALUATION CRITERIA**

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

- a.       The requirements of the prior Prince George's County Zoning Ordinance for the Mixed Use-Transportation Oriented (M-X-T) Zone;
- b.       The requirements of Conceptual Site Plan CSP-06002 and its amendment;
- c.       The requirements of Preliminary Plan of Subdivision 4-16006;
- d.       The requirements of Detailed Site Plan DSP-07072 and its amendment;
- e.       The requirements of the 2010 *Prince George's County Landscape Manual*;
- f.       The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- g.       The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- h.       Referral comments.



## FINDINGS

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

- 1. Request:** This detailed site plan (DSP) requests the revision to DSP-07072-01, to replace two of the three approved single-story retail buildings (8,167 square feet each) with one larger, one-story building (10,260 square feet) with retail space and an eating or drinking establishment. One of the three retail buildings is currently under construction (shown on the DSP as Building R-A). The DSP also proposes an 8,329-square-foot eating or drinking establishment on the future pad site which has been relocated to the property's northwest corner, and reconfiguration of the parking area. The future pad site is included for infrastructure purposes only, and the building itself will be the subject of a future DSP.
- 2. Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	TAC-E (Prior M-X-T)	TAC-E (Prior M-X-T)
Use(s)	Office, Retail	Office, Retail, Eating or Drinking Establishment
Net Tract Acreage	23.5	23.5
Total Parcels	2	5
Total Gross Floor Area		
Parcel 1	-	8,167 sq. ft. (future)*
Building A, Parcel 2	150,000 sq. ft.	-
Building B, Parcel 3	150,000 sq. ft.	-
Building R-A, Parcel 4	8,167 sq. ft. (under construction)	-
Building R-B, Parcel 5	-	10,260 sq. ft.

**Note:** \*Eating or drinking establishment to be approved under a future DSP.

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

Base Density Allowed:	0.40 FAR
Residential Bonus Incentive:	1.00 FAR
Total FAR Permitted:	1.40 FAR
Total FAR Proposed:	0.46 – 0.68 FAR*

**Note:** \*Pursuant to Section 27-548(e) of the prior Prince George's County Zoning Ordinance, the proposed floor area ratio (FAR) shall be calculated based on the entire property, as approved with the conceptual site plan (CSP). CSP-06002-01, which includes a net area of 231.08 acres, permitted a total FAR of 1.40. The proposed FAR in this DSP ranges between 0.46 to 0.68; therefore, it is below the 1.40 FAR permitted.



### Parking Requirement\*

Use	NUMBER OF SPACES REQUIRED	NUMBER OF SPACES PROVIDED
Future pad site, Parcel 1	-	69
Handicapped parking	-	2
Building A, Parcel 2	378	519
Handicapped parking	8	12
Building B, Parcel 3	378	524**
Handicapped parking	8	18
Building R-A, Parcel 4	47	66
Handicapped parking	2	2
Building R-B, Parcel 5	56	80
Handicapped parking	3	4
Total	859	1,258

**Note:** \*Section 27-574 of the prior Zoning Ordinance states that the number of parking spaces required for developments in the Mixed Use-Transportation Oriented (M-X-T) Zone is to be calculated by the applicant and submitted for Prince George's County Planning Board approval at the time of DSP. This application did provide a shared parking analysis, but also provides a parking schedule on the title sheet of the DSP based upon minimum requirements per Section 27-568(a)(5)(A) of the prior Zoning Ordinance. There are slight discrepancies between the two, which should be resolved, as conditioned, and the correct parking schedule provided on the DSP title sheet. In reviewing both methodologies submitted by the applicant, staff finds that the parking provided on-site under either methodology is sufficient for the existing and proposed development because it surpasses what would usually be required, pursuant to Section 27-568 of the prior Zoning Ordinance.

\*\*Includes 46 compact parking spaces.

### Loading Spaces

	Required	Provided
Building A, Parcel 2	2	2
Building B, Parcel 3	2	2
Total	4	4

3. **Location:** The subject site is located on the southeast side of the intersection of MD 3 (Robert Crain Highway) and Melford Boulevard, in Planning Area 71B and Council District 4. Lots 1 and 2 are located south and west of existing Melford Boulevard, north of an existing stormwater pond, and west of MD 3. The overall site is zoned Town Activity Center Edge (TAC-E) and was previously zoned M-X-T. Two previously constructed 150,000-square-foot office buildings are located on the subject property—one on Parcel 2, and the other on Parcel 3. One of the three retail buildings, approved under the original DSP-07072, is currently under construction and is marked on the subject DSP as Building R-A.



4. **Surrounding Uses:** The specific area of this DSP is known as Block 3 of the Melford development, which is also zoned TAC-E. The subject site is located in the western portion of the overall Melford site. Located across MD 3 and west of Block 3 is vacant property in the Reserved Open Space Zone.
5. **Previous Approvals:** The subject property is located on Tax Map 47 in Grids E-3 and E-4 and is identified as Lots 1A and 2A, Block 3, University of Maryland Science and Technology Center, recorded in the Prince George's County Land Records in Plat Book PM 220-61 on July 2, 2007. 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 Residential-Agricultural and Open Space Zones to the Employment and Institutional Area (E-I-A) Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior 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 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. 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 overall development, in support of the office, flex space, hotel, and institutional uses, although not all have been constructed.

On May 6, 2014, the District Council approved the 2014 *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 and Melford overall, as a Town Center. The subject site retained its status as an Employment Area in the plan.

CSP-06002-01 was approved by the Planning Board on December 4, 2014 (PGCPB Resolution No. 14-128), for the addition of 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, 1,000 multifamily dwelling units, 268,500 square feet of retail uses, and 260,000 square feet of office space to the previous CSP. The CSP amendment was appealed and heard by the District Council on February 23, 2015. The District Council subsequently issued an Order of Approval on March 23, 2015, supporting the development, as approved by the Planning Board. The CSP did not propose any change in the use or gross square footage for the lots included in this DSP and maintained the previously proposed retail uses within Lots 1A and 2A.



The site is subject to PPS 4-16006, for Melford Village (129.16 acres), which was approved on March 9, 2017 (PGCPB Resolution No. 17-45) for mixed-use development. This PPS superseded 4-98076, the prior approved PPS covering the property. The PPS approved 205 townhouse lots and 111 parcels for the development of 359,500 square feet of commercial use as well as 205 single-family attached units, 44 two-family dwelling parcels (88 units), and 1,500 multifamily units for a total of 1,793 dwelling units. Of the 111 total parcels approved with the PPS, there are 78 development parcels listed including seven multifamily residential parcels, 44 two-family dwelling parcels, 25 commercial parcels, and two residue parcels. The remaining 33 parcels were approved for open space including homeowners association and business owners association parcels, and a parcel for conveyance to the City of Bowie. Of the parcels approved with PPS 4-16006, six parcels, including Parcels 1–4, Block 3, and the two parcels (shown as Remainder of Lot 1A and Remainder of Lot 2A on the PPS), are located within the area subject to this DSP.

DSP-07072 was approved on March 13, 2008, for the addition of three speculative 8,125-square-foot (24,375 total) retail/restaurant/office buildings on Lot 2A, with a possible future pad site. DSP-07072 was approved, in conformance with prior underlying PPS 4-98076, which was approved on February 4, 1999 (PGCPB Resolution No. 99-28(A)), and CSP-06002. Two previously constructed 150,000-square-foot office buildings are located on the subject property—one on Lot 1A and the other on Lot 2A. DSP-07072-01 was approved by the Planning Director on March 25, 2021 for minor revisions, so the area of the three new buildings was increased slightly to be 8,167 square feet each. The northernmost of the three buildings is currently under construction pursuant to DSP-07072-01 and is marked on the subject DSP as Building R-A.

The site also has an approved City of Bowie Stormwater Management (SWM) Concept Plan, 01-0720-207NE15.

6. **Design Features:** Of the three buildings approved with DSP-07072-01, the current DSP amendment proposes to replace the southern two retail buildings with one 10,260-square-foot commercial building, shown on the DSP as Building R-B. The northern-most of the three approved retail buildings is currently under construction (shown on the DSP as Building R-A). There will be a shared access drive from Melford Boulevard located between Building R-A and Building R-B. This DSP amendment also proposes an 8,329-square-foot restaurant on the future pad site, which has been relocated to the property's northwest corner, and which will be the subject of a separate application. To support the existing and proposed buildings, this amendment proposes a new lotting pattern featuring a separate parcel for each building, public right-of-way dedication at the property's main entrance at Science Drive and Melford Boulevard, and access easements between the parcels and Melford Boulevard.

Parcel 1 will have a pad site for a future 8,329-square-foot eating or drinking establishment with 69 parking spaces, including two Americans with Disabilities Act (ADA) accessible spaces. Parcel 2 will have an existing four-story 150,000-square-foot flex office building with 519 parking spaces including 12 ADA-accessible spaces, and two 12-foot by 33-foot loading spaces. Parcel 3 will also have an existing four-story 150,000-square-foot flex office building with 524 parking spaces including 46 compact and 18 ADA-accessible spaces, and two 12-foot by 38-foot loading spaces. Parcel 4 will have an existing one-story 8,167-square-foot retail building (Building R-A) with 66 parking spaces including two ADA-accessible spaces. Parcel 5 will have a one-story 10,260-square-foot retail/eating or



drinking establishment building with 80 parking spaces including four ADA-accessible spaces.

A loading space shown for the existing office building on proposed Parcel 2, is shown aligned parallel to the access driveway, in line with four standard parking spaces. It is not clear how the loading space may be accessed if the adjoining parking spaces are occupied. The loading space should be relocated so that vehicular and pedestrian traffic is not obstructed and is connected to a minimum 22-foot-wide driveway.

The subject DSP proposes a new right-in/right-out vehicular access point along Melford Boulevard, and adding a drive-through lane to Building R-B. The building fronts on Melford Boulevard, is in line with existing Building R-A and with the existing parking area located to their rear. The parking is well landscaped and is situated between the rears of the retail buildings and the office building. The development is located directly north of an existing pond and an observation pavilion was previously approved as a passive recreational amenity between Building R-B and the pond. The pond and its enhanced landscaping provide a visual amenity for the development. Several benches are located on the paved area around and between the proposed buildings for pedestrian seating. There are outdoor seating areas designed for customers adjacent to the building, connected by well-lighted pedestrian paths and accentuated by landscape plantings.



*Figure 1: Site Plan*

### **Architecture**

The proposed building (Building R-B) will be constructed with masonry materials and have a bent form following the alignment of Melford Boulevard and Building R-A, which is under construction. Building R-B is designed with multiple entrances along the front and rear elevations. The southern side has a doorway which leads out to an outdoor seating area and the observation pavilion located near the pond beyond. The architecture employs brick and exterior insulation finish system (EIFS) of coordinating colors with a variety of architectural features such as shopfront treatments, projections, and colors. Accent brick is utilized in horizontal bands at the bottom and top of colorful decorative fabric awnings. Though the building's roof is flat, the roofline is articulated with a raised cornice, and alternating units in the building are taller than the other units to provide additional visual interest. The



stores are glazed along the entire frontage to provide visibility within, and the glazing is supported by an anodized aluminum storefront system. The building will be approximately 23 feet tall. The architecture matches that approved for adjoining Building R-A under DSP-07072-01.

### **Lighting**

The photometric plan submitted with this application is consistent with DSP-07072 and its amendment and proposes a decorative light-emitting diode fixture on a 15.5-foot-high black pole on the streets and adequate lighting levels in the alleys of the units. Details of the proposed lighting fixture and photometrics are provided on the DSP.

### **Signage**

There will be building-mounted signage that is consistent with what has previously been approved for the subject site with DSP-07072-01.

## **COMPLIANCE WITH EVALUATION CRITERIA**

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the prior Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-547 of the prior Zoning Ordinance, which governs permitted uses in the M-X-T Zone. The application is proposing one single-story building on Parcel 5 for retail and an eating or drinking establishment in addition to two existing flex office buildings. Another eating or drinking establishment is proposed on a future pad site on Parcel 1. Office, certain types of retail, and eating or drinking establishments are permitted in the M-X-T Zone. Section 27-547(d) of the prior Zoning Ordinance requires at least two out of the following three categories of uses be present in every development in the M-X-T Zone:
- (1) Retail businesses;
  - (2) Office, research, or industrial uses;
  - (3) Dwellings, hotel, or motel.
- The overall Melford Town Center development, which includes the subject site, was approved for a mix of uses including retail, office, hotel, and residential, thus conforming to Section 27-547(d).
- b. Section 27-548 of the prior Zoning Ordinance, M-X-T Zone regulations, establishes additional standards for development in this zone. The DSP's conformance with the applicable provisions is discussed, as follows:
- (a) **Maximum floor area ratio (FAR):**
- (1) **Without the use of the optional method of development—0.40 FAR**



**(2) With the use of the optional method of development—8.0 FAR**

CSP-06002-01 uses the optional method of development for the project by proposing a residential component of more than 20 units as part of the overall Melford development. This increases the permitted FAR by 1.0 above the base of 0.40. Therefore, 1.40 FAR is permitted for the overall development. The proposed FAR for this development ranges between 0.46 to 0.68; and is therefore below the allowed 1.40 FAR for the entire area of the CSP.

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

The overall development proposes multiple uses in more than one building and on more than one lot, as allowed.

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

The site plans indicate the location, coverage, and height of all improvements, in accordance with 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 development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional buffering and screening are required to satisfy the purposes of the M-X-T Zone. The landscape requirements are discussed in detail in Finding 11.

**(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 for the area of the CSP is approximately between 0.46 to 0.68, which is calculated, in accordance with this requirement.

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

There are no private structures within the air space above, the ground below, or in public rights-of-way as part of this project. Therefore, this requirement is inapplicable to the subject DSP.

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

All development parcels have frontage on and direct access to public streets, or as determined in PPS 4-16006. The subject property fronts Melford Boulevard (C-309) to the north and east. All vehicular access to the site will be provided along Melford Boulevard. This portion of Melford Boulevard has already been constructed and no additional right-of-way dedication is sought along either of these roads. Further discussion of access to the development parcels is provided in Finding 14b.

- (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 two hundred (1,200) 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 eight (8) townhouses per building group, except where 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. The minimum building width in any continuous, attached group shall be eighteen (18) 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 (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) 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 may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

The subject project does not involve the development of townhouses. Therefore, this requirement is not applicable to this DSP.

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

The subject project does not involve the development of multifamily buildings. Therefore, this requirement is not applicable to this DSP.



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

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

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the prior Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

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

Conformance to the purposes of the M-X-T Zone was found with the CSP approval and is adopted herein by reference (PGCPB Resolution No. 14-128). The proposed development of commercial uses does not change that previous finding. The subject application is consistent with the prior approvals and promotes the creation of a walkable, mixed-use development.

- (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;**



This DSP proposes development of retail and eating or drinking establishment buildings to serve the overall population within Melford. The proposed building architecture and size is compatible with development previously approved in DSP-07072 and DSP-07072-01. The proposed layout with this application orients the commercial buildings toward the existing street pattern, achieving an outward orientation that is integrated with the adjacent existing and future development through the use of connecting streets and pedestrian systems as reflected on the site plan. The construction of a continuous pedestrian system from the main entrance (Melford Boulevard) which connects to the adjacent commercial and multifamily residential neighborhood to the west is required by the CSP and will add to the connectivity and outward orientation to surrounding land uses/development.

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

The surrounding uses include a mix of commercial, residential, and open space. The proposed development is consistent with the previous approvals on the property found in conformance with this requirement and with Plan 2035.

**(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 includes amenities for the residents and creates a cohesive development. The site layout, arrangement, and mix of uses is consistent with CSP-06002-01 and creates a development with high quality retail, eating and drinking buildings, with provision of public amenities. The proposed development in this DSP has been designed in anticipation of additional uses and structures that will be developed in future phases of the project.

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

The development proposed with this DSP will be completed in one phase and be integrated into the overall development. The proposed development in this DSP has been designed in anticipation of additional uses and structures that will be developed in future phases of the project.

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

A comprehensive internal sidewalk network is proposed for the development, which includes sufficient crossing opportunities for pedestrians, and is consistent with the layout of prior applications.



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

The DSP proposes amenities throughout the site, with attention to the quality and human-scale of these facilities, which include site furniture, trash receptacles, and seating. An observation pavilion is provided as a passive recreational amenity between the most southern retail building and the pond. The pond and its enhanced landscaping provide a visual amenity for the development. Several benches are located on the paved area around and between the proposed buildings for pedestrian seating.

- (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.**

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

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

The governing PPS, 4-16006, was approved by the Planning Board on March 9, 2017, at which time a finding of adequacy was made for the proposed development.

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment,**



**commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

A mixed-use planned community is not proposed. Therefore, this DSP is not subject to this requirement.

- d. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274, and as cross-referenced in Section 27-283 of the prior Zoning Ordinance. For example, the subject development provides amenities that are functional and constructed of durable, low-maintenance materials; vehicular and pedestrian access is provided to the site from the public right-of-way; and the architecture proposed for the retail buildings employs brick and EIFS of coordinating colors with a variety of architectural features such as shopfront treatments, projections, and colors.
- e. In accordance with Section 27-574, 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) of the prior Zoning Ordinance.

The methodology in Section 27 574(b) requires that parking be computed for each use, in the M-X-T Zone. This application did not provide a shared parking analysis and has instead provided a parking analysis separately for each existing and proposed use with this application. The parking provided on-site is sufficient for the existing and proposed development because it surpasses what would usually be required pursuant to Section 27-568.

- 8. **Conceptual Site Plan CSP-06002 and its amendment:** CSP-06002 was approved by the District Council on May 11, 2009. On March 23, 2015, the District Council approved CSP-06002-01 to add 2,500 residential units, including 500 townhouses; 1,000 age-restricted multifamily dwelling units; 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000 square feet of office space to the previous CSP development, entirely superseding the original CSP-06002 approval. The approval includes a 67-page Design Guideline book titled "Melford Village Design Guidelines." This book articulated the design and organizing principles for what is now known as the Melford Town Center. The Design Guidelines envision that the Melford Town Center will become a premier mixed-use walkable community within the City of Bowie and Prince George's County. 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 subject DSP application is consistent with the density and uses associated with the prior CSP approval and satisfies the trip cap requirement.



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.**

In a memorandum dated November 4, 2022, the Environmental Planning Section indicated that 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 to reconfigure existing surface parking lots around and adjacent to the buildings to avoid an increase in the area of impervious surfaces. It is noted that the design of these areas has incorporated the use of pervious paving materials in a portion of the parking compound. Impervious surfaces in this application are minimized to the fullest extent possible in accordance with the approved SWM concept plan approved by the City of Bowie.

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

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

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

All woodlands have been previously cleared from the development site.



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

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

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

The current application does not include streams or regulated stream buffers.

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

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

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

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

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

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

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

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



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

Historic Site 71B-016 is not impacted by this development and is beyond the scope of this application. In addition, this DSP does not violate the view corridor height restrictions approved in the CSP. In their memo dated October 21, 2022, the Historic Preservation Section concludes that due to the intervening retail development proposed on Parcels 6, 8, 9, and 12, directly west of the Melford Historic Site, the changes requested in the subject DSP will not have an adverse effect on the historic site.

**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.**

The DSP includes attractively designed retail buildings with sidewalks and landscape features. The proposed retail pad will have outdoor seating areas for customers adjacent to the building. An attractive gathering/seating area will also be located between Buildings R-A and R-B.

- 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.**

The architecture proposed for the retail buildings employs brick and EIFS of coordinating colors with a variety of architectural features such as shopfront treatments, projections, and colors. Accent brick is utilized also in horizontal bands at the bottom and top of colorful decorative fabric awnings. Though the building's roof is flat, the roofline is articulated with a raised cornice, and alternating units in the building are taller than the other units to provide additional visual interest. The stores are glazed along the entire frontage to provide visibility within. The clear glazing is supported by an anodized aluminum storefront system.



- 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.**

The DSP includes attractive facades which are consistent with those approved in DSP-07072 and DSP-07072-01.

- 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.**

The site's frontage along Melford Boulevard already has sidewalks in place. The DSP includes internal sidewalks along the frontage of each building, and sidewalks and pathways that allows pedestrians to move safely and efficiently through the site utilizing ample sidewalks placed in and around the proposed development. Crosswalks have been provided crossing all points of vehicle access along Melford Boulevard.

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

The DSP proposes retail buildings which utilize existing parking associated with the office buildings constructed on the site. This parking is located to rear of the proposed building which fronts Melford Boulevard. The parking is also screened from the adjoining streets by landscape planting and grade change. The retail buildings are located close to Melford Boulevard so that the architecture and shop front signage is visible from the street.

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

The DSP includes development of retail use and an eating or drinking establishment that will utilize and share existing parking associated with the office buildings previously constructed on Block 3, Lots 1 and 2.

- 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.**



The DSP proposes a retail building with attractive and appropriate lighting fixtures that responds to the above condition. This lighting scheme is consistent with lighting approved in DSP-07072-01.

- 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.**

Signage details are contained within the submitted DSP plan sheets and correspond with the signage standards set forth in the approved design guidelines in CSP-06002-01.

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

The DSP does not propose the use of temporary building mounted signs.

- 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.**

The DSP includes retail pads with parking which complies with the above condition. Specifically, existing Building R-A and proposed Building R-B located along Melford Boulevard have parking located to the rear and sides of these buildings.

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

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

The DSP includes attractively designed retail buildings with sidewalks and landscape features. The proposed retail pad will have outdoor seating areas for customers adjacent to the building. An attractive gathering/seating area will also be located between buildings R-A and R-B.



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

The environmental setting and impact area for Historic Site 71B-016 are not impacted with this application. However, the DSP should note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016. General Notes 31 and 32 should be revised accordingly.

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

In an email dated November 7, 2022, the Historic Preservation Section confirmed that the applicant has filed all required quarterly reports in accordance with this condition.

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

Standard sidewalks have been constructed along the northern and eastern portions of Melford Boulevard as well as along both sides of all internal roadways. The sidewalk network provides sufficient pedestrian access to and from the site from all directions.

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

The applicant's submission displays crosswalks at all points of vehicle access, to facilitate safe pedestrian connections between sidewalk facilities along Melford Boulevard. The intersection of Melford Boulevard and Science Drive, which is the primary point of vehicular and pedestrian access on site, contains crosswalks on all legs of the intersection providing safe pedestrian movement in all directions.

- 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 the development shown in the CSP is not consistent with environmental or other master plan considerations.**

The illustrative plan referred to in Condition 20 is the Melford Village Design Guidelines, which provides a guide for the layout of follow-up development plans from the original approved CSP. Regarding the subject property, only the southern portion of the site is held to these guidelines, specifically from the site entrance



along Melford Boulevard to the southern bounds of the subject property. The overall site of the subject DSP is designed in accordance with the Melford Village Design Guidelines. It should be noted that the Melford Village Design Guidelines envision an additional point of vehicular access south of the Melford Boulevard and Science Drive intersection, which is in a similar location to the DSP-proposed right-in/right-out access point.

**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 additional research and development flex space.

**9. Preliminary Plan of Subdivision 4-16006:** On March 9, 2017, the Planning Board approved PPS 4-16006, with 24 conditions (PGCPB Resolution No. 17-45). The relevant conditions are discussed, as follows:

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

The subject DSP amendment shows 10-foot-wide public utility easements (PUEs) along all public rights-of-way abutting the proposed parcels. The PUEs are provided along Melford Boulevard and MD 3.

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

The proposed amendment to this DSP does not include a substantial revision to the mix of uses previously approved and does not affect Subtitle 24 adequacy findings for the site.

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

**"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-044-98-05), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree**



**Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."**

The approved Type II Tree Conservation Plan, TCPII-036-99-18, was reviewed with the DSP application. The Environmental Planning Section found the DSP to be in conformance with the previously approved Type I tree conservation plan and TCPII.

- 10. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:**
- a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane. This sidewalk shall conform to the Street Sections approved as part of the Melford Village Design Guidelines, or as modified by the City of Bowie or the Maryland State Highway Administration.**
  - b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.**
  - c. At the time of detailed site plan, provide an exhibit that illustrates the location, limits, specification, and details of all off-site improvements proffered in the bicycle pedestrian impact statement, or recommended by staff, for the review of the operating agencies. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk treatments, ramp reconfiguration and the removal of the roundabout.**

Condition 10 requires the above improvements to be provided prior to approval of any building permit. While prior building permits have been approved pursuant to PPS 4-16006, the applicant has noted that they agree with this condition and will be making physical alterations to the MD 3 off-ramp that will significantly reduce vehicle speeds, subject to the approval of SHA.

- 11. In conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B*, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:**



- a. **Include a location for a trailhead facility for the master plan trail along the Patuxent River. Details for the trailhead regarding parking, signage, and other facilities can be made at the time of the detailed site plan.**
- b. **In addition to New Road "A" and New Road "C," shared-lane Markings shall be provided along Melford Boulevard, Currie Drive and Science Drive, or as modified by the City of Bowie.**

The applicant has noted that the trailhead improvements have already been addressed with the approval of DSP-17020. Staff concurs with this finding.

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

The applicant has included a trip generation memo detailing new trips generated by the phase of development of the subject DSP application. The trip generation memo indicates that the proposed 18,656 square feet of retail use will generate 21 AM peak hour trips and 60 PM peak hour trips. Staff finds that the uses and development program proposed with the DSP is consistent with the PPS and finds that the trips generated by the phased development of the subject DSP are within the trip cap.

- 17. **Prior to issuance of any residential building permits within the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction through the applicable agency's access and permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency, and per applicable City, County, and/or SHA standards and requirements:**
  - a. **Melford Boulevard and Science Drive: Convert the existing roundabout to a traditional four-legged signalized intersection, as described below:**
    - (1) **Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required physical and traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.**
    - (2) **Provide four travel lanes on the northbound approach and on the southbound approach. These shall include two travel lanes in each direction and turning lanes, as determined to be appropriate by the City of Bowie.**



- (3) Provide two travel lanes on the eastbound approach and on the westbound approach. These shall be marked and striped as determined to be appropriate by the City of Bowie.**

The entrance to Block 3 is from the intersection of Melford Boulevard and Science Drive. This DSP does not show conversion of the existing roundabout at this intersection to a signalized four-way intersection. The applicant indicated in their SOJ that a signal is not warranted at this time. Conformance to this condition is not required at this time because no residential development is proposed.

- 10. Detailed Site Plan DSP-07072 and its amendments:** DSP-07072 was approved by the Planning Board on March 13, 2008 (PGCPB Resolution No. 08-42) for development of three 8,125-square-foot (each) retail/restaurant/office buildings in the southeast portion of the property, as well as a possible future pad site on the property's western edge in addition to two existing 150,000-square-foot (each) office buildings on the site, subject to six conditions. The original DSP was amended for minor changes (DSP-07072-01), so the three new buildings were 8,167 square feet each and was approved by the Planning Director on March 25, 2021, with no conditions. The relevant conditions of DSP-07072, applicable to the review of the subject DSP, are discussed as follows:

- 1. Prior to signature approval the applicant shall revise the plans or provide documents as follows:**

- r. A note shall be added to the plans stating that no drive-through facilities will be permitted in the buildings and that any "fast food" tenants be subject to a staff level revision of the detailed site plan if any alterations to signage and or the architectural elevations are anticipated in order to accommodate the fast-food tenant.**

The applicant is requesting that Condition 1.r. be deleted to allow for Building R-B to include a drive-through. The applicant, in their statement of justification, has provided reasons for this request, including the changing retail preferences stemming from the COVID-19 pandemic; being a desirable amenity for customers; and assisting in the success of the retail component of the overall Melford project. The City of Bowie, in their letter of approval dated September 27, 2022, has expressed support of the proposed design, including the provision of a drive-through. The City states that it finds it beneficial to have some flexibility in the retail sites and addresses functional concerns that may inhibit leasing of the retail pads. Staff agrees with the partial deletion of this note, as shown on the DSP as General Note 21, since it represents a reasonable alternative for satisfying M-X-T Zone site design guidelines, without detracting from the original approval for this site. Staff agrees with the revised General Note 21, which now states the following:

- 21. Any "fast food" tenants will be subject to a staff level revision of the detailed site plan if any alteration to signage and/or the architectural elevations are anticipated in order to accommodate the fast food tenant.**



5. **At the time of building permit, if expected six-unit per configuration of the proposed building changes, the parking schedule shall be revised and parking on the site modified accordingly.**

Building R-B is proposed with an eight-unit configuration instead of a six-unit configuration as originally approved. The applicant has revised the parking schedule and the on-site parking, as required by this condition. Therefore, this condition has been satisfied, and is not recommended to be carried forward with this DSP amendment.

6. **The applicant shall consider utilizing “green” building construction techniques and attempt to fulfill at least the basic standard for Leadership in Energy and Environmental Design (LEED) certification.**

The resolution of approval of the original DSP included a finding wherein the City of Bowie and staff supported incorporation of “green” features into the building construction and encouraged the applicant to employ such features in these buildings. The applicant, in their statement of justification, has not provided any details on whether the building or site design include any “green” features. This condition is therefore recommended to be carried forward with this DSP, to encourage the applicant to utilize “green” infrastructure and building techniques.

11. **2010 Prince George’s County Landscape Manual:** Per Section 27-548, landscaping, screening, and buffering for the property is subject to the provisions of the Landscape Manual. Specifically, this application is subject to Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.

The landscape plans provided with the subject DSP contains the required schedules demonstrating conformance to these requirements. Some of the plantings provided under Section 4.2, Landscape Strips along Streets, are located within the proposed 10-foot-wide PUE along Melford Boulevard and should be located outside of the PUE. The planting schedule for Section 4.3-2, Parking Lot Interior Planting Requirements, incorrectly lists the required interior landscaped area to be 10 percent. However, since the area of the parking lot is 555,241 square feet, which is more than 150,000 square feet, a minimum of 15 percent of interior landscaped area is required, per the Landscape Manual. Separate plant schedules are included for Lots 1 and 2. Considering that these previously recorded lots are proposed to be subdivided into five new parcels as shown on this DSP, these plant schedules should be replaced by those for the newly proposed Parcels 1-5.

12. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved tree conservation plans. Further discussion regarding the project’s conformance to the WCO is provided in Finding 14c.

13. **Prince George’s County Tree Canopy Coverage Ordinance:** The DSP is subject to the requirements of the Tree Canopy Coverage Ordinance. Section 25-128 of the prior Prince George’s County Code requires a minimum percentage of tree canopy coverage (TCC) on



projects that propose more than 5,000 square feet of disturbance. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area in TCC. The development acreage included in this application is shown as 23.5 acres, resulting in a TCC requirement of 2.35 acres or 102,366 square feet. The subject DSP does not provide the required schedule to demonstrate conformance to these requirements. Conformance to the TCC requirements will need to be demonstrated prior to signature approval of the DSP.

**14. Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:

- a. **Subdivision Section**—In a memorandum dated October 28, 2022 (Diaz-Campbell to Gupta), the Subdivision Section noted that the DSP has been found to be in substantial conformance with the approved PPS, with conditions included herein, based upon comments below:
  - i. This DSP includes a tracking chart on Sheet C-1A which compares lots, parcels, dwelling units, and commercial development approved with PPS 416006 to those approved with the DSPs which have been approved for the Melford Village development. One correction is recommended to the chart footnotes to clarify what portion of the development subject to this DSP is part of the 4-16006 entitlement and what portion is not. One other correction is recommended to ensure the footnotes are relevant to the current DSP. One correction is recommended to the chart itself to ensure the development constructed pursuant to DSP-07072-01, and that proposed with DSP-07072-02, are listed separately. The recommended corrections are listed below.
  - ii. The applicant needs to clarify the gross floor area of Building R-A on the plan and on the tracking charts. DSP-07072-01 approved this building with 8,167 square feet. Permit 7762-2021-0 to construct this building states it is 8,125 square feet, which would be consistent with the original DSP-07072. The current DSP states it is 8,396 square feet, which is not consistent with either the original DSP or the first amendment.
  - iii. Prior to approval of any permits on the subject property, Parcels 1-5 must be platted consistent with the lotting pattern shown on this DSP. All new proposed easements (including access easements and PUEs) must be shown on the final plat.
  - iv. The DSP should label all easements (including access easements and PUEs) which are no longer necessary to serve the development as “to be abandoned.” Abandonment of these easements will be accomplished at the time of final plat.
  - v. The proposed 50-foot-wide access easement extending west from the intersection of Science Drive and Melford Boulevard should be changed to a variable-width access easement and expanded to cover the roundabout west of the main site entrance. The boundaries of the 24-foot-wide access easement extending south from the roundabout to the secondary site



entrance will also need to be modified to account for the boundaries of the variable-width access easement.

- b. **Transportation Planning**—In a memorandum dated November 7, 2022 (Ryan to Gupta), the Transportation Planning Section provided an evaluation of the application that is incorporated into the findings of this technical staff report. A review of the on-site circulation related to vehicular and pedestrian transportation was found acceptable and determined to meet the findings for transportation purposes.

#### **Site Access**

There is currently only one point of access to the site, which is located along Melford Boulevard at its intersection with Science Drive. As previously discussed, an additional right-in/right-out point of access is proposed as part of the subject application, approximately 200 feet south of the current point of access. To analyze the feasibility of the proposed access point, staff requested the applicant provide an operational analysis to assess the new access point, which includes a weaving analysis from the current point of vehicle entry to the proposed right-in/right-out to ensure there is an adequate distance to make a safe lane change prior to entering the site, as well as a queuing analysis at both points of access.

The applicant submitted an operational analysis (October 26, 2022). Within this document, the weaving analysis demonstrates that there is sufficient space between the roundabout at Melford Boulevard and Science Drive and the new proposed point of access. The applicant cites Maryland State Highway Administration (SHA) requirements for corner clearances, to ensure there is adequate space between the two points of access. The portion of Melford Boulevard which was analyzed is a collector roadway, as stated above. SHA corner clearance standards (MDOT SHA Access Manual – Table 1.4.3 - Corner Clearance Standards) state a minimum of 75 feet is required on collector roadways, with a preferred corner clearance of 150 feet. The applicant's weaving analysis demonstrates a length of 106 feet between the two access points. Staff finds this to be sufficient in demonstrating a safe distance between the two points of access.

In addition, the operational analysis includes a queuing analysis for both site access points. The applicant utilized the most recent traffic study for the Melford development, which was conducted in 2019 and included all approved DSPs within the Melford development and included the intersection of Melford Boulevard and Science Drive. The 2019 study included an analysis of the existing roundabout, which demonstrated a maximum queue length of 31 feet from the driveway of Lot 2 from the roundabout, which provides sufficient space. In addition, the applicant utilized a Highway Capacity Manual unsignalized analysis of the proposed right-in/right-out to determine the number of trips that would be generated by the new access point. This analysis demonstrates that queuing for the proposed right-in/right-out will not exceed the available throat distance of 130 feet and that onsite queues will not block any driveways or cause any operational issues.

During the initial review of the subject application, staff requested the applicant provide truck turning plans to show how trucks will access the site. The latest DSP submission includes truck- turning plans which examine the site layout to ensure



that trucks can make sufficient and safe truck- turning maneuvers onsite. The plans include truck maneuvers for emergency vehicles, specifically a fire engine which shows that given the current design of the right-in/right-out access connection, the fire truck will use the full extent of the driveway to access the site. Staff finds that any truck classification higher than a fire truck will not have sufficient room to make safe turning maneuvers to/from the site and requested the applicant update the truck turning plans to analyze trucks turning movements using a commercial truck with a vehicle classification necessary to support the proposed retail uses on site.

On November 4, 2022, the applicant submitted an updated truck-turning plan which assesses truck-turning maneuvers with a vehicle classification of a tractor trailer (WB-40). The plans indicate that trucks accessing the limited right-in/right-out access driveway in its current design will encroach onto the raised island median to complete turns in and out of the site. The truck-turning plans also show that the current design of the access driveway shown on the latest DSP submission, trucks will need the full extent of the access driveway to leave the site which require trucks to encroach into the opposite travel lane to turn out of the site. The updated truck-turns also provided an alternative design of the limited right-in/right-out access driveway, which includes an increase curb radius of 40 feet, an increase driveway apron of a total 34 feet (17 feet on each side of the raised median), and an increased width of the driveway to a total of 24 feet. Staff finds that the alternative design shown on the updated truck-turning plans is sufficient and will eliminate truck turning conflicts with other vehicles entering the site and will not result in queuing along Melford Road. As a condition of approval, staff recommends that the DSP is modified to reflect the design of the right-in/right-out site access driveway, as shown in the updated truck-turning plans. The updated truck-turning plans, with the alternative design is shown on Attachment A.

### **Parking**

The applicant has submitted a parking analysis detailing on-site parking for Block 3, Lots 1 and 2, which includes the two office buildings which have already been constructed and the proposed retail sites. The applicant is proposing a total of 1,260 parking spaces for all proposed uses on-site. A standard development with 300,000 square feet of office use and 26,576 square feet of retail use, which is the density and use being sought with the subject application, would require a minimum of 900 parking spaces, per the requirements of Section 27-568. Section 27-574 allows applicants to develop a criterion, specific to the proposed development, for developing parking standards in the M-X-T zoning district.

The applicant has submitted a parking analysis to determine the parking rate for the proposed development and cites Section 27-574(b)(1) of the prior Zoning Ordinance which states, “(b)The number of off-street parking spaces required for development in the M-X-T Zone, and in a Metro Planned Community shall be calculated using the following procedures: (1) Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in anyone (1) hour and are known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e.,



at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).”

While the overall site is a mixed-use project, no residential component has been constructed and this application only considers office and retail uses. The applicant has provided a table detailing peak period parking demands for all approved uses that fall under DSP-07072 and its subsequent revisions, including the subject application. This shows that office and retail uses have different peak parking periods throughout the day. This table also shows that the peak period for parking accounting for all uses would take place at 11:00 a.m. and would require 858 parking spaces to adequately serve all uses. While the analysis does not fully explain why surplus parking is needed, staff finds that the proposed rates are acceptable and sufficiently support the peak demand for the proposed uses associated with the subject application.

This application also provides a parking schedule on the title sheet of the DSP based upon minimum requirements per Section 27-568(a)(5)(A). There are slight discrepancies between this parking schedule and the parking analysis reviewed above. While the parking analysis states that 1,260 parking spaces are provided on site, the parking schedule depicts 1,256; whereas the individual rows of the schedule add up to 1,258 spaces. Regardless of the methodology used to calculate the required parking for the site, staff finds that the parking provided on-site is sufficient for the existing and proposed development within the M-X-T Zone because it surpasses what would usually be required, pursuant to Section 27-568.

- c. **Environmental Planning**—In a memorandum dated November 4, 2022 (Finch to Gupta), the Environmental Planning Section provided a discussion of various environmental issues and found that the DSP is in conformance with the previously approved TCPII-036-99-18.

The current application is a DSP to make minor adjustments to the approved retail pads as follows: eliminate one of the three previously approved pad sites, relocate the proposed future pad site to the northwestern portion of the site, and provide a drive-through on the future pad site. No revisions are proposed to previously approved TCPII-036-99-18.

The site is grandfathered from the requirements of Subtitle 25, Division 2 which became effective on September 1, 2010 and February 1, 2012 because it has a previously approved Type I Tree Conservation Plan, TCPI-044-98-05. The site is not grandfathered from the requirements of Subtitles 24 and 27, which became effective on September 1, 2010 and February 1, 2012 by the approval a new preliminary plan, PPS 4-16006.

The overall property is in the northeast quadrant of the intersection of US 50 (John Hanson Highway) 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 not occur on this property. According to the Soil Web Survey, the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Woodstown is a hydric soil, but the other soils pose no special development



challenges. According to available information, Marlboro or Christiana clays are not found to occur on or in the vicinity of this property. US 50 and MD 3 are both classified as freeways, and traffic-generated noise impacts are anticipated. Based on information obtained from the Maryland Department of Natural Resources Wildlife and Heritage Program, there are no rare, threatened, or endangered species found in the vicinity of this property; however, there are records of 'species of concern' known within the vicinity of the site. There are no designated scenic and/or historic roads in the vicinity of this property. The 2017 *Countywide Green Infrastructure Plan* was approved with the adoption of the *Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Prince George's County Council Resolution CR-11-2017) on March 7, 2017. According to the approved Countywide Green Infrastructure Plan, the site contains regulated areas and evaluation areas within the designated network of the plan. This property drains to an unnamed tributary located in the Patuxent River basin and is located directly adjacent to the Patuxent River. The site is located within an Employment Center, the designated Bowie Town Center, as shown on the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

#### **Natural Resource Inventory**

Natural Resources Inventory Plan NRI-054-06-02 was approved by staff on February 21, 2018. The site has a previously approved and implemented TCPII (TCPII-036-99-07, with subsequent revisions) and the proposed site modifications will not result in any substantial changes to the grading limits of the TCPII or result in any additional impacts to the regulated environmental features of Block 3, Lots 1 and 2.

#### **Woodland Conservation**

The TCPII is for the gross tract area of the overall Melford site, which is 426.15 acres, and which encompasses all parcels of the original TCPI. The overall woodland conservation threshold for approved TCPII-036-99-18 is 43.26 acres, based on a 15-percent woodland conservation threshold requirement in the M-X-T Zone. The amount of woodland conservation required was 71.97 acres, based on the previously approved clearing of 113.95-acres on-site. The TCPII shows the overall requirements being met with 51.06-acres of on-site preservation, 7.71 acres of afforestation, 9.74-acres of specimen tree credit, 0.42 acre of fee-in-lieu, and 3.04 acres of off-site woodland conservation credits. The limits of disturbance for this DSP are in conformance with the previously approved plans, and show no woodland conservation provided on Block 3, Lots 1 and 2.

#### **Regulated Environmental Features**

This subject site (Block 3, Lots 1 and 2) does not contain regulated environmental features that were required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations.

#### **Stormwater Management**

The conceptual and technical design of stormwater management (SWM) facilities and associated landscaping is subject to approval by the City of Bowie. An approved SWM concept approval letter and plan were submitted with the subject application.



SWM Concept Plan 01-0720-207NE15 was approved by the City of Bowie—Department of Public Works on July 2, 2020, for the 23.5- acre site. No additional information is required regarding the SWM with the current application.

- d. **Historic Preservation**—In an email dated October 21, 2022 (Stabler to Kosack), it was noted that the subject property does not contain, and is not considered adjacent to, the Melford Historic Site. Due to the intervening retail development proposed on Parcels 6, 8, 9, and 12, directly west of the Melford Historic Site, the changes requested in the subject DSP will not have an adverse effect on the historic site.
- e. **Community Planning**—In a memorandum dated October 11, 2022 (Lester to Burke), it was noted that, pursuant to Part 3, Division 9, Subdivision 3 of the prior Zoning Ordinance, master plan conformance is not required for this application.
- f. **City of Bowie**—In a memorandum dated September 27, 2022 (Adams to Shapiro), it was noted that the City Council voted to recommend approval of the DSP.
- g. **Prince George’s County Department of Parks and Recreation (DPR)**—At the time of the writing of this technical staff report, DPR did not offer comments on this application.
- h. **Prince George’s County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on this application.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this technical staff report, DPIE did not offer comments on the subject application.
- j. **Prince George’s County Police Department**—At the time of the writing of this technical staff report, the Police Department did not offer comments on the subject application.
- k. **Prince George’s County Health Department**—In a letter dated September 29, 2022 (Adepoju to Bishop), the Health Department offered comments on the subject application which have been forwarded to the applicant and are included as conditions in the recommendation section of this technical staff report, as appropriate.
- l. **Maryland State Highway Administration (SHA)**—At the time of the writing of this technical staff report, SHA did not offer comments on the subject application.
- m. **Washington Suburban Sanitary Commission (WSSC)**—In an email dated October 14, 2022 (Thorsell to Bishop), WSSC offered comments on the subject application which have been forwarded to the applicant and are included as conditions in the recommendation section of this technical staff report, as appropriate.



15. Based on the foregoing and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
16. As required by Section 27-285(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
  - (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).**

In a memorandum dated November 4, 2022 (Finch to Gupta), it was noted that there are no regulated environmental features located on the subject property within the limits of disturbance shown on TCPII-036-99-18.

## 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-07072-02, for Melford, Block 3, Lots 1 and 2, subject to the following conditions:

1. Prior to signature approval of the detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall:
  - a. Revise the DSP to demonstrate conformance to the requirements of the Prince George's County Tree Canopy Coverage Ordinance, as per Section 25-128 of the prior Prince George's County Code.
  - b. Revise General Notes 31 and 32 to note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016.
  - c. Modify the DSP, as shown on Attachment A (updated truck-turning plans), to expand the limited right-in/right-out driveway, to facilitate sufficient access for safe and adequate truck-turning maneuvers to and from the site.
  - d. Incorporate Attachment A (updated truck-turning plans) as part of the DSP plan set.
  - e. Show and label proposed water and sewer house connections to the proposed retail building.
  - f. Label all existing easements which are to be abandoned as "to be abandoned."
  - g. Revise the proposed 50-foot-wide access easement extending west from the intersection of Science Drive and Melford Boulevard to a variable-width access easement which covers the entire roundabout west of the main site entrance. Revise the boundaries of the 24-foot-wide access easement extending south from the



roundabout to the secondary site entrance, to account for the new boundaries of the variable-width access easement.

- h. Correct the square footage of Building R-A in the plan drawings, tracking charts, and all relevant notes.
- i. Resolve the discrepancies between the parking analysis included in the applicant's statement of justification and the parking schedule located on the title sheet of the DSP; and provide the correct parking schedule on the title sheet.
- j. Locate landscape plantings outside the proposed 10-foot-wide public utility easement along Melford Boulevard.
- k. Revise the planting schedule for Section 4.3-2, Parking Lot Interior Planting Requirements, to provide a minimum 15 percent of interior landscaped area per the 2010 *Prince George's County Landscape Manual*.
- l. Replace plant schedules for Lots 1 and 2 with plant schedules for the proposed Parcels 1–5.
- m. Relocate the loading space shown for the existing office building on proposed Parcel 2 and adjacent to four parking spaces, so that it is aligned perpendicular to the access driveway.
- n. Remove the building footprint, use, and square footage from the "Future Pad Site" on Parcel 1. Revise all plan drawings, tracking charts, and relevant notes, as necessary.
- o. Provide top and bottom elevations for the proposed retaining wall located on Parcel 1. Provide an architectural elevation for the wall, listing total height and building material.
- p. Revise the width of the sidewalk located along the north side of Building R-A to be a minimum of 5 feet wide.
- q. To provide continuity along the street façade, provide two additional Miami Crape Myrtles along the front of Building R-B, similar to those in front of Building R-A.
- r. On Sheet C-4A, provide and label a minimum 3.5-foot clearance between the menu/ordering board and the face of Building R-B, for accessibility.
- s. On the details for the menu/ordering board and the vehicle height detector and speaker post, label the material used for the menu board, posts, and the canopy.
- t. On the details for the menu/ordering board, dimension the side panels shown on either side of the main menu/ordering board.
- u. Provide detailed information regarding illumination of the boards and menu/ordering board and the vehicle height detector and speaker post.



2. Prior to signature approval of the detailed site plan (DSP), the Preliminary Plan to Detailed Site Plan–Comparison Tracking Chart on Sheet C-1A shall be modified as follows:
  - a. Revise Footnote 4 to read:

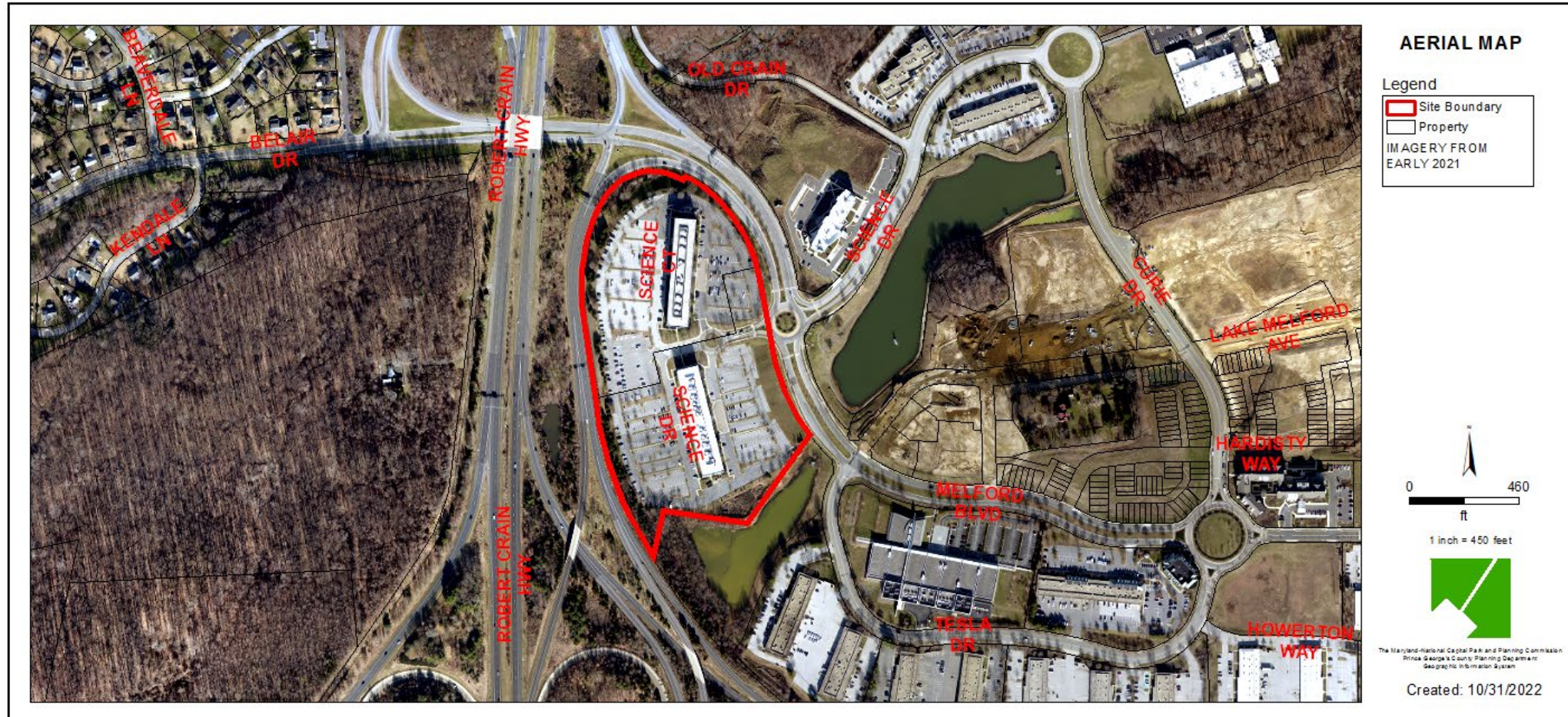
“The two 150,000-square-foot (each) buildings existing on Parcels 2 and 3, Block 3, as approved with DSP-07072-02, were originally approved under PPS 4-98076. Therefore, these two buildings do not count against the office GFA approved under PPS 4-16006, and thus, are not included in the ‘total’ column. The trip cap associated with this prior development was included as part of 4-16006.”
  - b. Revise Footnote 6 to reference DSP-07072-02 instead of DSP-18034-01.
  - c. Add a column for DSP-07072-01 and ensure the columns for DSP-07072-01 and DSP-07072-02 each list the development approved under that amendment.
3. Prior to approval of a final plat, draft access easement documents shall be approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and be fully executed. The easement documents shall set forth the rights, responsibilities, and liabilities of the parties and shall include the rights of M-NCPPC. The limits of the easements shall be consistent with the approved detailed site plan and shall be reflected on the final plat. The easements shall be recorded in the Prince George’s County Land Records, and the Liber/folio of the easement shall be indicated on the final plat, prior to recordation.
4. The applicant shall consider utilizing “green” building construction techniques and attempt to fulfill at least the basic standard for Leadership in Energy and Environmental Design certification.



# MELFORD, BLOCK 3, LOTS 1 & 2

## DETAILED SITE PLAN

Staff Recommendation: APPROVAL with conditions

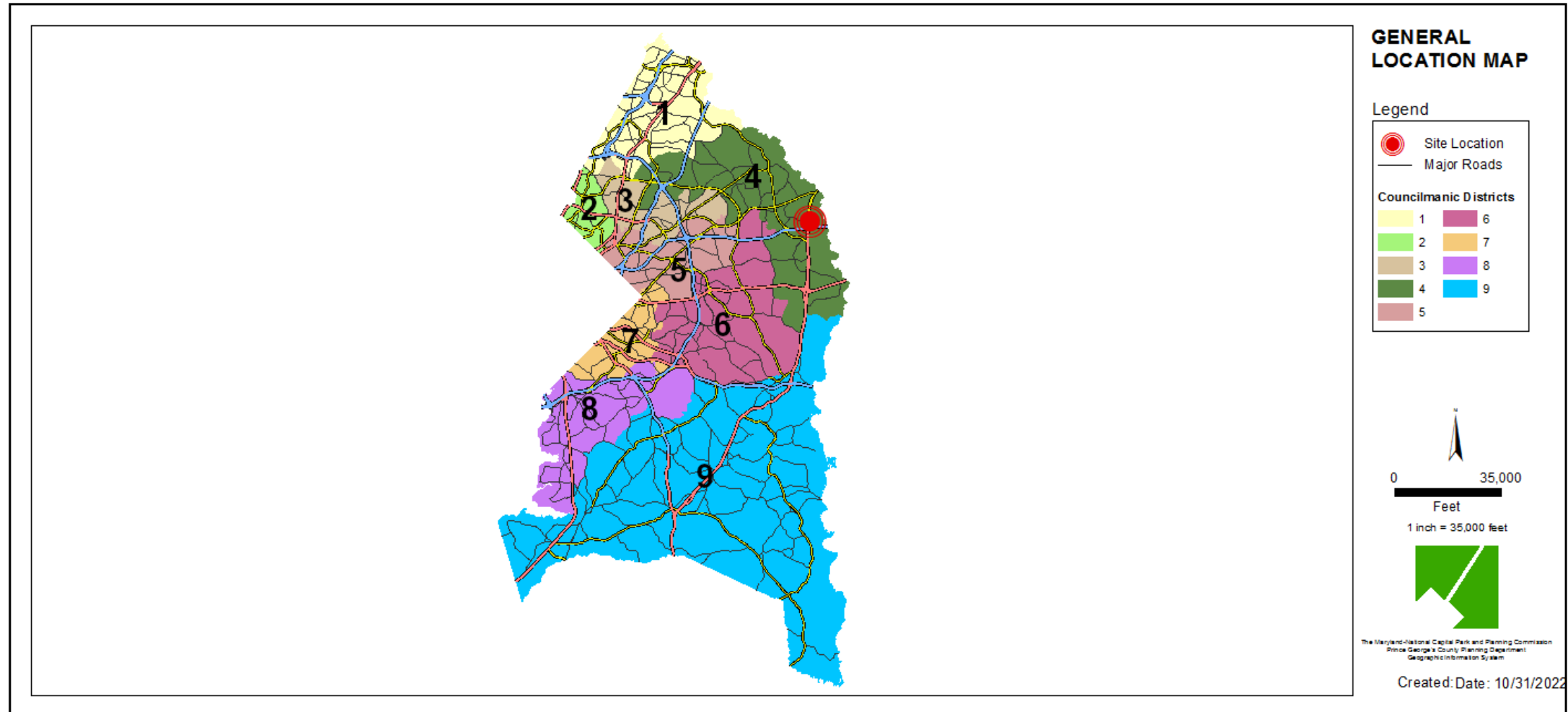




# GENERAL LOCATION MAP

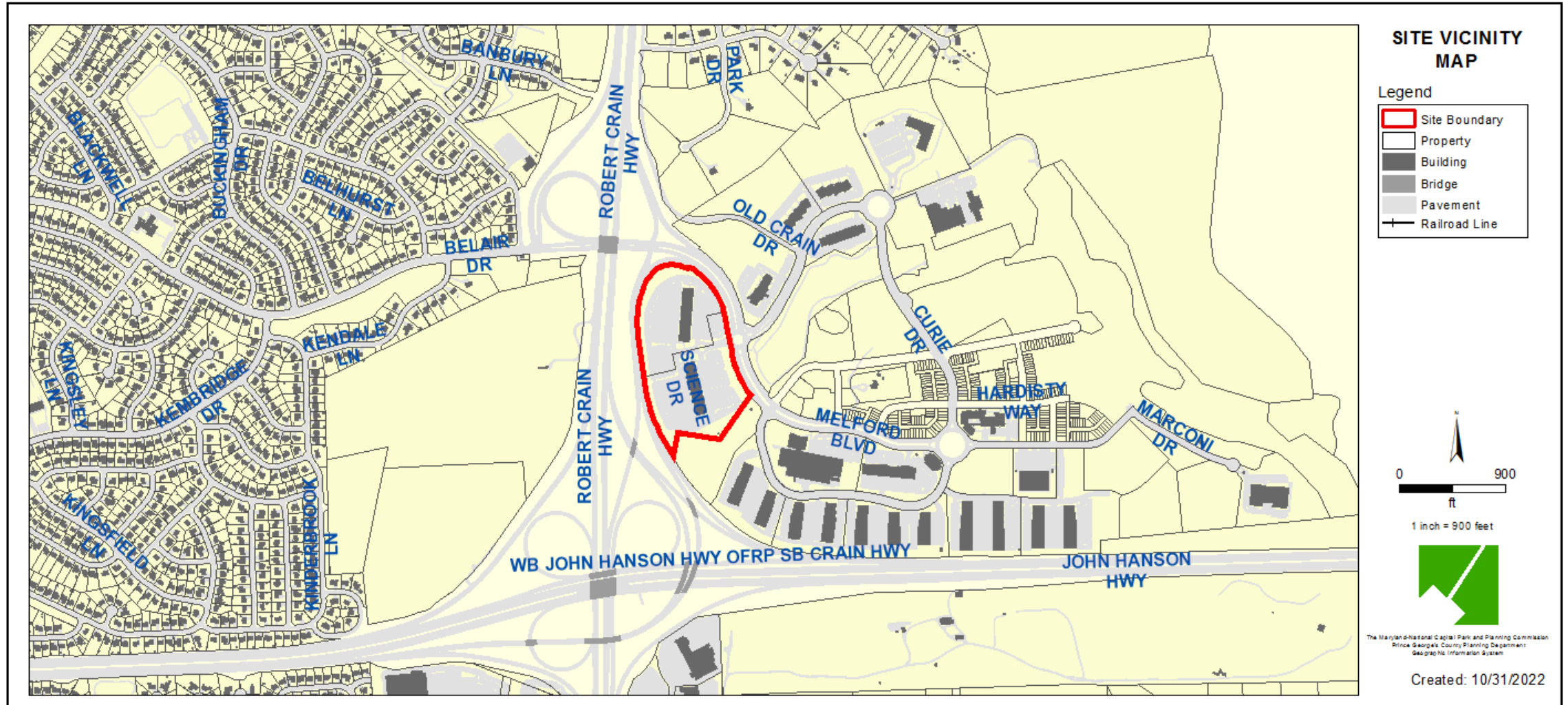
Council District: 04

Planning Area: 71B





# SITE VICINITY MAP



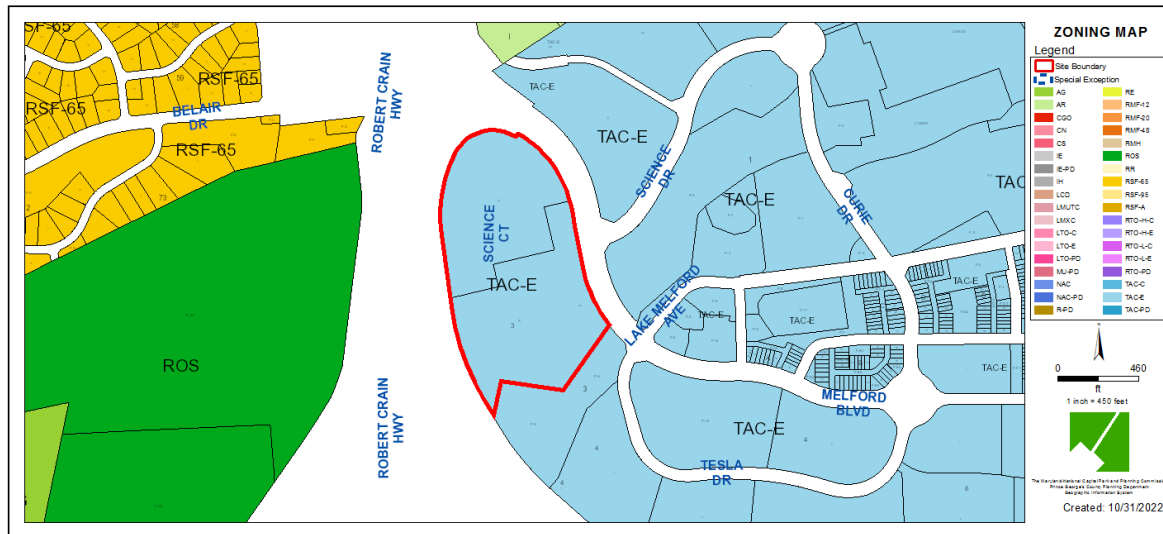


# ZONING MAP (CURRENT & PRIOR)

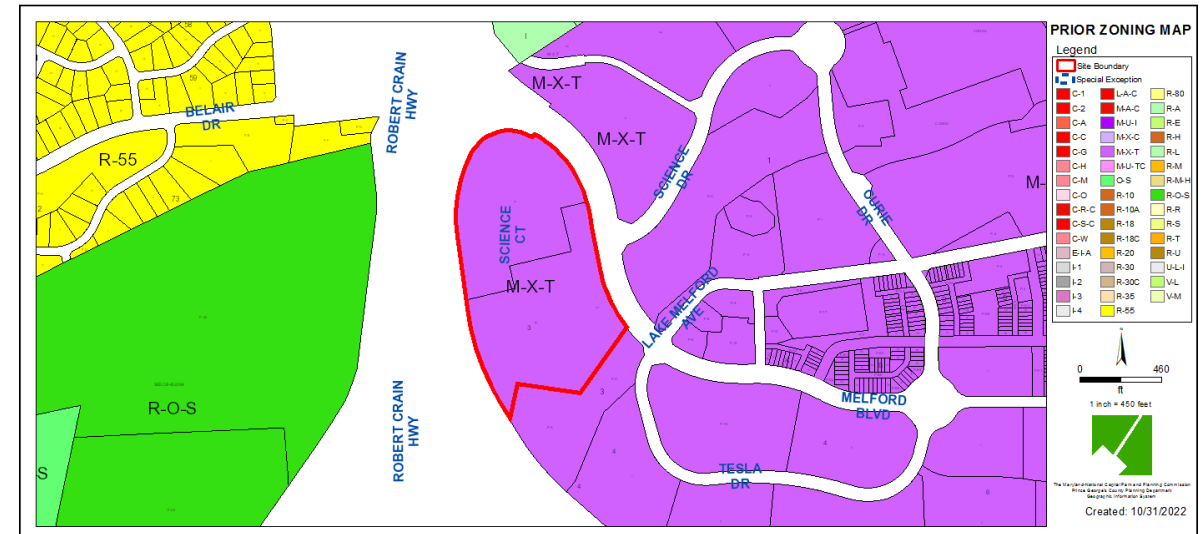
Current Property Zone: TAC-e

Prior Property Zone: M-X-T

CURRENT ZONING MAP



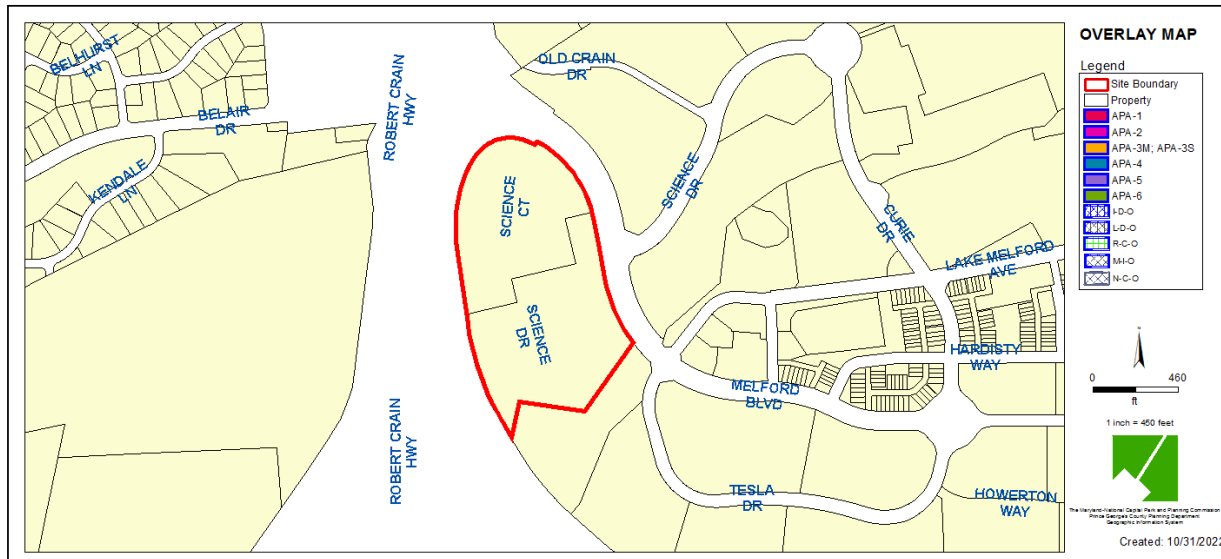
PRIOR ZONING MAP



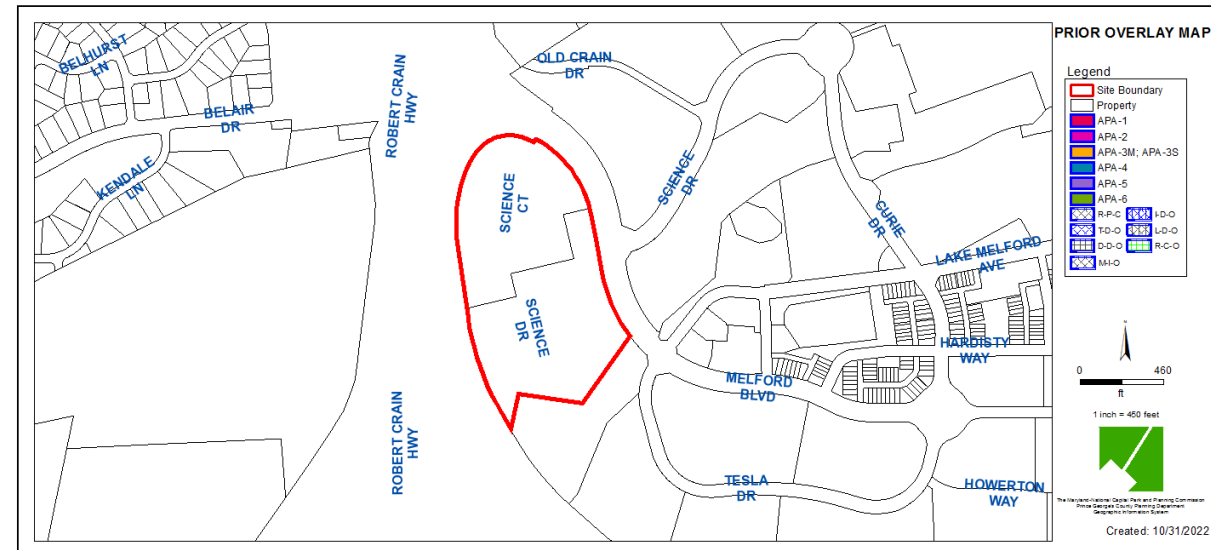


# OVERLAY MAP (CURRENT & PRIOR)

CURRENT OVERLAY MAP



PRIOR OVERLAY MAP



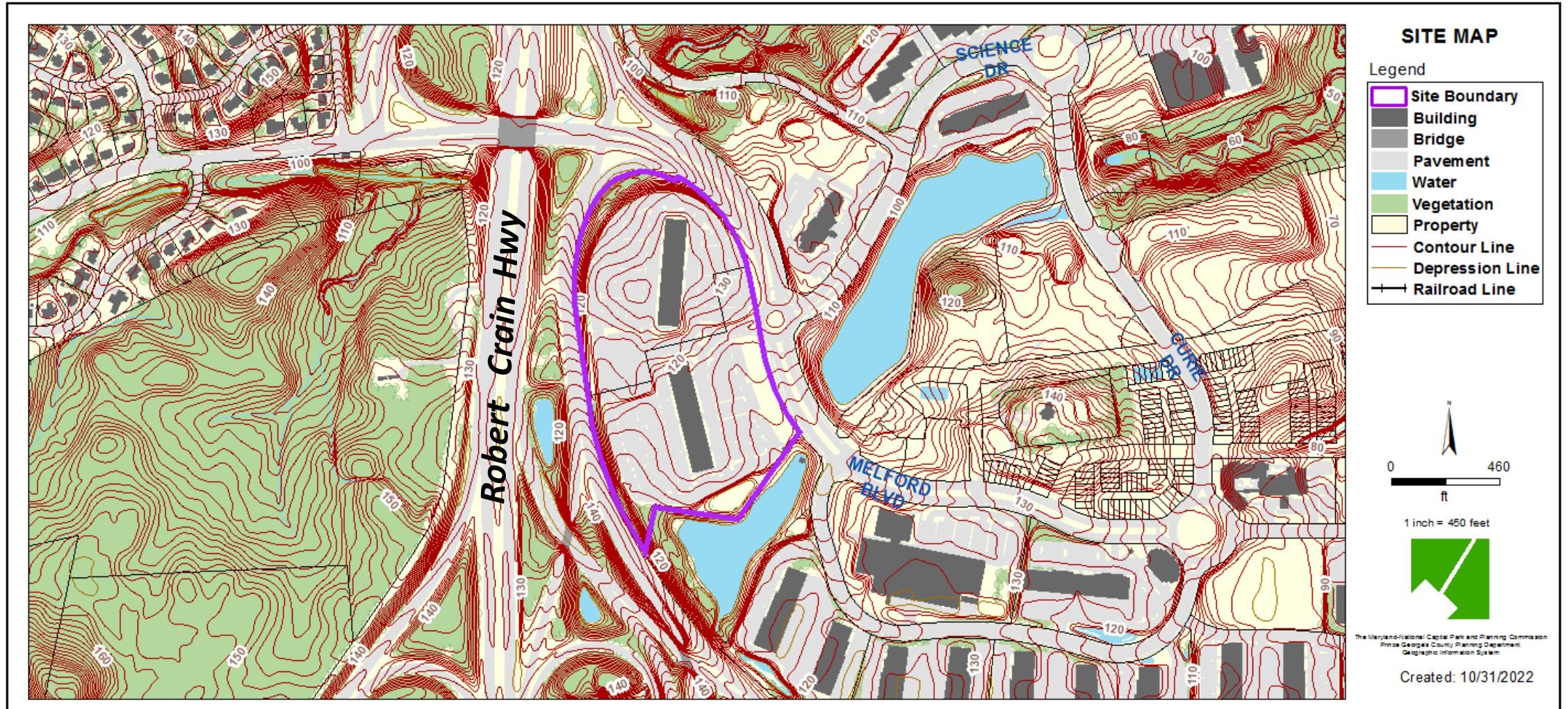


# AERIAL MAP



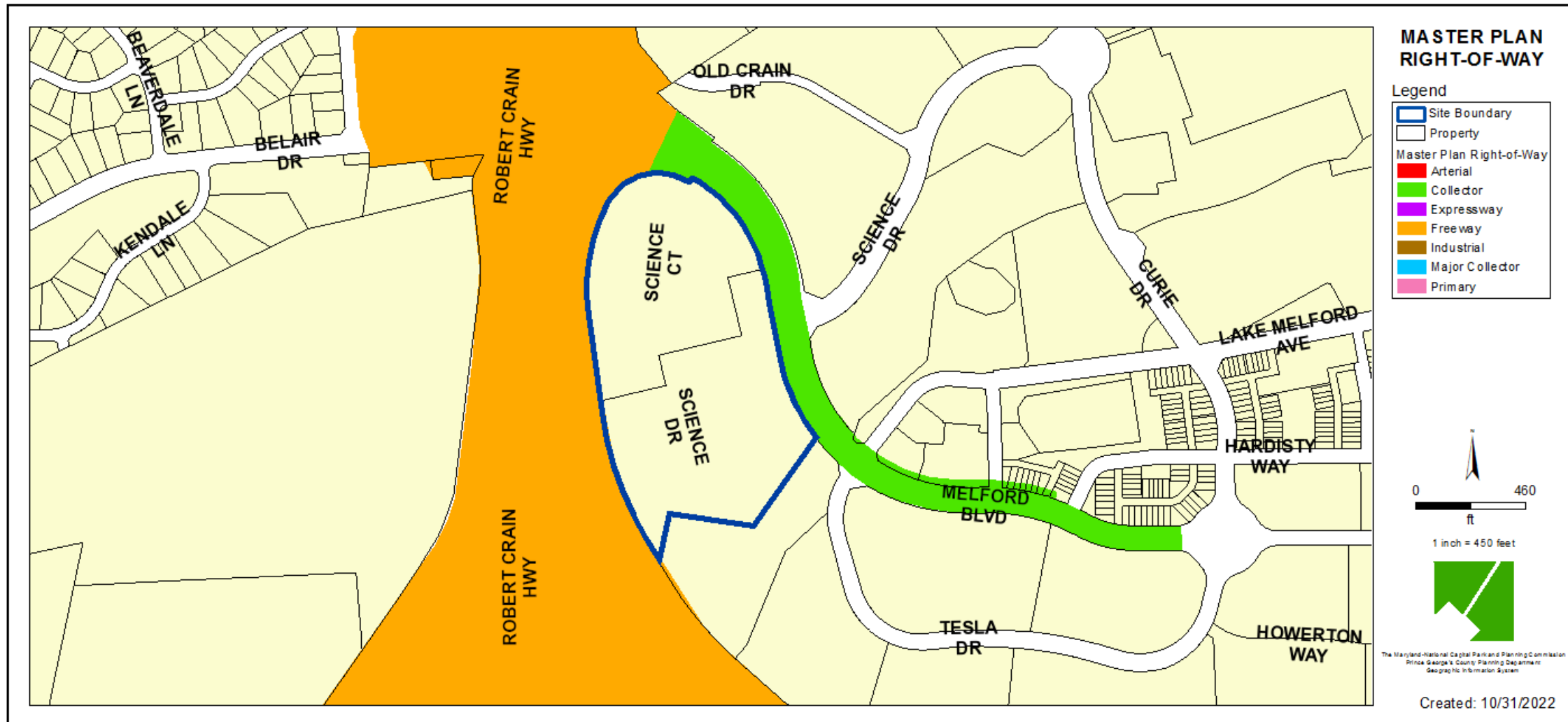


# SITE MAP





# MASTER PLAN RIGHT-OF-WAY MAP



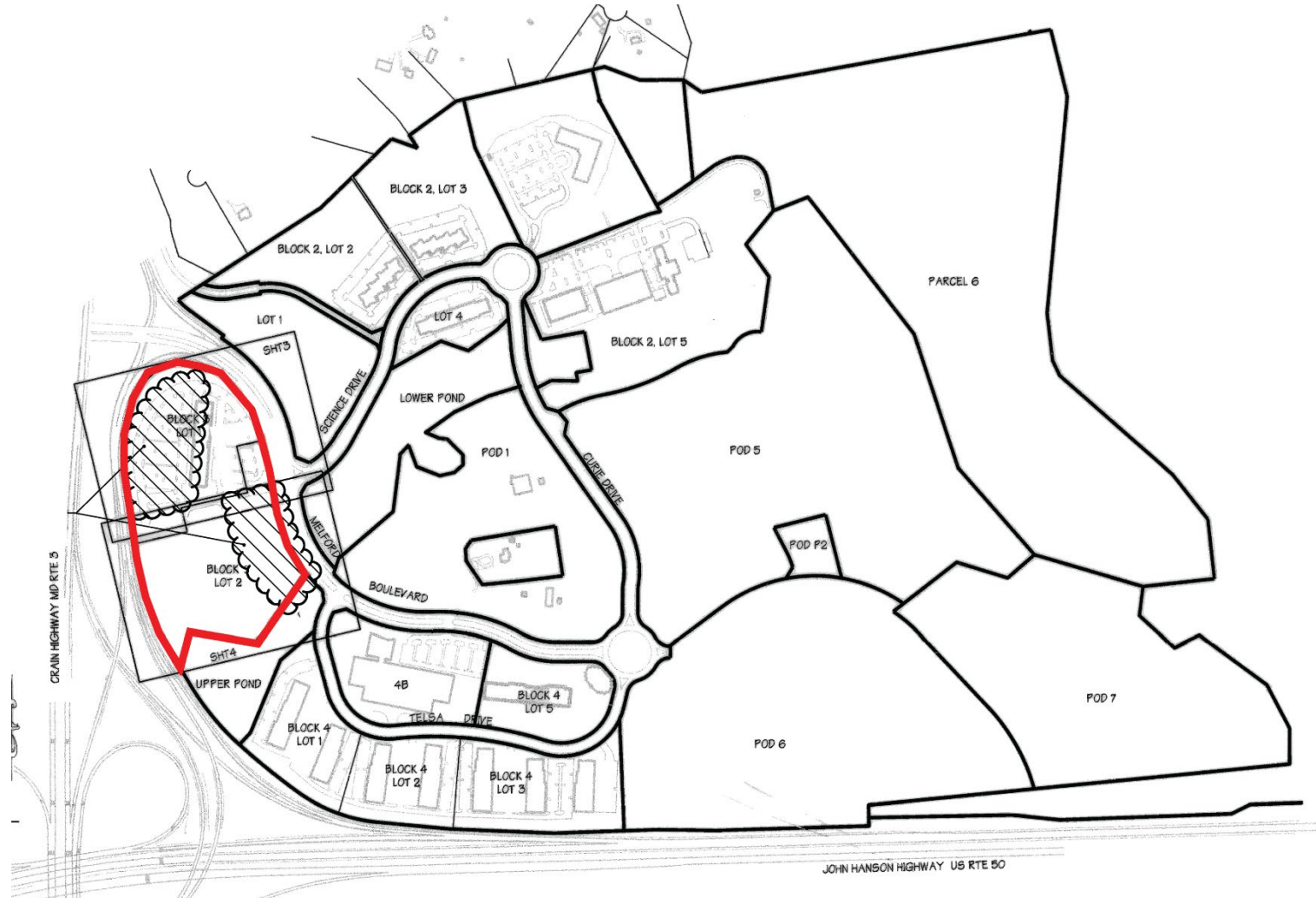


## BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED





2-02





# COMPARATIVE ILLUSTRATION

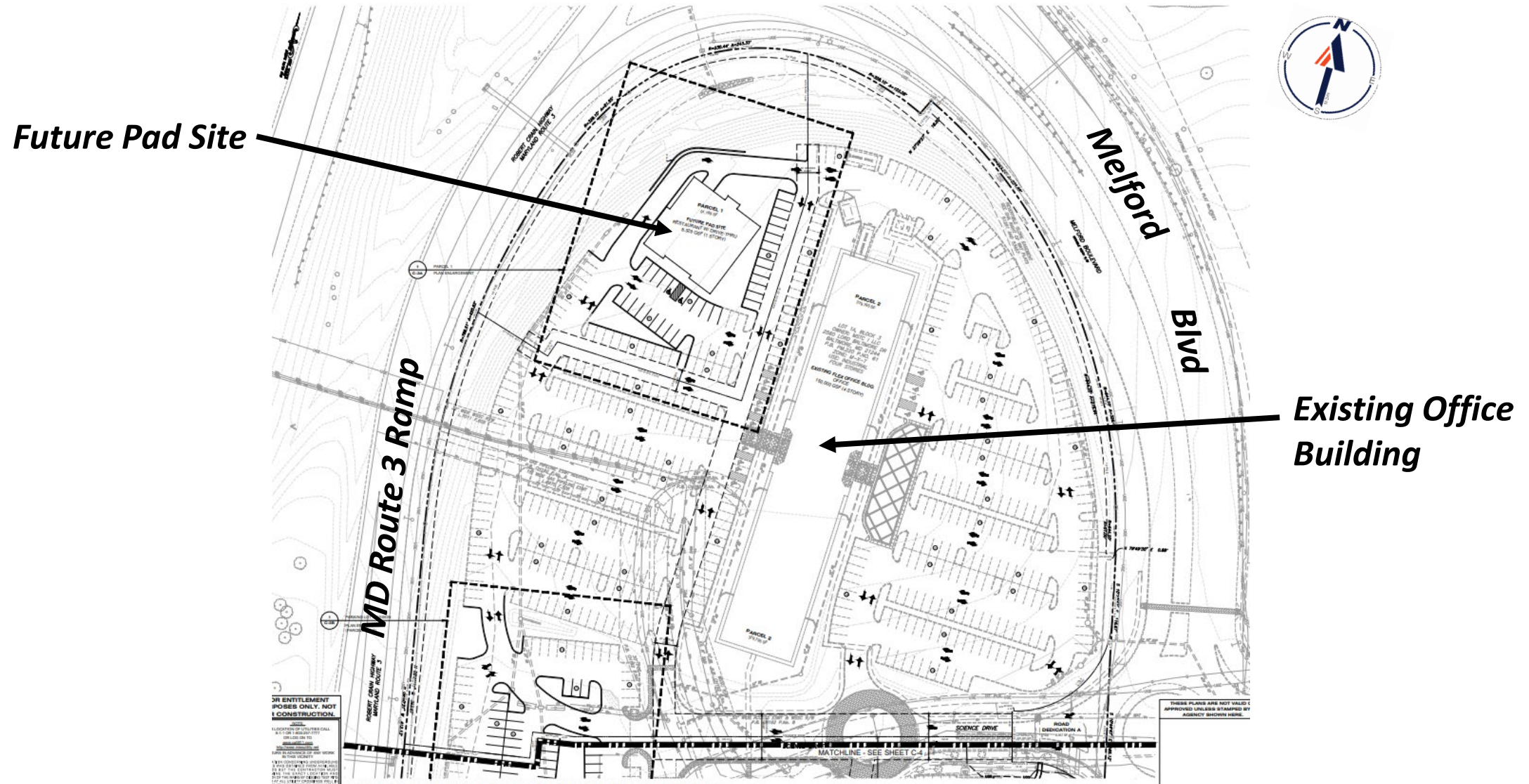


**DSP-07072-01**

**DSP-07072-02**



# DETAILED SITE PLAN





# DETAILED SITE PLAN



**Existing Office Building**

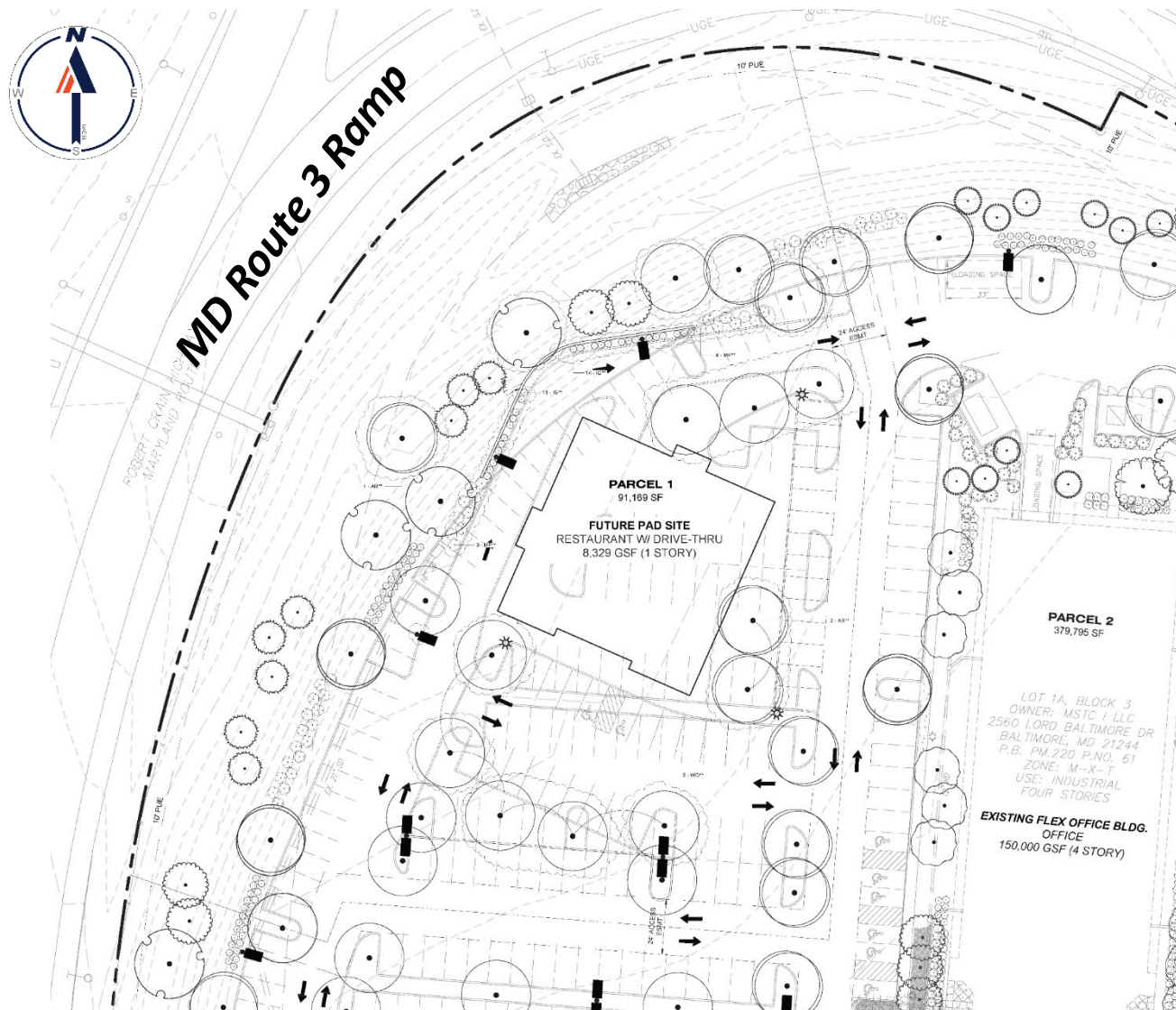
**Existing Retail Building R-A**

**Proposed Retail Building R-B**









# LANDSCAPE & LIGHTING PLAN

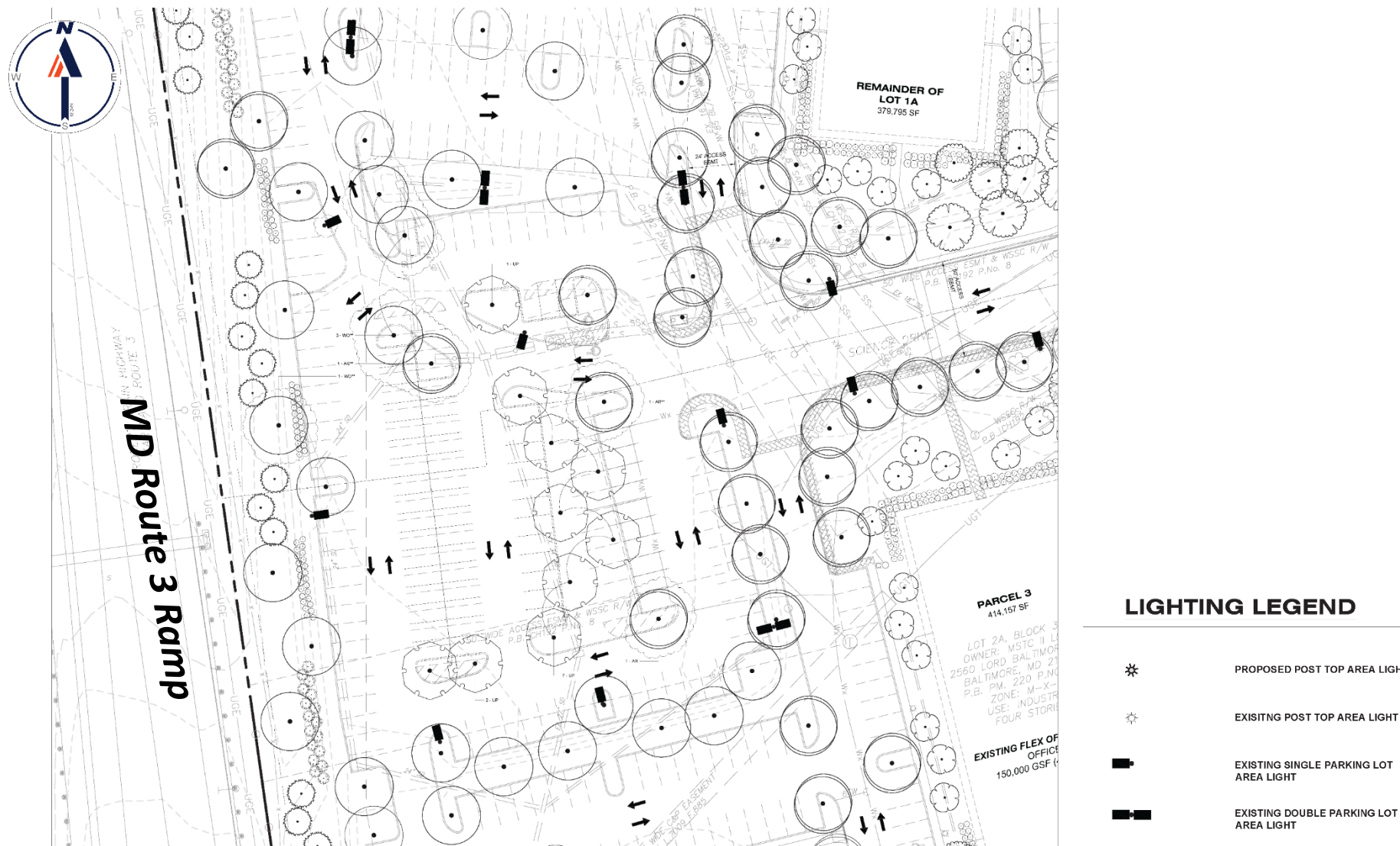


## LIGHTING LEGEND

-  PROPOSED POST TOP AREA LIGHT
-  EXISTING POST TOP AREA LIGHT
-  EXISTING SINGLE PARKING LOT AREA LIGHT
-  EXISTING DOUBLE PARKING LOT AREA LIGHT

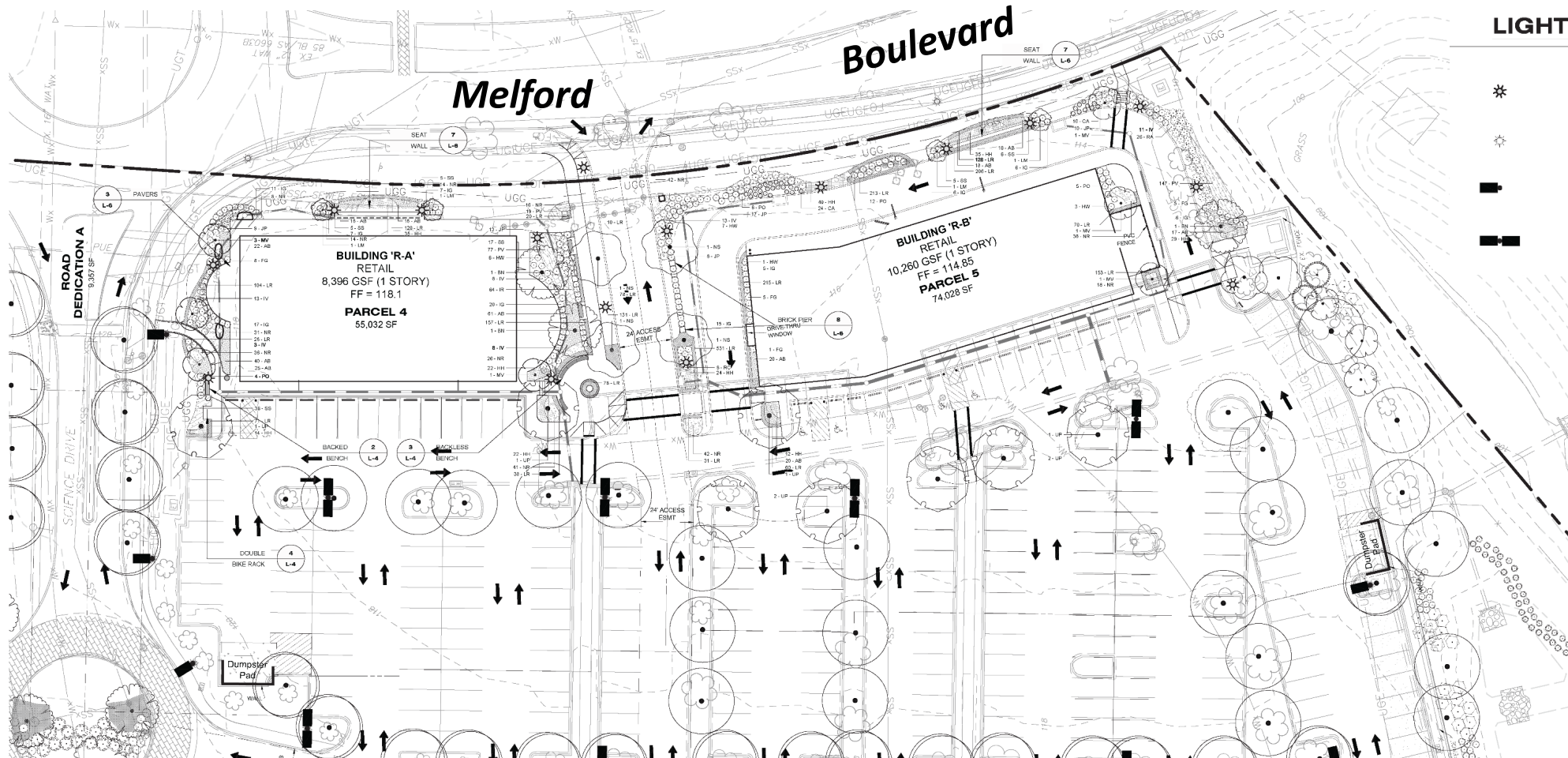


# LANDSCAPE & LIGHTING PLAN









# LANDSCAPE & LIGHTING PLAN



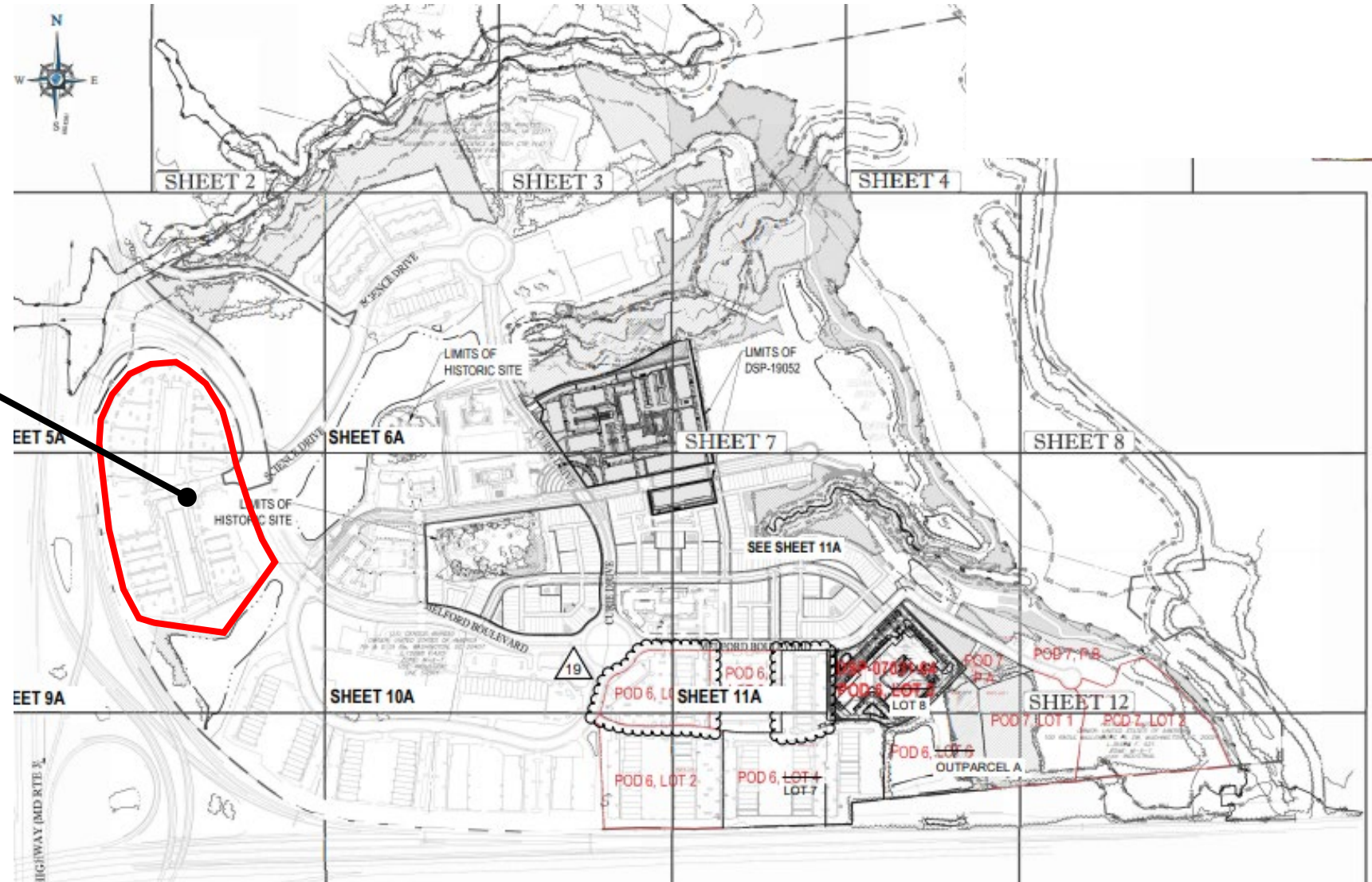
## LIGHTING LEGEND

-  PROPOSED POST TOP AREA LIGHT
-  EXISTING POST TOP AREA LIGHT
-  EXISTING SINGLE PARKING LOT AREA LIGHT
-  EXISTING DOUBLE PARKING LOT AREA LIGHT



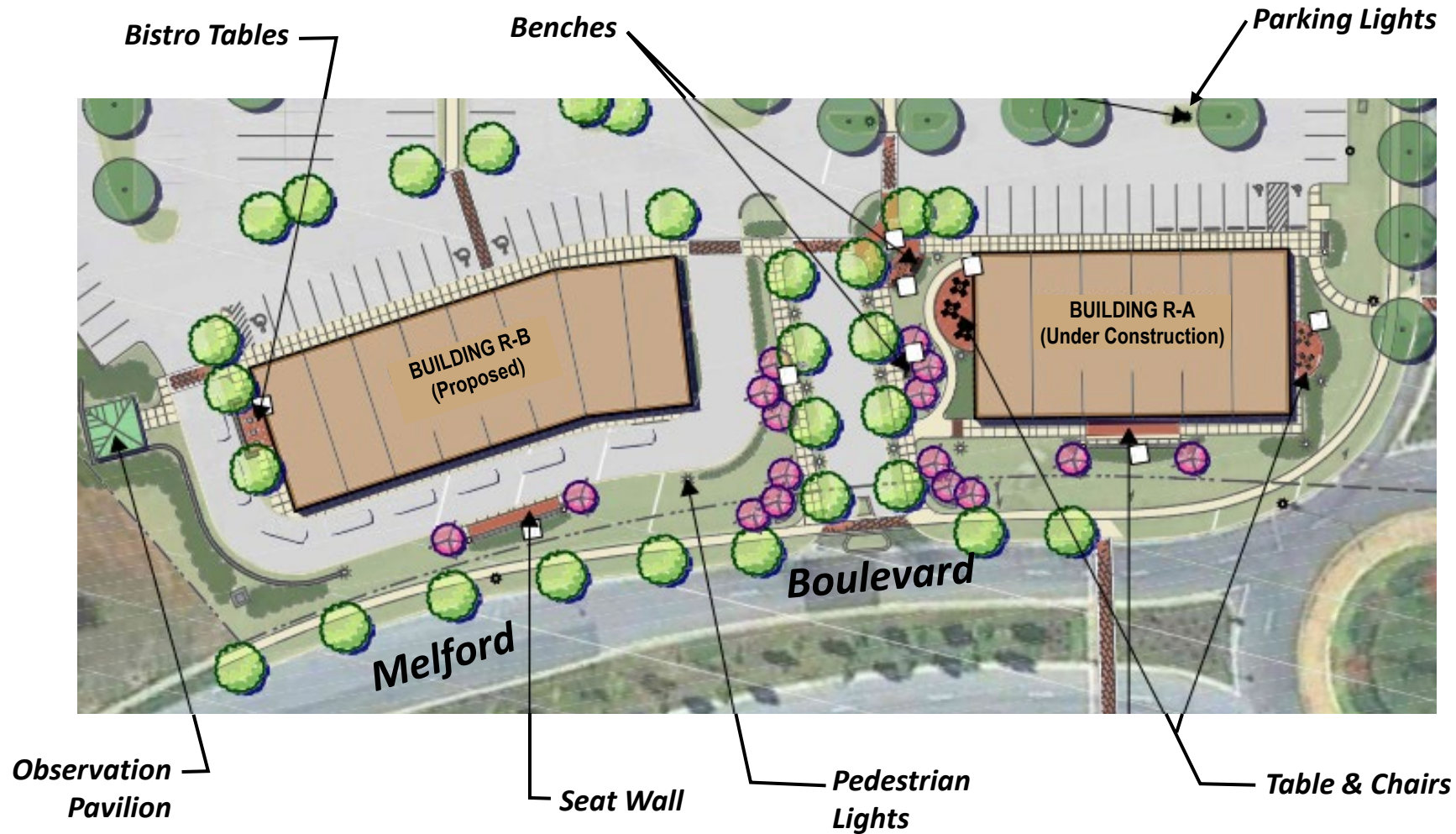
# TYPE II TREE CONSERVATION PLAN

**DSP-07072-02**





# SITE DETAILS





# ELEVATION VIEW FROM MELFORD BOULEVARD

Melford Property Block 3  
Elevation View From Melford Boulevard





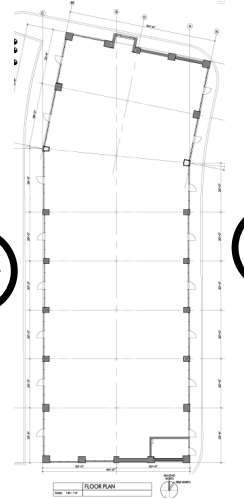
# EXTERIOR ELEVATIONS AND SIGNAGE – BUILDING R-B



West Elevation



East Elevation





# EXTERIOR ELEVATIONS AND SIGNAGE – BUILDING R-B

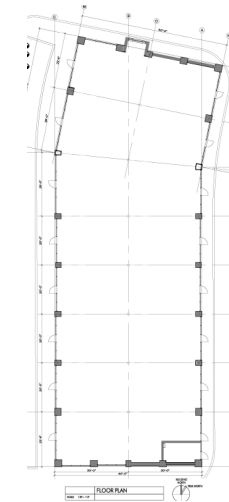


**SOUTH ELEVATION**  
 SCALE: 1/8" = 1'-0"



**NORTH ELEVATION**  
 SCALE: 1/8" = 1'-0"

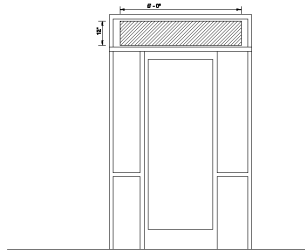
**North Elevation**



**South Elevation**



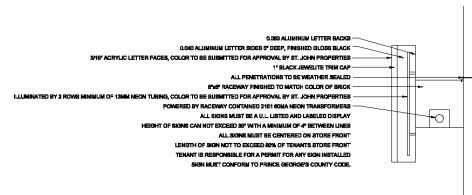
# SIGNAGE DETAILS



SIGN SPECIFICATIONS FOR TENANT DOOR PANEL (TYP.)  
NOT TO SCALE



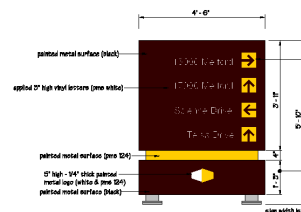
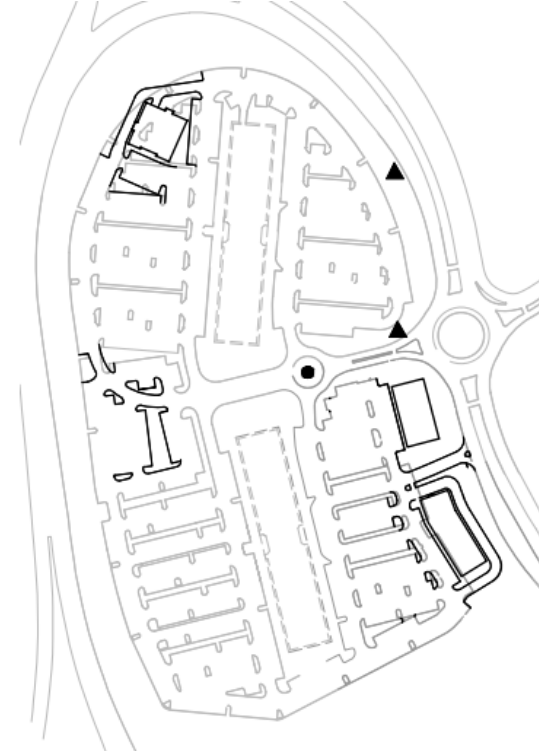
SIGN SPECIFICATIONS FOR TENANT SIGN PANEL (TYP.)  
NOT TO SCALE



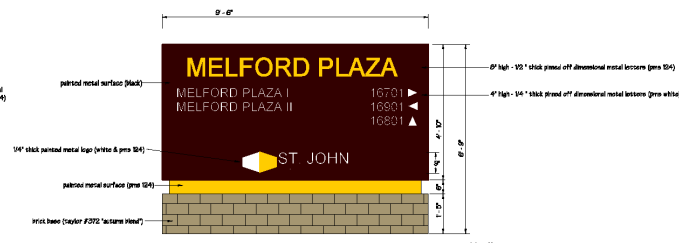
SIGN SPECIFICATIONS FOR RETAIL TENANT SIGN AREA (TYP.)  
NOT TO SCALE



CORPORATE LOGO DETAIL (TYP.)  
NOT TO SCALE



Medium Directional Address Sign  
NOT TO SCALE



Campus Identification Sign  
NOT TO SCALE



# STAFF RECOMMENDATION

## **APPROVAL** with conditions

- DSP-07072-02

## **Major Issues:**

- None

## **Applicant Required Mailings:**

- Informational Mailing: 06/14/2022
- Acceptance Mailing: 09/23/2022



LAW OFFICES  
**SHIPLEY & HORNE, P.A.**

Russell W. Shipley  
Arthur J. Horne, Jr.\*  
Dennis Whitley, III\*  
Robert J. Antonetti, Jr.

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Telephone: (301) 925-1800  
Facsimile: (301) 925-1803  
www.shpa.com

Bradley S. Farrar  
L. Paul Jackson, II\*

\* Also admitted in the District of Columbia

June 30, 2022

**VIA ELECTRONIC MAIL**

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

**RE: REQUEST FOR AMENDMENT  
Detailed Site Plan 07072/02 (Block 3, Lots 1 & 2)  
MELFORD**

Dear Jill:

On behalf of our client, St. John Properties, Inc. (the "Applicant") we respectfully support for DSP-07072/02 (the "DSP") within Melford. The initial site plan for this project (DSP-07072) was approved by the Planning Board on April 3, 2008, to add three speculative 8,125-square-foot (24,375 total) retail/restaurant/office buildings (hereinafter the "Retail Pads"), with attendant parking, sidewalk and curbing, and additional parking, sidewalk and curbing for a possible future pad site that would be the subject of a separate application. The approved Retail Pads were in addition to two 150,000 square foot office buildings also approved for Block 3, Lots 1&2 (the "Property") within Melford. The Applicant obtained approval from the Planning Director of a revision to the site plan on March 25, 2021 (DSP-07072-01), to make architectural modifications to the previously approved buildings along with other minor site related changes.

The Applicant is now requesting a few additional minor changes to the approved Retail Pads which include the following:

- Revision of the site plan to eliminate one of the three previously approved retail buildings along Melford Boulevard. Specifically, the Applicant proposes the following structures:
  - i.) Building R-A – 8,396 square feet
  - ii.) Building R-C – 10,260 square feet



iii.) Future Pad Building- 8,239 square feet (to be approved as part of future DSP revision)

- The proposed Future Pad Site will be relocated to the northwestern portion of the site
- The total retail square footage (with Future Pad Site) proposed in this request equals 26,895 square feet.
- Architecture will be wholly consistent with the colors, finishes, and materials approved in DSP-07072/01.
- A right-in/right-out access point is proposed between buildings R-C and R-A (south of the circle at the Melford Boulevard/Science Drive intersection).
- A drive-thru is proposed for building R-C

The changes referenced above are reflected in an illustrative **Exhibit 1** that is attached to this statement of justification. Associated with its desire for a drive-thru as part of future building R-C, the Applicant requests deletion of condition 1 n. originally approved with DSP-07072. (See p. 39 herein for further discussion).

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

On April 1, 2022, the approved Countywide Sectional Map Amendment (“CMA”) and the updated Prince George’s County Zoning Ordinance (“New Zoning Ordinance”) became effective and rezoned the entire Melford project to the newly created TAC-E Zone (Town Activity Center-Edge). Notwithstanding, the Applicant elects to amend DSP-07031 utilizing the applicable provisions of the prior zoning ordinance pursuant to Section 27-1704(b) which states in pertinent part:

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

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

DSP-07072-01, was approved by the Planning Director on March 25, 2021 and is valid in perpetuity as several of the buildings shown on the plan have been constructed. Further, the underlying CSP-06002-01 is valid until April 1, 2042. Since these underlying approvals are currently valid, the Applicant can proceed with applications utilizing the provisions of the Zoning Ordinance that existed prior to April 1, 2022, (per Section 27-1704(b) of the New Zoning Ordinance). DSP-07031-05 is being filed in accordance with the appropriate provisions of the Prince George’s County Zoning Ordinance and the M-X-T Zone that existed prior to April 1,



2022. As such, the applicant respectfully requests that the Pre-Application Conference be waived in this instance.

## **I. DESCRIPTION OF SUBJECT PROPERTY**

The subject Property is bounded to the south, east and north by other parts of the Melford development. More specifically, it is bounded to the south by the “Upper Pond,” to the east by the “Lower Pond,” and to the north by a four-story office building with the intersection of Melford Boulevard/Belair Drive and Crain Highway (US 301) beyond. The subject project is bounded to the east by Crain Highway (US 301).

## **II. ZONING AND DEVELOPMENT HISTORY**

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

In 2006, the overall Melford development was rezoned from the E-I-A zone to the M-X-T zone, via the *2006 Bowie and Vicinity Master Plan and Sectional Map Amendment* (the “2006 Master Plan”). A Conceptual Site Plan (#CSP-06002) was approved by the District Council in 2009, which allowed additional development of up to 425,000 square feet of office space, 330,000 square feet of flex space and 200,000 square feet of retail space over and above the existing (or approved) 1.5 million square feet of employment space. In 2014, the County Council approved an update to the County’s General Plan (the “2035 General Plan”) which focused future residential and commercial growth in different development “centers” designated throughout the County. The 2035 General Plan designated the entire Melford project as part of the “Bowie Town Center.” Said center designation anticipates an increased residential density and mix of uses for the Melford development.

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

On or about March 9, 2017, the Prince George’s County Planning Board approved Preliminary Plan 4-16006 (the “PPS”) for the Melford Town Center project. The PPS approved 256 lots and 50 parcels to accommodate 359,500 square feet of commercial uses (124,500 square feet of commercial/retail, & 235,000 square feet of office/medical office) and 1,793 residential



dwelling units (293 attached units and 1,500 multifamily units). Multiple detailed site plans have been approved for the project including DSP-07072 for development on Block 3, Lots 1&2, a plan for rough grading (DSP-17020), a 388-unit multifamily building (the “Aspen”; DSP-18007), 57,845 square feet of retail (the “Retail Village East”; DSP-18026), infrastructure for townhouses/attached units (DSP-18034), 435 multifamily units in 9 residential buildings with 1 clubhouse (the “Mansions”, DSP-19052), and a revision to DSP-07072 for development on Block 3, Lots 1&2 (DSP-07072/01).

### **III. OVERVIEW**

The proposed detailed site plan revision augments and revises DSP-07072/01 and reflects two four-story, 150,000-squarefoot office buildings (both completed) and two speculative Retail Pads on the eastern end of the site, its attendant parking, and the parking, landscaping and curbing for a relocated Future Pad Site on the northwestern portion of the site. This request includes an evaluation of all requirements for approval of a DSP amendment in the Zoning Ordinance. In support of the minor site plan changes proposed in this application, the Applicant has included an attached **Exhibit 1** which shows a comparison of the approved buildings in DSP-07072/01 to the new buildings proposed in this request.

The changes in this application are necessary due primarily to market conditions and preferences of retail tenants and consumers. It should be noted that retail buildings have been approved on this site for over a decade. However, changing market conditions have made finding tenants to locate in the approved Retail Pads challenging. One of the challenges in finding end users for the retail buildings is due to the circuitous access to the Retail Pads. Specifically, retail tenants/users strongly prefer direct access from Melford Boulevard to the Retail Pads (rather than having to drive through a series of two roundabouts stemming from the intersection of Melford Boulevard and Science Drive). The proposed right-in/right-out access will offer a safe and more efficient access point for future tenant/users. (See attached **Exhibit 2** from Lenhart Traffic Consulting, Inc. dated October 6, 2021). On either side of this future access point, there will be an attractively designed retail building with sidewalks and landscape features. The two proposed Retail Pads will have outdoor seating areas for customers adjacent to the building(s). An attractive gathering/seating area will also be located between buildings R-A and R-C.

Due in part to changing retail preferences stemming from the COVID-19 pandemic, retailers have strongly requested the opportunity for drive-thru service. This allows an opportunity for customers to purchase items in a “socially-distant” manner without having to leave their vehicles. For this reason, adding a drive-thru outside of building R-C will be highly desired by a future retail tenant. Finally, the relocation of the “future pad site” shown on DSP-07072/01 from the western side of the site to the northwestern corner of the site is necessary to increase visibility of the future building to vehicles entering Melford from the US 50/MD-3 entrance ramp. All necessary specifications for this future pad site will be reflected in a future detailed site plan revision.



#### **IV. DEVELOPMENT SUMMARY & PLANNING CONSIDERATIONS**

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

	<b>EXISTING</b>	<b>APPROVED</b>	<b>PROPOSED</b>
Zone(s)	TAC-E	TAC-E	TAC-E
Use(s)	Office*	Restaurant, Retail, Office	Restaurant, Retail, Office
Acreage	23.42	23.42	23.42
Lots	2	2	2
Square Footage/GFA	300,000	324,375	326,895 **

\* Two 150,000-square-foot office buildings are built and located on the site.

\*\* Includes future pad site to be approved as part of future DSP revision.

#### **Parking Data**

	<b>REQUIRED</b>	<b>PROVIDED</b>
Parking spaces for the two (2) 150,000-square-foot office building	756	1,045
Parking for the two retail strip buildings (Buildings R-C and R-A) and future retail pad	146	215
Total parking spaces (Sec. 27-568)	900	1,260
Handicapped spaces (included in the above)	26	40
Loading spaces for 150,000-square-foot office building	4	4
Loading for the two retail buildings (Buildings R-C and R-A) and future retail pad site	0	0

1. **Conformance with the Design Guidelines approved with CSP-06002/01:**

#### **Organizing Principles:**

CSP-06002/01 includes a 67-page Design Guideline book titled “Melford Village



Design Guidelines.” This book articulated the design and organizing principles for what is now known as the Melford Town Center. The Design Guidelines envisions that the Melford Town Center will become a premier mixed-use walkable community within the City of Bowie and Prince George’s County. As such, a variety of commercial and residential uses are proposed within the Design Guidelines for various areas of the overall site. The Property is designated as part of the “Commercial District” and is described as follows (see p. 32 of Design Guidelines):

## Commercial District

Located at the western entrance to Melford Village, the Commercial District is envisioned to provide both the existing office tenants and new residents a place to purchase groceries, do their banking, or perhaps fill their medical prescriptions. The District can be accessed by car when leaving or returning from work as well as via pedestrian sidewalks. The proposed uses in this neighborhood will serve all community members and provide ample public parking and points of access to facilitate vehicular and pedestrian traffic. Drive-thru establishments are permitted. There is a strong relationship to the hotels, existing offices, and the Village retail of the East-West Boulevard. The proposed uses and building locations are illustrative only and the final tenants will be determined by market demand.



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



**RESPONSE:** This detailed site plan will be developed in a manner consistent with the above requirements for the Commercial District. The portion of the site that will contain the two Retail Pads is most easily accessed from an entrance drive that is, in turn, accessed from Melford Boulevard. The 8,167 square-foot building R-A and the 10,264 square-foot building R-C will front on Melford Boulevard, with parking to their rear. The parking is well landscaped and is situated between the rears of the retail buildings and the office buildings located on lots 1 & 2. The two proposed Retail Pads are located directly north of an existing pond and an observation pavilion is provided as a passive recreational amenity between the most southern building and the pond. The pond and its enhanced landscaping provide a visual amenity for the development. Several benches are located on the paved area around and between the proposed buildings for pedestrian seating. The future uses in the Retail Pads will likely be retail and restaurant tenants that will serve the needs of employees, residents and guests of the overall Melford project. The proposed architecture in this application will be wholly consistent with that approved in DSP-07072/01 and will create stronger design relationships with the nearby Marriott hotel, the historic Melford House, and the future/approved development within the Melford Town Center. The Commercial District design guidelines also specifically contemplate the potential for drive-thru establishments to facilitate the needs of future customers.

**V. RELATIONSHIP TO REQUIREMENTS IN THE ZONING ORDINANCE:**

**A. Section 27-285(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. If it cannot make these findings, the Planning Board may disapprove the Plan.**

**RESPONSE:** The instant DSP is certainly a reasonable approach for satisfying the design guidelines applicable to the Melford development. The revisions to the Retail Pads are wholly consistent with past site plan approval(s), and the most recently approved Conceptual Site Plan, which designated said area for commercial uses. The proposed plan revisions are consistent with the approved Design Guidelines for the project as discussed above.

- (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).**

**RESPONSE:** The instant request is in general conformance with the requirements set for in CSP-06002/01 as it pertains to the



development of high-quality retail amenities within the Melford Town Center.

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

**RESPONSE:** This finding is not applicable as the instant application is not a detailed site plan for infrastructure.

- (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).**

**RESPONSE:** The instant request will not have any deleterious impacts on regulated environmental features within the Melford project. The regulated environmental features within the limits of this application have been preserved and/or restored by the Applicant to the fullest extent possible in accordance with applicable laws and regulations.

## **B. Section 27-274. Design Guidelines**

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

### ***(1) General***

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

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

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



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

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

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

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

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

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

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

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



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

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

**(3) Lighting.**

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

- (i) *If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;*
- (ii) *Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;*



- (iii) The pattern of light pooling should be directed on-site;*
- (iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;*
- (v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and*
- (vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.*

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

**(4) Views.**

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

**RESPONSE:** The instant DSP proposes the redesign of 2 retail buildings that will be consistent with surrounding development in Melford and will not impair or impact any scenic views both to and from the Melford House.

**(5) Green area.**

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:*
  - (i) Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;*
  - (ii) Green area should link major site destinations such as buildings and parking areas;*
  - (iii) Green area should be well-defined and appropriately scaled to meet its intended use;*
  - (iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;*
  - (v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;*
  - (vi) Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and*



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

**RESPONSE:** The instant DSP contains an appropriate amount of green area for the 2 proposed retail buildings in a manner consistent with the previous approval in DSP-07072/01.

**(6) Site and streetscape amenities.**

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

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

**RESPONSE:** The instant DSP proposes two retail buildings located directly north of an existing pond and an observation pavilion is provided as a passive recreational amenity between the most southern building and the pond. The pond and its enhanced landscaping provide a visual amenity for the development. Several benches are located on the paved area around and between the proposed buildings for pedestrian seating.

**(7) Grading.**

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on*



*adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:*

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

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

**(8) Service areas.**

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

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

**RESPONSE:** This DSP contains a landscape plan that reflects an appropriate amount of planting to effectively screen service areas from Melford Boulevard.

**(9) Public spaces.**



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

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

**RESPONSE:** The instant DSP proposes two retail buildings located directly north of an existing pond and an observation pavilion is provided as a passive recreational amenity between the most southern building and the pond. The pond and its enhanced landscaping provide a visual amenity for the development. Several benches are located on the paved area around and between the proposed buildings for pedestrian seating.

**(10) Architecture.**

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

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

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

**RESPONSE:** The future uses in the Retail Pads will likely be retail and restaurant tenants that will serve the needs of employees, residents and guests of the overall Melford project. The proposed architecture in this application will be wholly consistent with that approved in DSP-07072/01 and will create stronger design relationships with the nearby Marriott hotel, the historic Melford House, and the future/approved development within the Melford Town Center. The Commercial District design guidelines also specifically contemplate the potential for drive-thru establishments to facilitate the needs of future customers.



**C. Specific DSP Purposes:**

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

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

**RESPONSE:** The DSP and related plans show all the above information proposed

**D. Section 27-546 - Site plans in M-X-T Zone:**

- (a) A Conceptual Site Plan and a Detailed Site Plan shall be approved for all uses and improvements, in accordance with Part 3, Division 9, of this Subtitle.*
- (b) In addition to the information required by Part 3, Division 9, for Conceptual Site Plans, the following information shall be included on Plans in the M-X-T Zone:*

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

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

*(2) The proposed floor area ratio;*

**RESPONSE:** The instant DSP includes an FAR of 0.32. The total FAR for the Melford project per the approved CSP is 1.4.

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

**RESPONSE:** The instant DSP reflects the square footages of the Retail Pads proposed in this DSP amendment.



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

**RESPONSE:** This DSP is part of the approved CSP for the Melford. The CSP was approved using the optional method of development for the MXT Zone as set forth in Section 27-545 of the Zoning Ordinance. As such Melford is entitled to an optional method FAR of 1.4 (.4 base FAR + 1.0 bonus FAR for including 20 or more residential units). The instant DSP includes an FAR of 0.32.

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

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

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

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

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

**RESPONSE:** The instant DSP proposes Retail Pads that will be wholly compatible with the existing buildings and uses within Melford. The Retail Pads will ultimately contribute towards the overall mix of uses contemplated for the overall Melford project. Retail/commercial uses will support both existing and future residents, employees, and visitors at Melford.

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

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



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

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

**RESPONSE:** The instant DSP reflects all of the required plan details (as appropriate) noted above. Also, as previously stated herein, the traffic generated from the proposed development will not exceed existing transportation facilities. The overall Melford project has a significant onsite road network that can accommodate existing and future traffic levels. Similarly, the Applicant has completed (or otherwise has agreed to install) significant offsite intersection improvements as part of past entitlement applications to provide adequate capacity for future Melford traffic (pursuant to the County's approved Transportation Design Guidelines).

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

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

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

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



*4. To provide simple, straightforward explanations of the information that is to appear on each plan.*

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

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

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

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

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

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

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

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

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

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



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

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

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

**RESPONSE:** The instant DSP is for revised Retail Pads to serve the overall population within Melford. As stated previously, the proposed buildings architecture and size is wholly compatible with development previously approved in DSP-07072/01. Further, the instant DSP proposes two retail buildings located directly north of an existing pond and an observation pavilion is provided as a passive recreational amenity between the most southern building and the pond. The pond and its enhanced landscaping provide a visual amenity for the development. Several benches are located on the paved area around and between the proposed buildings for pedestrian seating.

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

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



**E.                    Section 27-548 – Additional M-X-T Zone Regulations:**

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

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

**RESPONSE:** This DSP is part of the approved CSP for the Melford. The CSP was approved using the optional method of development for the MXT Zone as set forth in Section 27-545 of the Zoning Ordinance. The instant DSP proposes an FAR of 0.32. The total FAR for the Melford project (including the development in this DSP) is 0.68. This is within the FAR maximum of 1.4 set forth in the approved CSP.

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

**RESPONSE:** The instant DSP includes two (2) retail buildings to serve the overall population within Melford on several recorded lots.

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

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

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

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

**(e)    *In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of***



***Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.***

**RESPONSE:** instant DSP proposes an FAR of 0.32. The total FAR for the Melford project (including the development in this DSP) is 0.68. This is within the FAR maximum of 1.4 set forth in the approved CSP.

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

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

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

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

***(h) Townhouses developed pursuant to...***

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

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

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

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



*concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).*

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

**F. Section 27-586 – Limiting the review:**

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

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

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

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

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

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



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

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

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

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

***(B) Determine the number of parking spaces which will not be needed because of the provision of some form of mass transit, such as rapid rail, bus, forced carpool, van pool, and developer provided services. The base requirement may be reduced by this number.***

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

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



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

**RESPONSE:** The number of spaces required under Section 27-568 is 900. Please see attached memo from Lenhart Traffic Consultants (**Exhibit 3**) dated June 22, 2022 demonstrating how the development in the instant DSP only requires a minimum of 858 spaces pursuant to Section 27-574 of the Zoning Ordinance.

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

- (1) The other lot is used in accordance with the requirements of the zone in which it is located; and*
- (2) The Planning Board determines that the other lot is convenient to the mixed use development, taking into account the location of the lot, the uses to be served, the safety of persons using it and any other considerations.*

**RESPONSE:** Please see attached memo from Lenhart Traffic Consultants (**Exhibit 3**) dated June 30, 2022 demonstrating how the development in the instant DSP only requires a minimum of 858 spaces pursuant to Section 27-574 of the Zoning Ordinance. Off-street parking will be provided onsite within the boundaries of this DSP.

## **VI. CONFORMANCE TO CSP AND PPS CONDITIONS:**

### **Conceptual Site Plan CSP-06002/01**

The District Council approved CSP-06002/01 for a mixed-use development containing up to 2,500 single-family attached and multi-family (both market and senior age-restricted) residential units, 260,000 square feet of office space and 268,500 square feet of retail space. The following conditions are applicable to detailed site plan review:

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



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

**RESPONSE:** Impervious surfaces in this application are minimized to the fullest extent possible in accordance with the approved Stormwater Management Concept Plan approved by the City of Bowie.

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

**RESPONSE:** The instant DSP does not impact any 100-foot natural buffer for streams or 150-foot buffer for the 100-year floodplain.

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

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

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

**RESPONSE:** The instant DSP space does not intrude into any planned natural open spaces shown on the approved CSP or PPS. The proposed development in this application will allow for a continuation of the planned pedestrian and street network concepts endorsed by the CSP Design Guidelines and the PPS.

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

**RESPONSE:** The instant DSP complies with this requirement.



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

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

**RESPONSE:** The instant DSP does not include within its boundaries a stormwater management pond. Nonetheless, the proposed open space parcels include stormwater management devices that have been designed as features of the parcels.

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

**RESPONSE:** The Melford and Cemetery Environmental Setting currently has a historic marker within the Environmental Setting which shall remain as part of this DSP. The Applicant will work with HPC staff to provide any additional public interpretation information as appropriate.

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

**RESPONSE:** The instant DSP proposes to use full cut-off lighting systems.

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

**RESPONSE:** The instant DSP does not violate the view corridor height restrictions approved in the CSP.

e. *Prior to approval of any DSPs that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion,*



*materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.*

**RESPONSE:** This DSP does not include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area.

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

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

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

**RESPONSE:** The instant DSP is for commercial/retail pad sites that are not providing any private recreational facilities (as such facilities are included with residential development/uses). Nonetheless, there will be an attractively designed retail buildings with sidewalks and landscape features. The two proposed Retail Pads will have outdoor seating areas for customers adjacent to the building(s). An attractive gathering/seating area will also be located between buildings R-A and R-C.

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.*

**RESPONSE:** The instant DSP includes an attractively designed retail buildings with sidewalks and landscape features. The two proposed Retail Pads will have outdoor seating areas for customers adjacent to the building(s). An attractive gathering/seating area will also be located between buildings R-A and R-C.

- b. 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.*

**RESPONSE:** The instant DSP includes an attractively designed retail buildings with sidewalks and landscape features. The two proposed Retail Pads will have outdoor seating areas for customers adjacent to the building(s). An attractive gathering/seating area will also be located between buildings R-A and R-C.

- 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.*

**RESPONSE:** The instant DSP includes attractive facades which are wholly consistent with those approved in DSP-07072/01.

- 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.*

**RESPONSE:** The instant DSP includes sidewalks and pathways that allows pedestrian to move safely and efficiently through the site utilizing ample sidewalks placed in and around the proposed development.

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

**RESPONSE:** The instant DSP includes Retail Pads that will utilize existing parking associated with the office buildings constructed on Block 3, Lots 1 and 2. This parking will generally be to rear of the proposed Retail Pads along Melford Boulevard.

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

**RESPONSE:** The instant DSP includes Retail Pads that will utilize and share existing parking associated with the office buildings constructed on Block 3, Lots 1 and 2.

- 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.*

**RESPONSE:** The instant DSP includes Retail Pads with attractive and appropriate lighting fixtures that responds to the above condition. This lighting scheme is wholly consistent with lighting approved in DSP-07072/01.

- 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.*



**RESPONSE:** Signage details are contained within the submitted DSP plan sheets and correspond with the signage standards set forth in the approved Design Guidelines in CSP-06002/01.

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

**RESPONSE:** The instant DSP includes Retail Pads do not propose the use of temporary building mounted signs.

- 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.*

**RESPONSE:** The instant DSP includes Retail Pads with parking that complies with the above condition. Specifically, the two Retail Pads located along Melford Boulevard has parking located to the rear and sides of the respective buildings.

- l. *Provide green areas or public plazas between pad sites, to the maximum extent possible.*
- m. *Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.*

**RESPONSE:** The instant DSP includes an attractively designed retail buildings with sidewalks and landscape features. The two proposed Retail Pads will have outdoor seating areas for customers adjacent to the building(s). An attractive gathering/seating area will also be located between buildings R-A and R-C.

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

**RESPONSE:** The instant DSP reflects the environmental setting and impact review area for the historic site.

14. *Prior to Planning Board approval of the first detailed site plan for development in the northwest or southwest neighborhood of Melford Village, the applicant in the*



*historic area work permit process shall submit a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery Historic Site. The Historic Preservation Commission shall review and approve the plan and timetable through the Historic Area Work Permit (HAWP) process.*

**RESPONSE:** The Applicant has already submitted and received approval of the required HAWP (with required timetable) from the Historic Preservation Commission.

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

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

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

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

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

**RESPONSE:** The instant DSP proposes appropriately sized sidewalks along its street frontage.

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

**RESPONSE:** The instant DSP reflects all proposed curb cuts, crosswalks, and other appropriate curb extensions.



19. *Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the lower pond. The comprehensive trail network will be evaluated at the time of preliminary plan of subdivision and should be in conformance with Guidelines 29 and 30 of Prince George's County Council Resolution CR-11-2006.*

**RESPONSE:** There are no connector trails proposed as part of this DSP.

22. *Recreation Facilities Conditions:*

- a. *The applicant shall complete construction of a ten-foot-wide asphalt surface hiker/bicyclist/equestrian trail, four boardwalks, a 15-space asphalt parking lot, an asphalt access road, and trailhead facilities on adjacent Patuxent River Park prior to issuance of a building permit for the 500th residential dwelling unit within the Melford development.*
- b. *Prior to the first residential building permit, the applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) for review and approval revised construction drawings for public recreational facilities. These drawings shall include details for construction of the planned asphalt parking lot and asphalt access road.*
- c. *The applicant shall construct at least two eight-foot-wide asphalt trail connectors from the residential neighborhood to the master-planned trail on dedicated parkland. The location of the trail connectors shall be established at the time of detailed site plan review and approval.*
- d. *The applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DPR, at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development.*
- e. *Prior to a submission of any final plat of subdivision for the residential component of Melford, the public Recreational Facilities Agreement (RFA) recorded at Liber 34304, Folio 145 shall be amended to incorporate an asphalt parking lot and asphalt access road to the park, timing of construction, and bonding of the recreational facilities. Upon DPR approval, the RFA shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.*
- f. *The applicant shall allocate appropriate and developable areas for the private recreational facilities on the homeowners association land. The*



*private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.*

**RESPONSE:** This Applicant agrees with above condition.

23. *A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the building permit for the 300th dwelling unit, subject to the approval of the Maryland State Highway Administration.*

**RESPONSE:** The Applicant has agreed to construct the required pedestrian connection prior to the issuance of the Use & Occupancy Permit representing the 300<sup>th</sup> dwelling unit within the Melford Town Center. The modification of timing of this condition was previously approved by SHA and the City of Bowie.

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

**RESPONSE:** The development proposed in this DSP will be completed in a single phase.

#### **Preliminary Plan 4-16006**

The Prince George's County Planning Board approved PPS 4-16006 for the Melford Town Center project on or about March 9, 2017. The following conditions of the PPS are applicable to this DSP:

6. *Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall provide the Environmental Planning Section with copies of all Federal and State wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.*

**RESPONSE:** The Applicant agrees with the above condition.

9. *At the time of detailed site plan and Type 2 tree conservation plan (TCP2) approval, the applicant may credit woodland conservation credit if permission of the cemetery owner is obtained, subject to approval of a historic setting*



*vegetation management plan. The purpose of the plan is to determine where trees need to be removed to conserve the resource and where additional woodlands could be established. Implementation of the Plan would be subject to approval of a historic area work permit (HAWP). Development of a management plan would qualify trees within the environmental setting to be credit as "historic trees" at twice the usual woodland conservation ratio.*

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

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

**RESPONSE:** The Applicant agrees with the above condition and has claimed credit for woodland(s) within the cemetery parcel on the appropriate TCP II (since the Applicant now controls said parcel).

- 10. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated*



*below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:*

- a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane. This sidewalk shall conform to the Street Sections approved as part of the Melford Village Design Guidelines, or as modified by the City of Bowie or the Maryland State Highway Administration.*
- b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.*
- c. At the time of detailed site plan, provide an exhibit that illustrates the location, limits, specification and details of all off-site improvements proffered in the bicycle pedestrian impact statement, or recommended by staff, for the review of the operating agencies. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk treatments, ramp reconfiguration and the removal of the roundabout.*

**RESPONSE:** The Applicant agrees with this condition and will be making physical alterations to the MD 3 off ramp that will significantly reduce vehicle speeds, subject to the approval of SHA. The Applicant previously provided the required exhibit showing the improvements approved in the bicycle pedestrian impact statement approved with the PPS and the initial DSP-18034.

- 11. In conformance with the 2009 Approved Countywide Master Plan of Transportation (MPOT) and the 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:*
  - a. Include a location for a trailhead facility for the master plan trail along the Patuxent River. Details for the trailhead regarding parking, signage, and other facilities can be made at the time of detailed site plan.*
  - b. In addition to New Road "A" and New Road "C," shared-lane Markings*



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

**RESPONSE:** The trailhead facility details were previously shown and approved as part of DSP-17020. All other roads mentioned are beyond the limits of the subject DSP.

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



**RESPONSE:** This DSP does not include any land to be dedicated to an ownership association.

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

**RESPONSE:** The instant DSP does not propose any development that would cause the aforementioned trip cap to be exceeded.

17. *Prior to issuance of any residential building permits within the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction through the applicable agency's access and permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency, and per applicable City, County, and/or SHA standards and requirements:*

- a. ***Melford Boulevard and Science Drive:*** *Convert the existing roundabout to a traditional four-legged signalized intersection, as described below:*

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

- b. ***Melford Boulevard and Tesla Drive/site access:*** *Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the*



*appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.*

- c. ***US 301 and Governors Bridge Road/Harbour Way:*** Provide an additional right-turn lane on eastbound Harbour Way and restripe the eastbound approach on Harbour Way to result in two left-turn lanes, one shared through/left-turn lane, and one right-turn lane.

**RESPONSE:** This condition is not applicable as the Applicant is not proposing any residential building permits with this application. Prior DSPs for the Melford Town Center had warrant analyses submitted and reviewed which found signals not to be warranted at the above referenced intersections. Said studies showed that a signal at the Melford Boulevard and Science Drive and/or Tesla Drive were not warranted at this time. The proposed DSP revisions will not have a substantial change as it relates to traffic, thus, the underlying findings in the prior warrant studies should not have changed.

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

**RESPONSE:** The Applicant agrees with this condition and all traffic calming devices have been installed by the Applicant.

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

**RESPONSE:** The instant DSP does not propose any specific development for the Northeast Neighborhood that would trigger the above condition requirements.

21. *A 10-foot-wide hiker-biker trail shall be provided by the applicant and the applicant's heirs, successors, and/or assignees on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This segment of the trail system shall be shown on the preliminary plan of subdivision prior to signature approval.*



*The appropriate triggers for the permitting and construction of the hiker-biker trail on Parcel 40 shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.*

**RESPONSE:** The instant DSP does not propose any specific development for the Northeast Neighborhood that would trigger the above condition requirements.

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

**RESPONSE:** Curie Drive is located beyond the limits of the subject DSP.

### **DSP- 07072**

The Prince George’s County Planning Board approved DSP-07072 on or about January 17, 2019. Condition 1n. set forth in DSP-07072 is proposed to be deleted by the Applicant for the following reasons:

1. *Prior to signature approval the applicant shall revise the plans or provide documents as follows:*
  - n. *A note shall be added to the plans stating that no drive-through facilities will be permitted in the buildings and that any “fast food” tenants be subject to a staff level revision of the detailed site plan if any alterations to signage and or the architectural elevations are anticipated in order to accommodate the fast food tenant.*

**RESPONSE/REVISION:** The Applicant is requesting that Condition 1 n. be **deleted** to allow for future building R-C to include a drive-thru. Due in part to changing retail preferences stemming from the COVID-19 pandemic, retailers have strongly requested the opportunity for drive-thru service at Melford. This allows an opportunity for customers to purchase items in a “socially-distant” manner without having to leave their vehicles. For these reasons, adding a drive-thru outside of building R-C will be highly desired by a future retail tenant and will serve the needs of the existing and future residents, employees, and visitors of the overall Melford project.



**VII. CONCLUSION:**

In consideration of the foregoing statement of justification, the Applicant respectfully requests that the Planning Board approve the amendments set forth in DSP-07072-02. Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

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

Robert J. Antonetti, Jr.

cc: St. John Properties, Inc.



# (Exhibit 1) Comparison Illustrative



1

**ORIGINAL LAYOUT**  
Scale: 1:2400

Original Retail Sq. Ft. = 30,632



2

**NEW LAYOUT**  
Scale: 1:2400

Revised Retail Sq. Ft. = 26,895



# Exhibit 2

## Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

**Memorandum:**

**Date:** October 6, 2021

TO: Mr. Andrew Roud  
St. John Properties  
2560 Lord Baltimore Drive  
Baltimore, MD 21244

FROM: Mike Lenhart

RE: Block 3 – Lot 2

This memorandum is provided to address the proposed changes in layout and access for Block 3, Lot 2.

The original layout assumed 23,275 square feet of retail space in Block 3, Lot 2 adjacent to Melford Blvd to the south of the roundabout at Science Drive as shown in the exhibit below.



Exhibit 1: Original Layout of Block 3, Lot 2



**LENHART TRAFFIC CONSULTING, INC.**

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## Exhibit 2

### Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

The layout of the retail is proposed to be modified to slightly reduce the amount of retail and to include a right-in and right-out to the retail from Melford Blvd. The throat depth of the access on Melford Blvd is approximately 120' which is far in excess of the SHA Guidelines for a minimum throat depth of 30'. In fact, the 120' throat depth is consistent with SHA recommendations for a community shopping center and therefore the depth of the access back into the parking lot is more than adequate. The proposed access will provide a much better access to and from the retail for community residents, thereby increasing the ability for the retail to be successful.

Furthermore, the proposed access is a right-in and right-out which has minimal conflicts with traffic on Melford Boulevard and there is a clear line of sight to the roundabout. Therefore, the proposed access will be safe and efficient.



Exhibit 2: Proposed Layout of Block 3, Lot 2

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Thanks,  
Mike



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# Exhibit 3

## Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

### Memorandum:

*Date:* June 30, 2022

TO: M-NCPPC - Development Review Division  
Room 4150  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

FROM: Mike Lenhart

RE: Parking Analysis for Melford Block 3 (DSP-07072-02)

This parking analysis has been prepared to evaluate the proposed Detailed Site Plan (DSP-07072-02) for Block 3 Lots 1 & 2 in Melford, which is located in the M-X-T zone and is subject to the parking requirements of 27-574 and 27-568 as discussed herein.

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

The number of parking spaces required is to be calculated in accordance with the methodology set forth in Section 27-574(b). The first step in determining the number of required spaces is to calculate the peak parking demand. In this regard, Section 27-574(b)(1) states as follows. “Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one (1) hour and are to be known as the peak parking demand for each use. These peak parking numbers are calculated at the top of Exhibits 1a & 1b as directed in the “Schedule of Parking Spaces” requirements as shown in Section 27-568. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).” Section (b)(2) and (b)(3) go on to recommend an hourly distribution of each use within the M-X-T zone to determine the hourly fluctuation and the resulting peak parking demand for the overall site.

#### **Parking Formula per Zoning Ordinance Section 27-568**

- Normal Parking Generation Retail = 1 space per 150 square feet for first 3,000 square feet and 1 space per 200 square feet thereafter.
- Office Building = 1 space per 250 square feet for first 2,000 square feet and 1 space per 400 square feet thereafter.

Based upon these parking ratios, the required parking per 27-568 of the Zoning Ordinance is shown in the following table.



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# Exhibit 3

## Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

Land Use	Number of Units	Spaces Required per ZO	Total Spaces Required per ZO	Spaces Shown on Plan
Block 3 Lot 1	150,000 sq ft office	378	900	1,260
	8,329 sq ft retail	47		
Block 3 Lot 2	150,000 sq ft office	378		
	18,427 sq ft retail	97		

The table below shows a 24-hour weekday hourly parking demand for each individual use as obtained by the *ITE Parking Generation Manual 5<sup>th</sup> Edition*, and also contains the total overall hourly parking demand for Block 3 Lots 1 & 2 (DSP-07072-02).

DSP 07020 - Block 3 Lot 1 and 2

Time of Day	Office Hourly Demand	Office Spaces Needed	Retail Hourly Demand	Retail Spaces Needed	Total Parking Demand
12:00-4:00 AM	0%	0	0%	0	0
5:00 AM	0%	0	5%	7	7
6:00 AM	5%	38	10%	14	52
7:00 AM	13%	98	10%	14	112
8:00 AM	48%	363	15%	22	385
9:00 AM	88%	665	32%	46	711
10:00 AM	100%	756	54%	78	834
11:00 AM	100%	756	71%	102	858
12:00 PM	85%	643	99%	143	786
1:00 PM	84%	635	100%	144	779
2:00 PM	93%	703	90%	130	833
3:00 PM	94%	711	83%	120	831
4:00 PM	85%	643	81%	117	760
5:00 PM	56%	423	84%	121	544
6:00 PM	20%	151	86%	124	275
7:00 PM	11%	83	80%	115	198
8:00 PM	5%	38	63%	91	129
9:00 PM	5%	38	42%	60	98
10:00 PM	0%	0	15%	22	22
11:00 PM	0%	0	10%	14	14
12:00 AM	0%	0	5%	7	7

Base Peak Parking Demand = 858



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# Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

Considering that each use has different peak parking periods throughout the day, it was calculated that the base peak parking requirement for Block 3 is 858 parked vehicles at peak conditions. The parking supply as currently proposed is 1,260 spaces, therefore the parking supply exceeds the base requirement for the overall Melford Village.

In conclusion, with a base parking requirement of 858 spaces, and a parking supply of 1,260 spaces, there are projected to be a surplus of parking spaces using the parking calculation procedures as outlined in Section 27-574 of the Zoning Ordinance. Based upon this information, it is our opinion that the site will be adequately parked as proposed. If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Thanks,  
Mike Lenhart



**LENHART TRAFFIC CONSULTING, INC.**

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# 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](http://www.mncppc.org/pgco)


Countywide Planning Division  
Transportation Planning Section


301-952-3680

November 7, 2022

## **MEMORANDUM**

TO: Mridula Gupta, Urban Design Review Section, Development Review Division

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


VIA:  William Capers III, PTP, Transportation Planning Section, Countywide Planning Division

**SUBJECT: DSP-07072-02: Melford Block 3, Lots 1 & 2**

### **Proposal:**

The subject Detailed Site Plan (DSP) application proposes to revise the previously approved DSP for the site, DSP-07031-01, by adding a right-in/right-out vehicular access point along Melford Boulevard, expanding the footprint and adding a drive-through lane to Building R-B, relocating a future pad site from the western portion of the development to the northwest portion of development, and eliminating one of three previously approved retail buildings. The overall site, comprised of lots 1 and 2, front Melford Boulevard to the north and east. The Transportation Planning review of the subject DSP application was evaluated using the standards of Section 27 of the prior Zoning Ordinance.

### **Prior Conditions of Approval:**

The site is subject to Conceptual Site Plans CSP-06002 and CSP-06002-01, Preliminary Plan of Subdivision 4-16006, and DSP-07072 – DSP-07072-01. The relevant conditions of approval related to transportation adequacy, access, and circulation are listed below:

#### **CSP-06002-01**

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

**Comment:** Standard sidewalks have been constructed along the northern and eastern portions of Melford Boulevard as well as along both sides of all internal roadways. The sidewalk network provides sufficient pedestrian access to and from the site from all directions.



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

**Comment:** The applicant's submission displays crosswalks at all points of vehicle access, to facilitate safe pedestrian connections between sidewalk facilities along Melford Boulevard. The intersection of Melford Boulevard and Science Drive, which is the primary point of vehicular and pedestrian access on site, contains crosswalks on all legs of the intersection providing safe pedestrian movement in all directions.

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 the development shown in the CSP is not consistent with environmental or other master plan considerations.

**Comment:** The illustrative plan referred to in condition 20 is the Melford Village Design Guidelines, which provides a guide for the layout of follow-up development plans from the original approved CSP. In regard to the subject property, only the southern portion of the site is held to these guidelines, specifically from the site entrance along Melford Boulevard to the southern bounds of the subject property. The overall site of the subject DSP is designed in accordance with the Melford Village Design Guidelines. It should be noted that the Melford Village Design Guidelines plan envisions an additional point of vehicular access south of the Melford Boulevard and Science Drive intersection, which is in a similar location to the proposed right-in/right-out access point. This is discussed in further detail below.

PPS 4-16006

10. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
  - a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane. This sidewalk shall conform to the Street Sections approved as part of the Melford Village Design Guidelines, or as modified by the City of Bowie or the Maryland State Highway Administration.
  - b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.



- c. At the time of the detailed site plan, provide an exhibit that illustrates the location, limits, specifications and details of all off-site improvements proffered in the bicycle-pedestrian impact statement, or recommended by staff, for the review of the operating agencies. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk treatments, ramp reconfiguration, and the removal of the roundabout.

**Comment:** Condition 10 requires the above improvements to be provided prior to approval of any building permit. While prior building permits have been approved under 4-16006, the applicant has noted that they agree with this condition and will be making physical alterations to the MD 3 off-ramp that will significantly reduce vehicle speeds, subject to the approval of SHA.

11. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and, 74B*, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:

- a. Include a location for a trailhead facility for the master plan trail along the Patuxent River. Details for the trailhead regarding parking, signage, and other facilities can be made at the time of the detailed site plan.
- b. In addition to New Road "A" and New Road "C," shared-lane Markings shall be provided along Melford Boulevard, Currie Drive, and Science Drive, or as modified by the City of Bowie.

**Comment:** The applicant has noted that the trailhead improvements have already been addressed with the approval of DSP-17020. Staff concurs with this finding.

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

**Comment:** The applicant has included a trip generation memo detailing new trips generated by the phase of development of the subject DSP application. The trip generation memo indicates that the proposed 18, 656 square feet of retail use will generate 21 AM peak hour trips and 60 PM peak hour trips. Staff finds that the uses and development program proposed with the DDSP is consistent with the PPS application and finds that the trips generated by the phased development of the subject DSP is within the trip cap.

#### DSP-07072 – DSP-07072-01

DSP-07072 was approved for three 8,125-square-foot (24,375 total) retail/restaurant/office buildings on a single lot, with attendant parking, sidewalk and curbing, and additional parking, sidewalk and curbing for a possible future pad site that would be the subject of a separate application. DSP-07072-01 was approved for minor site changes and a slight increase to each building size.



The subject application, DSP-07072-02, proposes a new right-in/right-out vehicular access point along Melford Boulevard, expanding the footprint from and adding a drive-through lane to Building R-B, relocating a future pad site from the western portion of the development to the northwest portion of development, and eliminating one of three previously approved retail buildings.

### **Master Plan Compliance**

This application is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT).

### **Master Plan Roads**

The subject property fronts Melford Boulevard (C-309) to the north and east. All vehicular access to the site will be provided along Melford Boulevard. The 2009 *Countywide Master Plan of Transportation* (MPOT) recommends this portion of Melford Boulevard as a 4-lane collector roadway within an 80-foot-wide right-of-way. This portion of Melford Boulevard has already been constructed and no additional right-of-way dedication is sought along either of these roads.

### **Master Plan Pedestrian and Bike Facilities**

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) does not contain any recommended bicycle or pedestrian facilities along any road frontage associated with the subject application.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

**Comment:** The site's frontage along Melford Boulevard already has sidewalks in place. The applicant's submission includes internal sidewalks along the frontage of each building. Crosswalks have been provided crossing all points of vehicle access along Melford. Staff finds these facilities adequately serve bicycle and pedestrian goals as stated in the MPOT.

### **Transportation Planning Review**

### **Zoning Ordinance Compliance**

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



274(a):

(2) Parking, loading, and circulation

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

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

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

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

(6) Site and streetscape amenities

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

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

Additionally, Section 27-546(b)(7) and Section 27-546(d)(6-7) discuss transportation requirements in the M-X-T Zone and are copied below.

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

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

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

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

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

**Comment:** There is currently only one point of access to the site, which is located along Melford Boulevard at its intersection with Science Drive. As previously discussed, an additional right-in/right-out point of access is proposed as part of the subject application, approximately 200 feet south of the current point of access. To analyze the feasibility of the proposed access point, staff requested the applicant provide an operational analysis to assess the new access point, which includes a weaving analysis from the current point of vehicle entry to the proposed right-in/right-out to ensure there is an adequate distance to make a safe lane change prior to entering the site, as well as a queuing analysis at both points of access.



The applicant submitted an operational analysis (October 26, 2022). Within this document, the weaving analysis demonstrates that there is sufficient space between the roundabout at Melford Boulevard and Science Drive to the new proposed point of access. The applicant cites Maryland State Highway Administration (SHA) requirements for corner clearances to ensure there is adequate space between the two points of access. The portion of Melford Boulevard which was analyzed is a collector roadway, as stated above. SHA corner clearance standards (MDOT SHA Access Manual – Table 1.4.3 - Corner Clearance Standards) state a minimum of 75 feet is required on collector roadways, with a preferred corner clearance of 150 feet. The applicant's weaving analysis demonstrates a length of 106 feet between the two access points. Staff finds this to be sufficient in demonstrating a safe distance between the two points of access.

Additionally, the operational analysis includes a queuing analysis for both site access points. The applicant utilized the most recent traffic study for the Melford development, which was conducted in 2019 and included all approved DSPs within the Melford development and included the intersection of Melford Boulevard and Science Drive. The 2019 study included an analysis of the existing roundabout, which demonstrated a maximum queue length of 31 feet from the driveway of Lot 2 from the roundabout, which provides sufficient space. Additionally, the applicant utilized an HCM unsignalized analysis of the proposed right-in/right-out to determine the number of trips that would be generated by the new access point. This analysis demonstrates that queuing for the proposed right-in/right-out will not exceed the available throat distance of 130 feet and that onsite queues will not block any driveways or cause any operational issues.

During the initial review of the subject application, staff requested the applicant provide truck turning plans to show how trucks will access the site. The latest DSP submission includes a truck-turning plan which examines the site layout to ensure that trucks can make sufficient and safe truck-turning maneuvers onsite. The plans include truck maneuvers for emergency vehicles, specifically a fire engine which shows that given the current design of the RIRO access connection, the fire truck will use the full extent of the driveway to access the site. Staff finds that any truck classification higher than a fire truck will not have sufficient room to make safe turning maneuvers to/from the site and requested the applicant update the truck turning plans to analyze trucks turning movements using a commercial truck with a vehicle classification necessary to support the proposed retail uses on site.

On November 4, 2022, the applicant submitted an updated truck-turning plans which assess truck-turning maneuvers with a vehicle classification of a tractor trailer (WB-40). The plans indicate that trucks accessing the limited RIRO access driveway in its current design will encroach onto the raised island median to complete turns in and out of the site. The truck-turning plans also show that the current design of the access driveway shown on the latest DSP submission, trucks will need the full extent of the access driveway to leave the site which require trucks to encroach into the opposite travel lane to turn out of the site. The updated truck-turns also provided an alternative design of the limited RIRO access driveway, which includes an increase curb radius of 40', an increase driveway apron of a total 34' (17' on each side of the raised median), and an increased width of the driveway to a total of 24'. Staff finds that the alternative design shown on the updated truck-turning plans are sufficient and will eliminate truck turning conflicts with other vehicles entering the site and will not result in queuing along Melford Road. As a condition of approval, staff recommend that the DSP is modified to reflect the design of the RIRO site access driveway, as shown in the updated truck-turning plans. The updated truck-turning plans, with the alternative design is shown on Attachment A.



Staff finds the additional plan elements, including expanding the footprint and adding a drive-through lane to Building R-B, relocating a future pad site from the western portion of the development to the northwest portion of development, and eliminating one of three previously approved retail buildings, to be sufficient and presents no conflicts to previously approved transportation adequacy or circulation.

Section 27-574(a) discusses parking requirements in the M-X-T Zone and is copied below:

(a) The number of parking spaces required in the M-X-T Zone and in a Metro Planned Community are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval.

**Comment:** The applicant has submitted a parking analysis detailing on-site parking for Block 3, Lots 1 & 2, which includes the two office buildings which have already been constructed and the proposed retail sites. The applicant is proposing a total of 1,260 parking spaces for all proposed uses on-site. A standard development with 300,000 square feet of office use and 26,576 square feet of retail use, which is the density and use being sought with the subject application, would require a minimum of 900 parking spaces, per the requirements of section 27-568 of the Prince George's County Zoning Ordinance (Ordinance). Section 27-574 of the Ordinance allows applicants to develop a criterion, specific to the proposed development, for developing parking standards in the M-X-T zoning district.

The applicant has submitted a parking analysis to determine the parking rate for the proposed development and cites section 27-574(b)(1) which states, "(b)The number of off-street parking spaces required for development in the M-X-T Zone, and in a Metro Planned Community shall be calculated using the following procedures: (1) Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in anyone (1) hour and are known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied)."

While the overall site is a mixed-use project, no residential component has been constructed and this application only considers the office and retail use. The applicant has provided a table detailing peak period parking demands for all approved uses that fall under DSP-07072 and its subsequent revisions, including the subject application. This shows that office and retail uses have different peak parking periods throughout the day. This table also shows that the peak period for parking accounting for all uses would take place at 11:00AM and would require 858 parking spaces to adequately serve all uses. While the analysis does not fully explain why the surplus parking is needed, staff finds that the proposed rates are acceptable and sufficiently support the peak demand for the proposed uses associated with the subject application. Staff finds the parking submission to be suitable for the proposed use within the M-X-T Zone.

**Conclusion:**

Overall, from the standpoint of The Transportation Planning Section it is determined that this plan is acceptable if the following conditions are met:

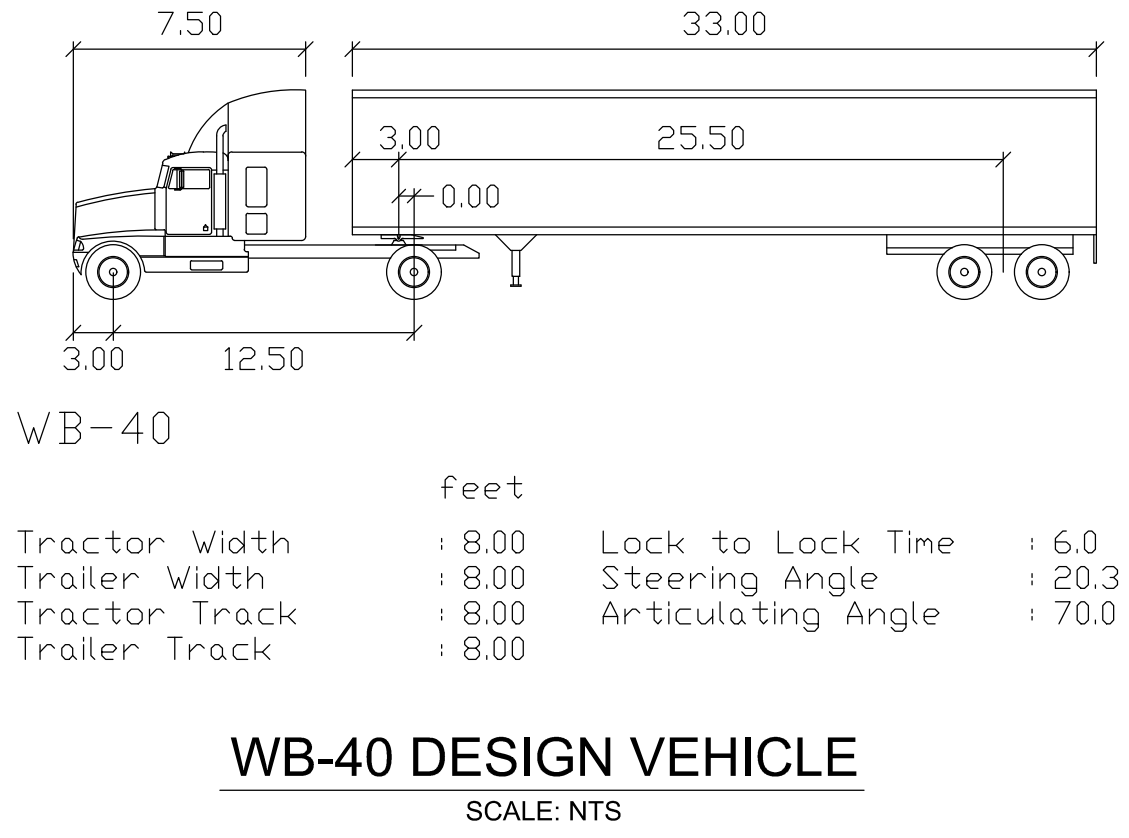
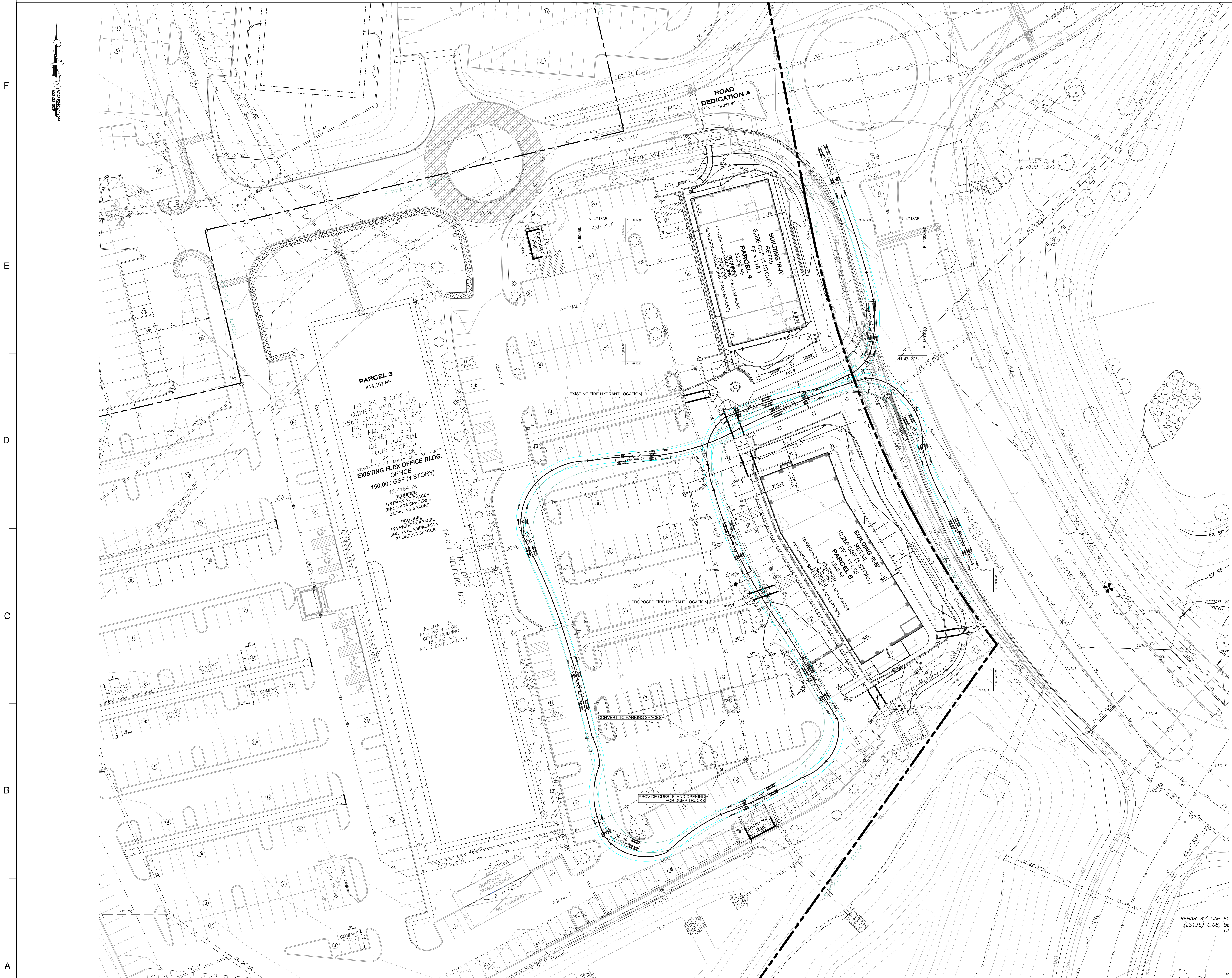


1. Prior to the certification of the detailed site plan (DSP), the applicant and the applicant's heirs, successors and/or assigns shall:
  - a. Modify the DSP as shown on Attachment A (updated truck-turning plans) to expand the limited right-in/right-out driveway, to facilitate sufficient access for safe and adequate truck-turning maneuvers to and from the site.
  - b. Incorporate Attachment A (updated truck-turning plans) as part of the final DSP submission.

Attachment (s)

A. Updated Truck-Turning Plans





MELFORD  
BLOCK 3  
EXHIBIT  
PRINCE GEORGE'S COUNTY

RETAIL BUILDINGS  
R-A, R-B/C

Dewberry  
Dewberry Engineers Inc.  
4601 Forbes Boulevard, Suite 300  
Lanham, MD 20706  
301.731.5551  
301.731.0188 fax

PROJECT NO. 50128009  
**1**  
SHEET NO. 1 of 1

DRAWN BY JRG APPROVED BY BLF CHECKED BY JMD DATE OCTOBER 2022	APPLICANT ST. JOHN PROPERTIES, INC. 2560 LORD BALTIMORE DRIVE BALTIMORE, MD 21244	CONTACT MR. KENNETH FINDLEY 410-369-1298 KFindley@sjpi.com	7 TH ELECTION DISTRICT PRINCE GEORGE'S ROAD ATLAS: MAP 0047 - F4 WSSC 200 FOOT MAP: 207NE15	SCALE(S) 0 30 60 SCALE: 1"=30'	NO. DESCRIPTION DATE BY
			Unless otherwise noted		REVISIONS

C:\01780009\CAD\Civil\Exhibit\Block 3\Site Layout\Melford Block 3 - Retail Buildings R&C Site Change.dwg, 1/14/2022, 11:11:30 AM, jgonzalez





# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division  
Environmental Planning Section

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
[www.pgplanning.org](http://www.pgplanning.org)

301-952-3650

November 4, 2022

## **MEMORANDUM**

**TO:** Mridula Gupta, Planner Coordinator, Urban Design Section, DRD

**VIA:** Maria Martin, Acting Supervisor, Environmental Planning Section, CWPD *MM*

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

**SUBJECT:** **Melford, Block 3, Lots 1 & 2; DSP-07072-02 and TCPII-036-99-18**

The Environmental Planning Section (EPS) has reviewed the revised detailed site plan (DSP) application submitted for Melford, Block 3, Lots 1 & 2, accepted on September 26, 2022, and reviewed with TCPII-036-99-18. The EPS recommends Planning Board approval of DSP-07072-02 as it is in substantial conformance with approved TCPII-036-99-18, subject to a recommended finding at the end of this memorandum.

## **BACKGROUND**

The initial DSP for this project site, DSP-07072, was approved by the Planning Board on April 3, 2008, to add three retail/restaurant/office buildings on pad sites, including a possible future pad site, to be subject to a separate application. The approved retail pads were in addition to two 150,000 square-foot office buildings previously approved for Block 3, Lots 1 and 2.

The applicant subsequently obtained approval from the Planning Director of revisions to DSP-07072-01 and TCP2-036-99-07 on March 25, 2021 (DSP-07072-01), for architectural modifications to the previously approved buildings along with other minor site-related changes. No changes to the limit of disturbance were proposed.

## **PROPOSED ACTIVITY**

The current application is a DSP to make minor adjustments to the approved retail pads as follows: Eliminate one of the three previously approved pad sites, relocate the proposed future pad site to the northwestern portion of the site, and provide a drive-through on the future pad site. No revisions are proposed to previously approved TCP2-036-99-18.

## **GRANDFATHERING**

The site is grandfathered from the requirements of Subtitle 25, Division 2 that became effective on September 1, 2010 and February 1, 2012 because it has a previously approved TCPI, TCPI-044-98-05. The site is not grandfathered from the requirements of Subtitles 24 and 27 which became effective on September 1, 2010 and February 1, 2012 by the approval a new preliminary plan, PPS 4-16006.



## **SITE DESCRIPTION**

The 23.50-acre property, identified as Block 3, Lots 1 and 2, is part of the 431.55-acre Melford (Maryland Science and Technology Center) site that is zoned M-X-T and is in the northwest quadrant of Science Drive and Melford Boulevard. The larger Melford site is in the northeast quadrant of the intersection of US 50 and US 3/301.

The overall property is in the northeast quadrant of the intersection of US 50 and MD 3/US 301 and contains 431.55 acres in the M-X-T Zone. A review of the available information indicates that streams, wetlands, 100-year floodplain, and severe slopes are found to occur on this property. According to the Soil Web Survey, the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Woodstown is a hydric soil, but the other soils pose no special development challenges. According to available information, Marlboro or Christiana clays are not found to occur on or in the vicinity of this property. US 50 (John Hanson Highway) and US 301 (Crain Highway) are both classified as freeways, and traffic-generated noise impacts are anticipated. Based on information obtained from the Maryland Department of Natural Resources Wildlife and Heritage Program, there are no rare, threatened, or endangered species found in the vicinity of this property; however, there are records of 'species of concern' known within the vicinity of the site. There are no designated scenic and/or historic roads in the vicinity of this property. The 2017 *Countywide Green Infrastructure Plan* was approved with the adoption of the *Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017) on March 7, 2017. According to the approved *Countywide Green Infrastructure Plan*, the site contains Regulated Areas and Evaluation Areas within the designated network of the plan. This property drains to an unnamed tributary located in the Patuxent River basin and is located directly adjacent to the Patuxent River. The site is located within an Employment Center, the designated Bowie Town Center, as shown on the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by *Plan Prince George's 2035 Approved General Plan*.

## **REVIEW OF PREVIOUS APPROVALS**

All previous environmentally related conditions of approval applicable to the current revised application have been addressed during previous reviews of the site.

## **ENVIRONMENTAL REVIEW**

### **Natural Resource Inventory**

An approved Natural Resources Inventory Plan (NRI-054-06-02) was approved by staff on February 21, 2018. The site has a previously approved and implemented TCPII (TCPII-036-99-07 with subsequent revisions) and the proposed site modifications will not result in any substantial changes to the grading limits of the TCPII or result in any additional impacts to the regulated environmental features (REF) of Block 3, Lots 1 and 2.

### **Woodland Conservation**

This application project is grandfathered with respect to the environmental regulations contained in Subtitles 25 that came into effect on September 1, 2010, and February 1, 2012, because the project has a previously approved TCPI (TCP1-044-98-05).



The TCPII is for the gross tract area of the overall site, which is 426.15 acres, which encompasses all parcels of the original TCPI. The overall Woodland Conservation Threshold for approved TCPII-036-99-18 is 43.26 acres, based on a 15 percent woodland conservation threshold requirement in the M-X-T Zone. The amount of woodland conservation required was 71.97 acres, based on the previously approved clearing of 113.95 acres on-site. The TCPII shows the overall requirements being met with 51.06 acres of on-site preservation, 7.71 acres of afforestation, 9.74 acres of specimen tree credit, 0.42 acres of fee-in-lieu, and 3.04 acres of off-site woodland conservation credits. The limits of disturbance for this DSP are in conformance with the previously approved plans, and show no woodland conservation provided on Block 3, Lots 1 and 2.

### **Regulated Environmental Features**

Block 3, Lots 1 and 2 does not contain REF that were required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Ordinance.

### **Stormwater Management**

The conceptual and technical design of stormwater management (SWM) facilities and associated landscaping is subject to approval by the City of Bowie. An approved Stormwater Management (SWM) Concept Approval letter and plan was submitted with the subject application. Stormwater Concept No. 01-0720-207NE15 was approved by the City of Bowie, Department of Public Works on July 2, 2020, for the 23.5 acre site. No additional information is required regarding the SWM with the current application.

## **SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS**

The Environmental Planning Section has completed the review of DSP-07072-02 and TCPII-036-99-18, and recommends approval subject to the following finding:

### **Recommended Finding:**

1. The Planning Board may approve a detailed site plan if it finds that the regulated environmental features (REF) have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5). There are no REF located on Block 3, Lots 1 and 2.




301-952-3972

October 11, 2022

## MEMORANDUM

**TO:** Tom Burke, Planning Supervisor, Urban Design Section, Development Review Division

**VIA:** David A. Green, MBA, Planner IV, Long-Range Planning Section, Community Planning Division 

**FROM:** Thomas Lester, Planner III, Master Plans and Sections Section, Community Planning Division **TEL**

**SUBJECT: DSP-07072-02 Melford, Block 3, Lots 1 and 2**

## 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 located outside of an overlay zone.

**Location:** 16901 Melford Boulevard, Bowie, Maryland 20715

**Size:** 12.54 acres

**Existing Uses:** Vacant

**Proposal:** Revision to SDP to add three retail/restaurant/office buildings with accompanying parking and infrastructure.

## GENERAL PLAN, MASTER PLAN, AND SMA

**General Plan:** The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) places this application in a Local Center. Bowie is identified as one of 26 Local Centers on the Prince George's County Growth Policy Map (Page 18). "Local Centers are focal points for development and civic activities based on their access to transit or major highways. The plan contains recommendations



for directing medium to medium-high residential development along with limited commercial uses to these locations, rather than scatter them throughout the Established Communities.” (Page 19).

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

**Master Plan:** The 2022 Bowie-Mitchellville and Vicinity Master Plan recommends Mixed-Use land uses on the subject property. Mixed-Use land uses are defined as areas of various residential, commercial, employment, and institutional uses.

**Planning Area:** 71B

**Community:** City of Bowie

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

**SMA/Zoning:** On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment (“CMA”) which reclassified the subject property from M-X-T (Mixed Use-Transportation Oriented) to TAC-E (Town Activity Center - Edge) effective April 1, 2022

#### **ADDITIONAL INFORMATION**

None.

cc: Long-range Agenda Notebook  
Kierre McCune, AICP, Master Plans and Sections Section, Community Planning Division





# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
[www.pgplanning.org](http://www.pgplanning.org)

October 28, 2022

## **MEMORANDUM**

**TO:** Mridula Gupta, Acting Planner III, Urban Design Section

**VIA:** Sherri Conner, Planning Supervisor, Subdivision Section *SC*

**FROM:** Eddie Diaz-Campbell, Planner II, Subdivision Section *EDC*

**SUBJECT:** DSP-07072-02; Melford Block 3, Lots 1 & 2

The subject property is 23.5 acres and consists of Lots 1A and 2A, Block 3, of the University of Maryland Science and Technology Center, recorded in the Prince George's County Land Records in Plat Book PM 220 page 61 in July 2007. The property is located on Tax Map 47 in Grids E-3 and E-4. The property is located in the Town Activity Center- Edge (TAC-E) Zone; however, this application was submitted for review under the prior Zoning Ordinance and Subdivision Regulations pursuant to Section 27-1703 of the Zoning Ordinance and is therefore evaluated according to the standards of the prior Mixed Use - Transportation Oriented (M-X-T) Zone.

Detailed Site Plan DSP-07072-02 amends the original DSP-07072 and its first amendment DSP-07072-01. The original DSP-07072 was approved by the Planning Board on March 13, 2008 (PGCPB Resolution No. 08-42) while DSP-07072-01 was approved by the Planning Director on March 25, 2021. DSP-07072 approved development of three 8,125-square-foot (each) retail/restaurant/office buildings in the southeast portion of the property, as well as a possible future pad site on the property's western edge in addition to two existing 150,000 square-foot (each) office buildings on the site. DSP-07072 was approved subsequent to and in accordance with the approval of prior preliminary plan of subdivision (PPS) 4-98076. DSP-07072-01 amended this approval so the three new buildings were 8,167 square feet each. The northernmost of the three buildings is currently under construction pursuant to DSP-07072-01 and is marked on the subject DSP as Building R-A.

Of the three buildings approved with DSP-07072-01, the current DSP amendment proposes to replace the southern two with one 10,260 square feet building, shown on the DSP as Building R-B. There will be a shared access drive from Melford Boulevard located between the two buildings. This DSP amendment also proposes an 8,329-square-foot restaurant on the future pad site, which has been relocated to the property's northwest corner. To support the existing and proposed buildings, this amendment proposes a new lotting pattern featuring a separate parcel for each building, public right-of-way dedication at the property's main entrance at Science Drive and Melford Boulevard, and access easements between the parcels and Melford Boulevard.



The site is subject to PPS 4-16006 for Melford Village (129.16 acres), which was approved on March 9, 2017 (PGCPB Resolution No. 17-45) for mixed-use development. This PPS superseded the prior approved PPS covering the property, 4-98076. The PPS approved 205 townhouse lots and 111 parcels for the development of 359,500 square feet of commercial use as well as 205 single-family attached units, 44 two-family dwelling parcels (88 units), and 1,500 multifamily units for a total of 1,793 dwelling units. Of the 111 total parcels approved with the PPS, there are 78 development parcels listed including seven multifamily residential parcels, 44 two-family dwelling parcels, 25 commercial parcels, and two residue parcels. The remaining 33 parcels were approved for open space including HOA and BOA parcels, and a parcel for conveyance to the City of Bowie. Of the parcels approved with 4-16006, six parcels, including Parcels 1-4, Block 3 and the two residual parcels (shown as Remainder of Lot 1A and Remainder of Lot 2A on the PPS) are located within the area subject to this DSP.

The proposed DSP amendment conforms to the approved PPS; therefore, a new preliminary plan of subdivision is not required at this time. The proposed commercial gross floor area (GFA) is within the entitlement established by the PPS. An 8,396 square-foot building (as shown on the DSP) is currently under construction pursuant to DSP-07072-01, while 18,589 square feet of new commercial GFA are currently proposed; according to the tracking chart on Sheet C-1A of the DSP plan set, these buildings bring the total GFA proposed by all the DSPs subject to 4-16006 to 84,830 square feet. Based on this total, of the 359,000 square feet allowed by the PPS, 274,170 square feet remain. Note that the 359,000 square feet allowed by the PPS do not include the two existing 150,000-square-foot (each) buildings on the two residual parcels, as these two buildings were developed pursuant to the prior PPS 4-98076.

The five proposed parcels are also within the number approved under the PPS overall and the six parcels approved for Block 3 specifically. The five proposed parcels are labeled on the DSP as Parcels 1-5, Block 3, and will not retain the "Remainder of Lot 1A" and "Remainder of Lot 2A" designations when platted. The proposed lotting pattern is found to be in substantial conformance to that approved under 4-16006 for Block 3; easement access is maintained to all parcels and all parcels have frontage on a public street.

PPS 4-16006 was approved with 24 conditions, of which the conditions relevant to the review of this proposed DSP are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one in plain text:

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

The subject DSP amendment shows 10-foot-wide PUEs along all public rights-of-way abutting the proposed parcels. The PUEs are provided along Melford Boulevard and MD 3 (Robert S. Crain Highway).

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



The proposed amendment to this DSP does not include a substantial revision to the mix of uses previously approved and does not affect Subtitle 24 adequacy findings for the site.

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

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

A Type 2 Tree Conservation Plan, TCP2-036-99-19, was submitted with the DSP application. The Environmental Planning Section should review the TCP2 for any needed updates and to ensure that development remains in conformance with the TCP1.

10. **Prior to approval of any building permit for the subject property, the applicant and the applicant’s heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency’s access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:**
- a. **Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane. This sidewalk shall conform to the Street Sections approved as part of the Melford Village Design Guidelines, or as modified by the City of Bowie or the Maryland State Highway Administration.**
  - b. **Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.**
  - c. **At the time of detailed site plan, provide an exhibit that illustrates the location, limits, specification and details of all off-site improvements proffered in the bicycle pedestrian impact statement, or recommended by staff, for the review of the operating agencies. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk treatments, ramp reconfiguration and the removal of the roundabout.**



Conformance with this condition should be evaluated by the Transportation Planning Section.

- 11. In conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B*, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:**

- b. In addition to New Road "A" and New Road "C," shared-lane Markings shall be provided along Melford Boulevard, Currie Drive and Science Drive, or as modified by the City of Bowie.**

The Transportation Planning Section should evaluate the application for conformance with this condition, with any modifications approved by the City of Bowie.

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

The proposed commercial development is within the total approved by the PPS, therefore the development should be within the trip cap. However, the Transportation Planning Section should further evaluate the application for conformance with this condition.

- 17. Prior to issuance of any residential building permits within the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction through the applicable agency's access and permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency, and per applicable City, County, and/or SHA standards and requirements:**

- a. Melford Boulevard and Science Drive: Convert the existing roundabout to a traditional four-legged signalized intersection, as described below:**

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



- (3) Provide two travel lanes on the eastbound approach and on the westbound approach. These shall be marked and striped as determined to be appropriate by the City of Bowie.**

The entrance to Block 3 is from the intersection of Melford Boulevard and Science Drive. This DSP does not show conversion of the existing roundabout at this intersection to a signalized four-way intersection. The applicant indicated in their SOJ that a signal is not warranted at this time. Conformance to this condition is not required at this time because no residential development is proposed.

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

The right-of-way of Curie Drive was previously approved under an infrastructure DSP. The Transportation Planning Section should evaluate the application for conformance with this condition.

#### **Additional Comments**

1. This DSP includes a tracking chart on Sheet C-1A which compares lots, parcels, dwelling units, and commercial development approved with 4-16006 to those approved with the DSPs which have been approved for the Melford Village development. One correction is recommended to the chart footnotes to clarify what portion of the development subject to this DSP is part of the 4-16006 entitlement and what portion is not. One other correction is recommended to ensure the footnotes are relevant to the current DSP. One correction is recommended to the chart itself to ensure the development constructed pursuant to DSP-07072-01 and that proposed with DSP-07072-02 are listed separately. The recommended corrections are listed below.
2. The applicant needs to clarify the GFA of Building R-A on the plan and on the tracking charts. DSP-07072-01 approved this building with 8,167 square feet. Permit 7762-2021-0 to construct this building states it is 8,125 square feet, which would be consistent with the original DSP-07072. The current DSP states it is 8,396 square feet, which is not consistent with either the original DSP or the first amendment.
3. Prior to approval of any permits on the subject property, Parcels 1-5 must be platted consistent with the lotting pattern shown on this DSP. All new proposed easements (including access easements and PUEs) must be shown on the final plat.
4. The DSP should label all easements (including access easements and PUEs) which are no longer necessary to serve the development as “to be abandoned.” Abandonment of these easements will be accomplished at the time of final plat.
5. The proposed 50-foot-wide access easement extending west from the intersection of Science Drive and Melford Boulevard should be changed to a variable-width access



easement and expanded to cover the roundabout west of the main site entrance. The boundaries of the 24-foot-wide access easement extending south from the roundabout to the secondary site entrance will also need to be modified to account for the boundaries of the variable-width access easement.

### **Recommended Conditions**

1. Prior to signature approval of the detailed site plan, the Preliminary Plan to Detailed Site Plan – Comparison Tracking Chart on Sheet C-1A shall be modified as follows:
  - a. Revise Footnote 4 to read “The two 150,000 square foot (each) buildings existing on Parcels 2 and 3, Block 3 as approved with DSP-07072-02 were originally approved under PPS 4-98076. These two buildings therefore do not count against the office GFA approved under PPS 4-16006, and thus are not included in the ‘total’ column. The trip cap associated with this prior development was included as part of 4-16006.”
  - b. Revise Footnote 6 to reference DSP-07072-02 instead of DSP-18034-01.
  - c. Add a column for DSP-07072-01 and ensure the columns for DSP-07072-01 and DSP-07072-02 each list the development approved under that amendment.
2. Prior to signature approval of the detailed site plan, the plan shall show the correct square footage of Building R-A in the plan drawings, tracking charts, and all relevant notes.
3. Prior to signature approval of the detailed site plan, the plan drawings shall be modified as follows:
  - a. Label all existing easements which are to be abandoned as “to be abandoned.”
  - b. Revise the proposed 50-foot-wide access easement extending west from the intersection of Science Drive and Melford Boulevard to a variable-width access easement which covers the entire roundabout west of the main site entrance. Revise the boundaries of the 24-foot-wide access easement extending south from the roundabout to the secondary site entrance to account for the new boundaries of the variable-width access easement.
4. Prior to approval of a final plat, draft access easement documents shall be approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and be fully executed. The easement documents shall set forth the rights, responsibilities, and liabilities of the parties and shall include the rights of M NCPPC. The limits of the easements shall be consistent with the approved detailed site plan and shall be reflected on the final plat. The easements shall be recorded in the Prince George’s County Land Records, and the Liber/folio of the easement shall be indicated on the final plat, prior to recordation.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. The DSP has been found to be in



substantial conformance with the preliminary plan of subdivision. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.





# 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

Countywide Planning Division  
Historic Preservation Section

301-952-3680

October 21, 2022

## MEMORANDUM

**TO:** Jill Kosack, Urban Design Section, Development Review Division

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

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

**SUBJECT:** **DSP-07072-02 Melford, Block 3, Lots 1 & 2**

## Findings

The overall Melford development includes the Melford Historic Site (71B-016). Built in the 1840s, Melford is a two-and-one-half-story side-hall and double-parlor plan brick plantation house. It is distinguished by a two-story semicircular bay and a parapeted double chimney at one gable end. Attached at the other gable end is a lower kitchen wing built of brick and stone. The interior exhibits fine Greek Revival trim. It was built for Richard Duckett, and was the home for three generations of the Hardisty family. The grounds include several early outbuildings and terraced gardens, and there is a Duckett family burial ground on the adjoining knoll. The bay and chimney configuration makes Melford unique in Prince George's County. Melford was listed in the National Register of Historic Places in 1988.

The area included in this plan comprises 12.54 acres located on the west side of Melford Boulevard at its intersection with Science Drive in Bowie, Maryland. The subject application requests a revision to previously approved DSP-07072 and revision DSP-07072-01. The DSP-07072 proposed two four-story, 150,000 square-foot office buildings (both completed) and three speculative retail/restaurant/office buildings on the eastern end of the site and its attendant parking. DSP-07072-01 revised the size of three previously approved buildings by 126 square feet and included site-related improvements on Lots 1 and 2 of Block 3 within the Melford development. The subject revision application proposes the removal of a retail building and construction of two new retail buildings, a pad site, and reconfiguration of the parking area.

## Conclusion

Lots 1 and 2 in Block 3 within the Melford development are not considered adjacent to the Melford Historic Site. Therefore, review is not required by the Historic Preservation Commission. Historic Preservation staff concludes that due to the intervening retail development proposed on Parcels 6, 8,



9, and 12, directly west of the Melford Historic Site, the changes requested in the subject detailed site plan will not have an adverse effect on the historic site.

### **Recommendation**

Historic Preservation staff recommends approval of DSP-07072-02, with no conditions.





# City of Bowie

15901 Fred Robinson Way  
Bowie, Maryland 20716

September 27, 2022

The Honorable Peter A. Shapiro, Chairman  
Prince George's County Planning Board  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

RE: Revision to Detailed Site Plan #DSP-07072/02  
Melford Retail (Block 3, Lots 1 and 2)

Dear Chairman Shapiro:


On November 15, 2021, the City Council conducted a public hearing and reviewed the proposed Detailed Site Plan for the retail portion of Block 3 in the Melford project. The site is part of a 23.5-acre developed parcel, is zoned TAC-E (Town Activity Center Edge) and is bounded to the south by the "Upper Pond," to the east by the "Lower Pond," and to the north by two four-story office buildings at the intersection of Melford Boulevard/Belair Drive and Crain Highway. The proposed revision to the DSP will result in the following structures being constructed:

- i.) Building R-A – 8,167 square feet
- ii.) Building R-C – 10,264 square feet
- iii.) Future Pad Building- 8,329 square feet (to be approved as part of future DSP revision)

Given the current challenges facing the retail industry, the City Council finds it beneficial to have some flexibility in how retail sites might evolve to take advantage of changing conditions. The reduction in number of buildings along Melford Boulevard from three to two and the relocation of a future retail pad meeting to the northern end of Pod 3, adjacent to the MD 3 interchange, are acceptable, because the proposed design will retain the retail presence at Melford's western end but also address functional concerns with the current design that may inhibit leasing of the project. The approved Design Guidelines foresaw the need to adjust building types and layouts to remain competitive. In addition, the City Council finds that the proposed Detailed Site Plan revision represents a reasonable alternative for satisfying the Zoning Ordinance's site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

Since the proposed revisions to the DSP for the Melford Retail area will enable the project to better respond to the needs of the market and will retain the high-quality retail character experience envisioned in the approved Design Guidelines, the City Council recommended that the revision to **Detailed Site Plan** #07072/02 be **APPROVED**.

Sincerely,

  
Bowie City Council  
Timothy J. Adams  
Mayor

cc: Mr. Robert J. Antonetti, Jr., Shipley and Horne, P.A.





*Division of Environmental Health/Disease Control*

Date: September 29, 2022

To: Andrew Bishop, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP-07072-02, MELFORD, BLOCK 3, LOTS 1 & 2

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 the Melford Block 3, lots 1 and 2 and has the following any comments/recommendations:

1. Health Department permit records indicate there are no carry-out/convenience store food facilities or markets/grocery stores within a ½ mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes.
2. The applicant should submit the plans for the proposed food facility to the Dept. of Permits, Inspection and Enforcement (DPIE) for review. All applications are online via the web portal at <https://dpiepermits.princegeorgescountymd.gov/>.
3. The applicant should apply for a Food Service Facility permit with the Health Department through the DPIE website.
4. ***Indicate pedestrian access to the site by neighboring communities.***
5. 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.
6. 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.



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  
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*Division of Environmental Health/Disease Control*

If you have any questions or need additional information, please contact me at 301-883-7677 or [aoadepoju@co.pg.md.us](mailto:aoadepoju@co.pg.md.us).



Angela Alsobrooks  
County Executive

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## 1 - #01 - Hydraulics

**Status as of Friday, October 14, 2022 09:29:05**

**Type: Action**

**State: For Discussion**

Created by :Jon-Edward Thorsell  
On :Friday, October 14, 2022 09:29:05  
Type :Action  
State :For Discussion

This project has an approved HPA under DA5720Z14. The last amendment to this HPA was approved 9/27/21. If there are any changes to what was shown on the approved sketch 9/27/21, then a new amendment needs submitted.

Please see approved sketch and LOF. Shari Djourshari is the Project Manager.

----- 0 Replies -----

## 2 - #02 - General Easement Comment

**Status as of Friday, October 14, 2022 15:27:22**

**Type: Action**

**State: For Discussion**

Created by :Jon-Edward Thorsell  
On :Friday, October 14, 2022 15:27:22  
Type :Action  
State :For Discussion

It appears you have some conflicts with what is allowed in WSSC easements. You will need to verify that you meet easement clearance requirements outlined in PDM. Hold Harmless Agreement (HHA) will be required for any structures, such as ESD's, that appear in a WSSC easement. Best practice would be to avoid HHA all together.

----- 0 Replies -----

## 3 - #03 - Review

**Status as of Friday, October 14, 2022 15:29:54**

**Type: Action**

**State: For Discussion**

Created by :Jon-Edward Thorsell  
On :Friday, October 14, 2022 15:29:54  
Type :Action  
State :For Discussion

This plan set is somewhat difficult for WSSC to review and comment on. The full details of the water and sewer lines are not shown. The utilities seem roughly shown. While this is typical at site plan stage, WSSC cannot provide comprehensive comments.

See Letter of Findings.

----- 0 Replies -----



#### 4 - #04 - General Comments

Status as of Friday, October 14, 2022 15:38:56

Type: Action

State: For Discussion

Created by :Jon-Edward Thorsell

On :Friday, October 14, 2022 15:38:56

Type :Action

State :For Discussion

Water:

- Existing and/or proposed water/sewer mains and service connections are not entirely shown on the plan. Water and sewer lines as well as proposed connections need to be included on the plan in order for WSSC to be able to comment.
- Add the proposed pipeline alignment(s) with water house connection(s) to the plan. Additionally, if easements are required, their limits and locations must be shown. See WSSC Design Manual C-2.1
- WSSC Design requires On-Site service pipe(s) to maintain a minimum 20-foot clearance from possible contaminated areas such as: streams, seepage pits, drain fields, septic tank/systems and other sources. When on-site pipes need to cross these areas, the water and/or sewer pipelines must be placed in a sleeve extending at least 20 feet beyond the limits of contamination in each direction. See WSSC Design Manual C-24.1
- Realign water and/or service connection(s) to avoid environmental, storm water management facilities, ESD Devices, other utilities, landscaping, tree boxes and structures or paving impacts for future maintenance. See WSSC Design Manual C-3.1
- Existing mains shown on plan should be labeled with correct pipe size, material and WSSC contract number.
- Show easement limits on plan for all existing and proposed water mains.
- Provide proper protection of water supply where water main is below or parallel to sewer main, building drain, sewer house connection or septic field and when pipe crosses other utilities. See WSSC Design Manual C-3.1
- Revise the plan to realign any water pipeline that conflicts with large storm drains, culverts, deep side ditches, etc. Maintain the required horizontal clearances from other utilities, retaining walls, sediment traps, street lights, paving, etc. See WSSC Design Manual C-3.1
- When designing roadway grade establishments that cross over bottomless arch bridges – you must provide the required pipeline cover and clearance for proposed water main.
- The 2019 WSSC Plumbing & Fuel Gas Code has been adopted and is effective July 1, 2019. The minimum water service connection for Group R-3 occupancies (Single Family Dwellings and Townhouses) should be 1.5 inches, unless there is an exception under Section 111.1.1.1 of the Code.

Sewer:

- Existing and/or proposed water/sewer mains and service connections are not shown on the plan. Water and sewer lines as well as proposed connections need to be included on the plan in order for WSSC to be able to comment.
- Add the proposed pipeline alignment(s) with sewer house connection(s) to the plan. Additionally, if easements are required their limits and locations must be shown. See WSSC Design Manual C-2.1
- Existing mains shown on plan should be labeled with correct pipe size, material and WSSC contract number.
- Realign sewer service connection(s) to avoid environmental, storm water management facilities, ESD Devices, other utilities, landscaping, tree boxes and structures or paving impacts for future maintenance. See WSSC Design Manual C-3.1
- Show easement limits on plan for all existing and proposed sewer mains.
- Revise the plan to realign any sewer pipeline that conflicts with large storm drains, culverts, deep side ditches, etc. Maintain the required horizontal clearances from other utilities, retaining walls, sediment traps, street lights, paving, etc. See WSSC Design Manual C-3.1
- When establishing roadway grades, ensure design provides the required cover and clearances



for proposed sewers that cross over bottomless arch bridges.

On-Site:

- Proposed water systems (greater than 3-inch diameter) with a developed length of more than 80 feet will require an outside meter setting in a vault. Show and label vault and required WSSC right-of-way.
- A single service connection for two or more buildings in a single lot/parcel requires a covenant. Should the property be subdivided or sold in the future, individual water/sewer connections for each building will be required.

Rights-of-Way:

- WSSC easements must be free and clear of other utilities, including storm drain systems, with the exception of allowed crossings designed in accordance with the WSSC Pipeline Design Manual. Under certain conditions (and by special request) storm drains 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 between WSSC and the developer.
- Private Street & 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 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.
- 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.
- The minimum horizontal clearance from a building to the outside diameter of a WSSC pipeline is 15-feet. The minimum spacing between adjacent buildings with both water and sewer lines between them must be 40-feet. In some cases where connections, fire hydrants, or deep water/sewer lines are involved, additional easement width is required.
- 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.
- Design of proposed [water and/or gravity sewer] main(s) through M-NCPPC forested property must minimize construction clearing impact and maximize tree preservation. Design must meet objectives of both M-NCPPC and WSSC. For 8-inch size mains: construction requires a minimum 40-foot easement/permit and additional 15-foot construction strip. For larger and/or deeper pipeline, additional easement/permit widths will be required depending on size and depth.

Environmental:

- The proposed water main and/or outfall sewer impacts wetlands, stream buffers, 100 year flood plain, steep slopes and possibly large trees. Main alignment may need adjustment in the design stage of the WSSC Development Services System Integrity review process. See WSSC Design Manual C-8.1 and 23.1
- Proposed pipeline needs to be realigned to 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. See



WSSC Design Manual C-8.1, C-19.1 and 23.1

- A Phase-1 Environmental Site Assessment report may/will be required for the proposed site.
- Wetlands permit will be required for any construction within wetland areas. See WSSC Design Manual C-23.1

General:

- 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.
- 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 Design Manual, C-5.1 and Part Three, Section 11.
- Show and label all existing nearby water and/or sewer service connections that may be impacted by the proposed development.
- 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 -----



## R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on March 13, 2008 regarding Detailed Site Plan DSP-07072 for Melford, the Planning Board finds:

1. **Request:** The subject application is for a revision for the Block 3 portion of the Melford Property (previously known as the Maryland Science and Technology Center) to add three speculative 8,125-square-foot (24,375 total) retail/restaurant/office buildings on a single lot, with attendant parking, sidewalk and curbing, and additional parking, sidewalk and curbing for a possible future pad site that would be the subject of a separate application.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	M-X-T	M-X-T
Use(s)	Office*	Speculative Restaurant, Retail, Office
Acreage	23.5	23.5
Lots	2	2
Square Footage/GFA	300,000	324,375

\*Two previously approved 150,000-square-foot office buildings are located on the site. One has received its use and occupancy permit and the other is currently under construction on the site.



**Parking Data**

	REQUIRED	PROPOSED
Parking spaces for the completed 150,000-square-foot office building on the site	378	593
Parking spaces for the 150,000-square-foot office building	1/250 for first 2,000 square feet and 1/400 above 2,000 = 378	728
Parking for the three 8,125-square-foot (24,375 square feet total) retail buildings	1/150 square feet for first 3,000 square feet and 1/200 above 3,000 square feet = 138	
Total parking spaces	834	1,321
Handicapped spaces (included in the above)	11	24
Loading spaces for 150,000-square-foot-office building	1/100,000 square feet or 2	4
Loading for the three 8,125-square-foot retail buildings	0	0

3. **Location:** The subject property is located in the northeastern quadrant of the intersection of MD 3 and US 50 within the City of Bowie.
4. **Surroundings and Use:** The subject project is bounded to the south, east and north by other parts of the Melford development. More specifically, it is bounded to the south by the "Upper Pond," to the east by the "Lower Pond," and to the north by a four-story office building with the intersection of Melford Boulevard/Belair Drive and Crain Highway (US 301) beyond. The subject project is bounded to the east by Crain Highway (US 301).
5. **Previous Approvals:** The project is the subject of A-9401, CDP-8601, Preliminary Plans Of Subdivision 4-88030 and 4-98076, CSP-06002, and Final Plat 220@61.
6. **Design Features:** The proposed detailed site plan augments and revises a site plan that was previously approved as a specific design plan (SDP-0401/01) for two four-story, 150,000-square-foot office buildings, one completed and the other currently under construction on the site. The subject revision includes the addition of three speculative retail/restaurant/office buildings on the eastern end of the site, its attendant parking, and the parking, landscaping and curbing for a "future building pad site" on the western portion of the site. This discussion will focus on the three retail buildings proposed as part of this project.



The portion of the site that will contain the three speculative retail/restaurant/office buildings is most easily accessed from an entrance drive that is, in turn, accessed from Melford Boulevard. The three identical 8,125- square-foot buildings front on Melford Boulevard, with parking to their rear. The parking is well landscaped and is situated between the rears of the retail buildings and the office building currently under construction on the site. The three speculative retail/restaurant/office buildings are located directly north of an existing pond and an observation pavilion is provided as a passive recreational amenity between the most southern building and the pond. The pond and its enhanced landscaping provide a visual amenity for the development. Several benches are located on the paved area around and between the proposed buildings for pedestrian seating.

The main construction material of the buildings is brick. The color specified for the majority of the brick is Taylor "Pearl Grey" Wire Cut to match the adjacent office building. Accent brick used on the water table of the structure is a contrasting brown color specified as Taylor 372 "Autumn Blend" Wire Cut. The accent brick is utilized also in horizontal bands at the bottom and top of colorful decorative standing seam metal awnings and at the building's roofline. Though the roof is flat, two of the six-units in each building are taller than the other units and forward, in relief, along the front façade, to provide additional visual interest. The stores are glazed on the first level to provide visibility within. The clear glazing is supported by an anodized aluminum storefront system.

Signage for the units will be internally lit channel letter signs on the "Taylor Pearl Gray" brick. Exact copy of the wall signage will be decided when tenant leases are finalized. Signage for the larger site includes two directional signs and one identification sign. The color scheme for the signage is derived from and compatible with those utilized in the architectural materials. The identification sign sits on a brick base. A photometric plan has been offered to the site together with a typical pedestrian light detail. Whereas staff finds the aesthetics of proposed lights acceptable, staff has recommended a condition below that would require their replacement with a similar cut-off light fixture that would minimize light pollution from the site.

#### 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 the site plan design guidelines of the Zoning Ordinance.
  - a. The subject application is in conformance with the requirements of Section 27-547, which governs permitted uses in Mixed-Use Zones. The proposed retail/office/restaurant uses are permitted uses in the M-X-T Zone.
  - b. Additional required findings as specified in Section 27-546(d) (site plans approved in mixed-use zones) are as follows: Staff has included each finding in bold type below, followed by staff comment.



1. **The proposed development is in conformance with the purposes and other provisions of this division;**

Comment: The proposed development is in keeping with the purposes and other provisions of the M-X-T Zone as stated in the Prince George's County Zoning Ordinance because it helps promote the orderly development of land in the vicinity of a major interchange (US 50 and US 301), provides employment opportunities, encourages activity after workday hours, and encourages diverse land uses.

2. **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: Though the buildings front on Melford Avenue and the South Pond and are generally designed to physically and visually integrate with the surrounding larger Melford development, staff's recommended condition below would enhance the required integration with existing adjacent development.

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

Comment: Development in the vicinity of the subject project is mixed use; the retail, restaurant and office use of the three proposed buildings is a good fit.

4. **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: Land use will include a mix of office, retail and restaurant land use. The similarity of the architecture creates a cohesive development and signage on the three buildings reflects the varying uses within. Suggested pedestrian improvements will make the development more cohesive and of better quality.

5. **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 subject project will be built in a single stage.

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

Comment: Though the subject site's portion of Melford Boulevard includes a standard sidewalk and internal sidewalk connections are provided around the planned buildings,



from Melford Boulevard to the planned buildings and to the adjacent office building, its pedestrian system could be improved as follows:

Additional pedestrian connections should be provided to provide safe pedestrian access through the parking areas and provide pedestrian routes between buildings that are separated from the travel aisles for motor vehicles. More specifically:

- Two pedestrian walkways through the parking lot between Building 3B and the retail buildings as specified by the trails coordinator in his memorandum dated February 25, 2008. These walkways should be provided in conjunction with the two courtyards recommended by the City of Bowie and staff that have been included in the recommended conditions below.
- Three pedestrian walkways through the parking lot immediately to the west of Building 3B as specified in his memorandum dated February 25, 2008, to provide safe routes for pedestrian walkways through the parking lot to the office building.
- A decorative crosswalk as recommended by the City of Bowie and reflected in the recommended conditions below shall be provided so as to provide enhanced and more visible pedestrian crosswalks at all key locations throughout the development including the connection to the existing trail around the upper pond.
- A "main street" streetscape along Melford Boulevard in the vicinity of the retail development should be created by widening the sidewalk and utilizing specialized paving, decorative lighting, sitting areas, plazas and walkways as appropriate and by extending the plazas between the retail buildings to the Melford Boulevard right-of way.

Staff has included recommended conditions below that would help create a better pedestrian environment for the project.

7. **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: Although the site is well lit and landscaped and pedestrian circulation is aided by a sidewalk network with benches around the proposed retail buildings and an observation pavilion, staff's recommended conditions below would bring the project into better compliance with this condition. As to building materials, the primary construction building material is brick, a high quality building material.



- c. **Section 27-538**—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 which 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.	Approved
SDP-0201	83,680 sq. ft.	Built
SDP-0203/01	81,600 sq. ft.	Approved
SDP-0405	136,957 sq. ft.	Approved
<b>DSP-07072</b>	<b>24,375 sq. ft.</b>	<b>This Plan</b>
DSP-06096	362 room hotel 253,289 sq. ft.	Pending
Total	1,273,151 sq. ft.	

The floor area ratio, including all approved and pending development on the 334.1-acre Melford site and reflected on the chart above, is .0874, 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 development chart and a recalculation as necessary of the floor area ratio. 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.**



Comment: The subject project involves the development of three buildings on one lot in accordance with this requirement.

- (c) **Except as provided for in Division 4. Regulations for the M-X-T Zone, 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.**

Comment: As per this requirement, dimensions shown on the plans have become the regulations for this project.

- (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.**

Comment: The project has been evaluated against and found to be in compliance with the requirements of the *Landscape Manual*. Please see Finding 10 for a more detailed discussion of that compliance.

- (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.**

Comment: The subject project is in compliance with this requirement as the lot it is located on has frontage on Melford Boulevard.

8. **Conceptual Site Plan CSP- 06002:**

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.**

Staff Comment: The Transportation Planning office provided the following analysis of the development and its conformance to the trip cap above:



SDP	Development Quantity	Status	AM Trip Generation	PM Trip Generation
Pre-1998	240,000 sq. ft.	Built	119	112
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-0310	300,980 sq. ft.	Withdrawn	0	0
SDP-0203/01	81,600 sq. ft.	Approved	163	151
SDP-0405	136,957 sq. ft.	Approved	300	284
<b>DSP-07072*</b>	<b>24,375 sq. ft.</b>	<b>Pending</b>	<b>168</b>	<b>122</b>
DSP-06096	362 room hotel 253,289 sq. ft.	Pending	235	290
Total	1,273,151 sq. ft.		<b>1,824</b>	<b>1,747</b>

\*The subject case

Comment: The chart above demonstrates that the development on the property is below the trip cap as established in the review and approval of CSP-06002. It should be noted that the subject property has a recorded record plat, which is the subject to a trip cap. Record plat 220 @ 61 for Lots 1 and 2, Block 3, contains the following note:

“Any further development of this property that would generate more than 2,200 AM and 2,605 PM trips will require the submission of a new preliminary plat with a new traffic impact study.”

This trip cap is below the trip cap of the CSP, but is binding on the land area covered by final plats that were the subject of the underlying preliminary plan. Therefore, as a condition of approval of this case, staff recommends that the trip cap of the preliminary plan, as shown on the final plat of subdivision, should be listed as a condition of approval for this case.

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



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

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

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

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

**Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.**

Comment: The subject property is Lot 1 and 2, Block 3, and is recorded in Plat Book 220 at Plat 61; therefore, this condition does not apply.

**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.**

Comment: This revision is not required for the subject detailed site plan because the Melford setting or impact area does not extent onto this site.

**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 does not involve the immediate vicinity of the Melford Historic Site.

**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.**

Comment: The subject application does not involve the immediate vicinity of the Melford Historic Site, the Duckett Family cemetery, the shared viewshed, or the surrounding impact review area.



Therefore, Conditions 4, 5, 7, 21 and 22 are not relevant to the subject detailed site plan application, but the applicant should demonstrate compliance with these conditions of CSP-06002 in subsequent relevant applications.

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.**

Comment: The applicant has complied with CSP-06002 Conditions 6 and 8 through the submittal of a historic area work permit (HAWP 45-07) that addresses the exterior rehabilitation of the historic site in anticipation of its use as a single-family dwelling. However, the applicant is required to submit a detailed site plan for any portion of the developing property that does not include the Melford Historic Site environmental setting and its associated impact review area.

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.**

Comment: The subject application does not involve the immediate vicinity of the Melford Historic Site, the Duckett Family cemetery, the shared viewshed, or the surrounding impact review area.

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: Since this condition has a trigger later in time than the approval of the subject detailed site plan, demonstrating compliance with it is not a condition precedent to a recommendation of approval. Staff would like to note, however, that the owner of the Melford Historic Site, St. John Properties, has in fact initiated the restoration of the Melford House. Since the proposed project may involve office use, a condition below will require that restoration of Melford and outbuildings must be completed prior to issuance of use and occupancy permits for any new office use proposed in the three new buildings, but not prior to use and occupancy permit for the previously approved office building that is currently under construction..



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 Historic Preservation Section has certified that all quarterly reports have been received in a timely manner and that the Melford site is being properly maintained. Therefore, it may be said that the applicant has complied with this condition for the purposes of this detailed site plan application.

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.**
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: Additional connectivity has been provided through the parking lots and between the proposed retail buildings, the office buildings on the site, and Melford Boulevard in accordance with this condition. Please see discussion of the comments of the trails coordinator in Finding 12—Trails.

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: The CSP is pending certification; however, the proposed limits of disturbance shown on the revised TCPII are in general conformance with the TCPI approved by the Planning Board. The TCPII proposes a small area of additional grading to allow drainage of runoff from the site.



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

Staff Comment: The applicable conditions have only been addressed for this lot within the Melford site but not on the entire TCP II because the sheets for those other areas were not submitted. Although the DSP only covers a limited area of the site, the TCP II must cover the entire area of the TCP II associated with CSP-06002, and it must meet those conditions prior to certification of this DSP.

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.**

Staff Comment: Some of the northern portion of the site is within the 150-foot floodplain buffer; however, it is not shown on the plan. Based on the known location of the buffer, there will be no



disturbance within that buffer for the proposed development. The TCP II must correctly show the 150-foot floodplain buffer.

Recommended Condition: Prior to certification of the DSP, the TCP II shall be revised to correctly show the 150-foot, 100-year floodplain buffer.

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.**

Staff Comment: There are no disturbances to the floodplain buffer associated with this application.

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.**

Staff Comment: This condition does not apply to the subject property because it is not the area referenced in the condition above.

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."**

Staff Comment: The applicant has not conveyed the 100-year floodplain and floodplain buffer to M-NCPPC. Department of Parks and Recreation staff recommends conveyance of the parkland prior to certificate approval of DSP-06096 or DSP-07072.

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

Staff comment: This condition has been carried over as Conditions 3a to 3i below 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 throughout the site within this application. 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 construction of the parking spaces above the maximum requirement should be designed with permeable paving or other applicable design method that will allow natural infiltration on the site. The number of required spaces is 834 and the number of proposed spaces is 1,321, leaving 487 spaces requested to be permeable paving. (For more discussion on this issue, see Finding 12 under Sherwood Manor Civic Association.)

Recommended Condition: Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of alternative parking methods and paving materials to reduce the area of impervious surfaces and promote natural infiltration. This shall be applied to all parking spaces above the maximum requirement.

Comment: Staff is instead recommending the construction of five 13-foot-wide pedestrian allees through the parking area that would decrease the number of parking spaces and the amount of impervious surface. Additionally, staff is recommending use of permeable paving for the line of paving most proximate to the adjacent upper pond.

- 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.**

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.**

All of the proposed clearing is located in the central and southern half of the site. This clearing is consistent with the TCPI approved with the CSP; however, the proposed water, sewer, and storm drain connections are not shown on the plan. It does not appear that any utility connection will affect the proposed woodland conservation areas, with the exception of the required ten-foot public utility easement. This information should be shown on the plan to be reviewed with the proposed woodland conservation for conformance with the approved stormwater management plan.

Recommended Condition: Prior to certification of the detailed site plan, the TCPII and DSP shall be revised to show the all water, sewer and stormdrain connections and their



associated easements. The plans shall also show the ten-foot public utility easement. No woodland conservation shall be shown in any easements.

- 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.**

Staff Comment: The subject detailed site plan includes some open space adjacent to the upper pond that is visible from Melford Boulevard, though it is not made physically accessible due to its steep grade.

- 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.**

Comment: The subject site is not within the vicinity of the historic site, therefore, this condition does not apply.

- 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.**

Staff Comment: The subject site is not within the vicinity of the historic site, therefore, this condition does not apply.

- 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.**

Comment: These conditions are complied with if the recommended conditions regarding enhancing the streetscape along Melford Boulevard are included in the approval.

- 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.**

Comment: The architecture is attractively designed in brick, decorated with fabric awnings and has a varied roofscape. Therefore, it may be said that the project is in compliance with this condition.

- d. **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.**

Comment: The facades on these commercial buildings, visible from public spaces and streets, are attractive and all unsightly functions are adequately screened.

- 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.**

Comment: With the main street design and pedestrian walkways added by condition, the project may be said to be in compliance with this condition.



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

Comment: Parking for the project is located to the rear of the three proposed buildings that front on Melford Boulevard is in compliance with this condition.

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

Comment: Landscape islands and pedestrian walkways would minimize the expanse of parking lots.

- 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.**

Comment: A photometric plan has been provided that indicates the site will be well lit. A recommended condition below, however, would require cut-off lights to minimize light pollution from the project.

- 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.**

Comment: The sign plan as presented, acceptable to staff, indicates restraint and is well coordinated with the architecture of the buildings on the site.

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

Comment: A recommended condition below would require that all temporary signage be affixed to the buildings and removed within a six-month period after issuance of the use and occupancy permit for the project.

- 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.**



Comment: Architectural style and materials of the proposed buildings are compatible with the two office buildings on the site, and parking for the retail pad sites is located to the rear.

**l. Provide green areas or public plazas between pad sites.**

Comment: Shade trees and shrubs are indicated on the landscape plan between the buildings.

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

Comment: Noting that the proposed buildings do not have identified tenants yet and that restaurant use is only one of many potential uses, the plaza area provided around the three buildings and the "mainstreet" design for the Melford Boulevard frontage could provide attractive outdoor seating areas for any restaurant included in the project.

- 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.**

Staff Comment: The subject application is not subject to the 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.**

Comment: There are no stream channels on this portion of the site that have not been shown.

- 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.**

Staff Comment: The lower pond on the opposite side of Melford Boulevard provides a walkway around its periphery and is well landscaped. The upper pond, located immediately adjacent to the subject site, is well landscaped so as to provide a visual amenity, but does not have a trail due to steepness of grade.



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

Staff Comment: This condition does not apply because the subject site is not within close proximity of the historic site.

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

Staff Comment: The plans do not appear to reflect this requirement, so a condition has been included on the plans requiring a revision to reflect the requirement.

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.**

Staff Comment: This condition does not apply to the subject site because it does not have frontage on US 50.

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.**

Staff Comment: This condition appears to be a carry over 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.

- 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 dedicated parkland.**

Staff Comment: This condition only applied to the CSP.

- 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.**

Staff Comment: This condition does not apply, because the project is the subject of a final plat of subdivision.



- 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.**

Staff Comment: 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 larger Melford 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, the 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 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.**

Staff Comment: This condition appears to be a carry over from the original CSP that included a residential component. These conditions do not apply to the subject project.

9. **Preliminary Plan 4-98076 and record plat PM 220@61:** The property is the subject of Preliminary Plan 4-98076 and Record Plat PM 220@61, and is known as Lots 1 and 2A of Block B. For a detailed discussion of the requirements of those approvals, please see Finding 12, Subdivision, below.
10. **Landscape Manual:** The project is subject to the requirements of Sections 4.2a, Commercial and Industrial Landscaped Strip, Section 4.3b, Interior Parking Lot Landscaping, and Section 4.3a, Parking Lot Landscaped Strip, in the *Landscape Manual*. Staff has reviewed the landscape plan submitted for the project and finds it in compliance with the above-cited requirements.
11. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it has previously approved tree conservation plans. A revised Type II tree conservation plan has been submitted and was found to meet the requirements of the Woodland Conservation Ordinance for the subject site. Therefore, the subject project may be said to comply with the requirements of the Woodland Conservation Ordinance. Staff would like to note, however, that the most recently approved tree conservation plan, TCPI/44/98-02, which was approved together with CSP-06002, is pending signature



approval. A recommended condition below would require that the TCPI be certified before the subject project obtains signature approval.

12. **Signage:** The applicant has proffered the signage will be consistent with other signage in the larger Melford development.
13. **Referral Comments:** The subject application was referred to the following concerned agencies and divisions. The referral comments are summarized as follows:

**Historic Preservation:** In a memorandum dated February 13, 2008, the Historic Preservation Section offered the following conclusions:

1. The applicant should revise the subject detailed site plan to include both the Melford Historic Site and the impact review area that includes the house site, the cemetery and establishes the vista between them, in compliance with Condition 3 of CSP-06002.
2. The subject application does not involve the immediate vicinity of the Melford Historic Site, the Duckett Family cemetery, the shared viewshed, or the surrounding impact review area. Therefore, Conditions 4, 5, 7, 21 and 22 are not relevant to the subject detailed site plan application, but the applicant should demonstrate compliance with these conditions of CSP-06002 with subsequent relevant applications.
3. The applicant has complied with CSP-06002 Conditions 6 and 8 through the submittal of a historic are work permit (HAWP 45-07) that addresses the exterior rehabilitation of the historic site in anticipation of its use as a single-family dwelling. However, the applicant is required to submit at detailed site plan for any portion of the developing property that includes the Melford Historic Site environmental setting and its associated impact review area.
4. The applicant is in compliance with the requirement of Condition 9 to submit regular quarterly reports on the condition of the Melford Historic Site and its ongoing maintenance. These quarterly reports will be required until a permanent use for the building is identified and established.
5. Staff concludes that Conditions 3, 4, 5, 6, 7, 8, 9, 21 and 22 of CSP-06002 should be carried forward to subsequent applications until they have been satisfied.

Urban Design Comment: The above conditions of the relevant conceptual site plan approval cited above have not been included in the recommendation section of this report because the setting or impact area does not extend onto the subject site.

**Archeology:** In a memorandum dated February 13, 2008, the staff archeologist stated that a Phase I archeological survey, conducted on the property in February 2005, identified three archeological sites. The first site, 18PR30, a Late Archaic through Woodland period short-term



base camp, is located adjacent to the Patuxent River floodplain. The survey stated that the portion of the site within the subject property had been extensively disturbed by tree removal and grading, and because it did not retain its integrity, the study recommended no further work.

The second archeological site on the property site, 18PR164, consists of archeological deposits and features associated with the Melford Historic Site (71B-016), and artifacts recovered from it date from the late 18<sup>th</sup> 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. The study recommended Phase II investigations for site 18PR184 to assess its eligibility for inclusion in the National Register of Historic Places.

The third site, the Duckett Family cemetery, is located about 650 feet northwest of Melford. Development plans placed a buffer area around the cemetery. Several shovel test pits were excavated outside and around the cemetery to determine if there were additional unmarked burials, but none were found. Staff would, however, recommend that a ground-penetrating radar survey of the vicinity of the cemetery be completed as part of additional required archeological investigation of the property within the limits of subject property.

The staff archeologist noted that the two latter sites are located within the Melford Historic Site environmental setting (71B-016) and made the following recommendations:

- No further work is necessary on site 18PR30.
- Phase II investigations are necessary on sites 18PR164 and 18PR165.

Further, she noted that A Phase II work plan submitted to Historic Preservation staff on January 14, 2008, was approved on January 18, 2008, and the applicant must submit the findings of the Phase II investigations in the form of a draft report to be reviewed by staff before a final report for the work can be accepted in compliance with Conditions 21 and 22 of Conceptual Site Plan CSP-06002.

**Community Planning:** In a memorandum dated November 5, 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:

- The application fails to identify linkages to an open space network consisting of the Melford house and its historic vista, and other public spaces. There is no greenway provided to link all activities and the proposed design does not function as or contribute to shared community space.



Comment: The Melford house and its historic vista and linkages to an open space network are not part of the subject detailed site plan.

- The application does not provide for linked open spaces. In this regard, the Community Planning North Division suggested that the applicant make an effort to delineate an open space system linking all open spaces and integrate them with the historic Melford house and other activities throughout the larger site.

Comment: The enhanced pedestrian network (including sidewalks, landscaped walkways through the parking lots, and a decorative crosswalk across Melford Boulevard), recommended in conditions below, would provide linkage of the open space afforded by the lower and upper ponds, the green space adjacent to the ponds, and green landscaping of the pedestrian allees through the parking lots.

- The application does not provide a sense of place; there is no attempt to create a design focused upon a village or main street theme; amenities as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining, and there is a lack of public space and attractive gateway/entry features.

Comment: A main street theme would be implemented by the enhanced streetscape along Melford Avenue suggested in a recommended condition below.

- There is no indication that outdoor amenities, such as benches, brick pavers, casabas, and other pedestrian amenities have been provided.

Comment: Benches, specialized paving, an observation deck on the upper pond, and other pedestrian amenities have been included in the design largely by recommended condition below.

- The location of loading, services, trash receptacles, and HVAC systems are not clearly depicted for the retail commercial pad structures.

Comment: The location of loading, services, trash receptacles and HVAC systems are required to be clearly shown on the site plan prior to signature approval and their location approved by the Urban Design Section as designee of the Planning Board.

- The crosswalks are not readily visible and it is not clear whether the proposed sidewalks are sufficient in size to contribute to a comfortable pedestrian environment. Logical and safe pedestrian crossings are not readily apparent, particularly on the western entry approach to the proposed office building.

Comment: In keeping with referral comments received from the trails coordinator and the Community Planning Section, the proposed pedestrian environment has been greatly improved in these respects by recommended conditions below.



- Although an effort has been made to make use of shared parking and landscaped islands, the applicant provides far more parking than required by the Zoning Ordinance, creating an expanse of impervious surface on the site.

Comment: The expanse of impervious surface is proposed to be articulated by landscaped pedestrian allees and its overall size is recommended to be reduced by the use of permeable paving for some of the parking as specified in a recommended condition below.

- The plan does not clearly show the required 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. Actually, no building or outdoor lighting specifications are shown on the plans.

Comment: A photometric plan has been submitted that is acceptable to staff, though a recommendation for cut-off lighting reducing light pollution is contained in a condition below.

- The plan does not provide green areas or public places that would be provided as per the plan to contribute to a more pedestrian-friendly environment and to help mitigate the amount of impervious surfaces proposed by the development.

Comment: The five pedestrian allees recommended by condition below would provide 13-foot-wide largely green elements in both parking lots and the use of permeable paving would reduce the size of the overall paved area.

- It is unclear from the plan as to whether or not restaurants contemplated as part of the plan have attractive outdoor eating areas with views of the public spaces/lakes or other natural features.

Comment: Extending the plazas and utilizing a main street theme as recommended by condition below would provide attractive outdoor eating areas with pleasant views.

- The initial phases of the project feature large expanses of impervious surfaces consisting of a large number of surface parking spaces and the two proposed buildings. It is unclear whether the plan minimizes impervious surfaces and, in later phases, to replace surface parking by the use of structured parking to the maximum extent possible.

Comment: Replacement of some of the planned asphalt by permeable paving and landscaped pedestrian allees as recommended by condition below would help minimize impervious surfaces, but the use of structured parking has been left to a later phase of the project.

- The plan does not meet the following guideline to any degree: "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.



Comment: The open space network will be extended through the site by pedestrian allees through the parking lots and the crosswalk to the lower pond and the pedestrian connection to the viewing platform on the upper pond.

In sum, the Community Planning North Division stated: "This application fails to provide elements that would create a sense of integrated place among the three proposed retail sites, office building, and the entire Melford development. It provides no pedestrian linkages nor does it establish any connections to the proposed development and the other section of the development. The three proposed retail sites and office building are separated by an automobile parking lot. Also, there are no pedestrian/trail and open space networks that can link to the rest of the Melford development. The applicant is not meeting the guidelines as stated in the master plan for retail development.

Comment: Recommended conditions below address the Community Planning Section's concerns.

**Transportation:** In a memorandum dated January 28, 2008, the Transportation Planning Section stated that they had reviewed the subject plan with respect to the larger Maryland Science and Technology Center development and the requirements of the approvals of A-9401, CDP-8601, and Preliminary Plan of Subdivision 4-88030. Further, they noted that the preliminary plan and the CDP approvals established a square footage cap for the initial phase of 1.95 million square feet, and Preliminary Plan of Subdivision 4-98076 affirmed a trip cap of 2,200 AM and 2,600 PM peak-hour vehicle trips for all remaining development. The Transportation Planning Section then specifically enumerated all the relevant conditions of the previous approvals, noting particularly that the subject plan is in conformance.

**Subdivision:** In a memorandum dated February 26, 2008, the Subdivision Section offered the following:

The property is the subject of Preliminary Plan 4-98076 and record plat PM 220@61, and is known as Lots 1 and 2A Block 3. The preliminary plan resolution contains 17 conditions. The following conditions are applicable to the review of this DSP:

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

Subdivision Staff Comment: The property has been rezoned pursuant to the *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment*, to the M-X-T Zone. The basic plan, which had previously rezoned the property to the E-I-A Zone, was changed by the 2006 SMA, and previous CDPs no longer apply to this property.



2. Development of this site shall be in conformance with the approved stormwater management concept plan. The approval number and date shall be added to the preliminary plat prior to signature approval.

Urban Design Comment: The City of Bowie has jurisdiction over approving the stormwater management concept plan for the project.

3. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP I/44/98) or as modified by the Type II TCP. The following note shall be placed on the final plat of subdivision:

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

Urban Design Comment: This requirement has a trigger different than approval of the subject detailed site plan.

4. With the approval of specific design plans, a Type II tree conservation plan shall be approved.

Subdivision Staff Comment: A TCPII should be approved with the DSP.

Urban Design Comment: TCPII/36/99-06 is recommended to be approved subject to conditions together with the detailed site plan.

5. The following note shall be placed on the final plat:

“An automatic fire suppression system shall be provided in all proposed buildings.”

Urban Design Comment: A recommended condition below requires the placement of this note on the subject detailed site plan.

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

Subdivision Staff Comment: Conformance to this condition should be determined by the Transportation Planning Section prior to the approval of the DSP.



Urban Design Comment: Although the Transportation Planning Section stated that the project is in conformance with this requirement, staff has brought the condition forward as a recommended condition of the subject project.

As indicated above, the site is the subject of record plat PM 220@61 recorded in 2007, which was a resubdivision (24-108(a)(3)) of the original record plat CH 192@8. The record plat contains seven plat notes and a statement regarding the use of common parking and access easements. The statement indicates that the common parking and access to the uses on each lot in this subdivision as shown on the plat (attached) is provided through internal driveways or access easements. The plat notes are consistent with the Planning Board's resolution of approval (PGCPB Resolution No. 99-28A) and have been addressed above.

The record plat does contain a number of easements that should be clearly delineated on the site plan and labeled to ensure that improvements do not interfere with the purposes and requirements of the easement.

Urban Design Comment: Although conformance with stormwater management is, in this case, under the jurisdiction of the City of Bowie and transportation and environmental issues have been dealt with through separate review, staff has included the Subdivision Section's other suggestions regarding the need for installation of a fire suppression system and to clearly identify all easements on the detailed site plan so that the development thereon does not interfere with their purposes or requirements.

**Trails:** In a memorandum dated February 27, 2008, the trails coordinator stated that Melford Boulevard is a master plan bikeway and, as such, should be properly signed and bike lanes designated or striped. Further, noting that internal sidewalk connections had been provided, including connections to a small observation platform to be provided on the southern end of the building proximate to the adjacent existing "Upper Pond," he suggested that more pedestrian amenities should be provided in conformance with the Melford illustrative concept and the approved Bowie and Vicinity Master Plan.

More specifically, while the greenway system and open space network envisioned in the Melford illustrative concept (master plan, page 193) is largely west of the subject site and the lower pond across the street for the subject site includes an existing asphalt trail around its perimeter, serving as a recreational and visual attraction for neighboring uses, no significant connection is made to the subject site. He suggested that the best way to connect the subject site with this existing amenity and greenway network would be via the roadway bisecting Block 3 at Science Circle as a sidewalk included along this road, and a pedestrian crosswalk with a pedestrian refuge is indicated at this point across Melford Boulevard to the existing lake and trail. A pedestrian refuge, he noted, is often the single-most important feature in improving the safety of an at-grade pedestrian crossing. Further, he supported decorative treatment of the crosswalk, as did the City of Bowie and Urban Design staff.



Further, the trails coordinator suggested additional pedestrian connections be made and more features added. He suggested that better sidewalk or walkway connections be made within the subject property to better accommodate pedestrian traffic between the office buildings approved on the site, the three retail buildings and Melford Boulevard, without requiring pedestrians to walk in the travel aisles of the parking lot. Citing the *Approved Master Plan for Bowie and Vicinity*, he said the inclusion of linked open space and a focus on an enhanced pedestrian environment are supported by Master Plan Notes 5 and 6 on page 13. More specifically, he suggested the inclusion of two pedestrian walkways through the parking lot between Building 3B and the retail buildings and three through the parking lot immediately west of Building 3B. In closing, he expressed support of a decorative crosswalk and the suggestion of a main street streetscape along Melford Boulevard. The trails coordinator's recommendations have been included as conditions below.

**Parks:** In a memorandum dated February 1, 2008, the Department of Parks and Recreation (DPR) offered the following comments regarding the subject application's conformance to the following enumerated parks-related conditions of CSP-06002, District Council Resolution SP-06002.

**Condition 18:** Prior to the approval of any DSP, the applicant shall dedicate to M-NCPPC approximately 108 acres, including but not limited to 100-year floodplain and the floodplain buffer, as shown on DPR Exhibit "A."

**Condition 19:** Land to be conveyed is subject to the following Conditions 1-9 in 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, M-NCPPC, along with the final plat.
2. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
3. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits that include such property.
4. The land to be conveyed shall not be disturbed or filled in any way without the **prior written consent** of DPR. If the land is to be disturbed, 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 DPR within two weeks prior to applying for grading permits.
5. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR



shall review and approve the location and design of these facilities. DPR may require a performance bond and easement 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. 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 DPR.
8. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
9. No stormwater management facilities, or tree conservation or utility easements, shall be proposed on land owned by or to be conveyed to M-NCPPC.

Department of Parks and Recreation Comment: The applicant had not conveyed the 100-year floodplain and floodplain buffer to M-NCPPC. DPR staff recommends conveyance of the parkland prior to signature approval of the first of the following detailed site plans: DSP-07072, DSP-06096 or DSP-07031.

Urban Design Comment: A recommended condition below would require such conveyance.

**Condition 29: 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 park.**

Department of Parks and Recreation Comment: There are no roads currently extending to the future parkland. The applicant is planning to submit a preliminary plan of subdivision for the eastern portion of the property that will provide public access to the parkland. Since the applicant is required to dedicate approximately 108 acres to M-NCPPC prior to approval of any detailed site plan, the public access to the parkland cannot be planned at this time. However, DPR staff recommends that temporary public access should be provided from the public street to the parkland at a location mutually agreed on by DPR and the applicant.

Urban Design Comment: This access is not relevant to this application.

In addition, DPR recommended additional conditions regarding the property to be conveyed as part of this application that have been included in the recommendation section of this report.



**Permits:** In a memorandum dated October 12, 2007, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

**Environmental Planning:** In a memorandum dated February 21, 2008, the Environmental Planning Section offered the following:

*Site Description*

The 23.49-acre property identified as Lots 1 and 2 of Block 3 is part of the 431.55-acre Melford (Maryland Science and Technology Center) site that is zoned M-X-T. Lot 1 of Block 2 is located in the northwest quadrant of Science Drive and Melford Boulevard. The larger Melford site is located in the northeast quadrant of the intersection of US 50 and US 3/301. 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 poses 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 approved General Plan.

*Conformance with Conceptual Site Plan CSP-06002*

With respect to compliance with the environmentally related conditions of the relevant conceptual site plan, the Environmental Planning Section offered the following. The respective conditions are in bold type face, the associated comments are in standard type face:

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.**

Comment: The CSP is pending certification; however, the proposed limits of disturbance shown on the revised TCPII are in general conformance with the TCPI approved by the Planning Board with the CSP.



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

The applicable conditions have only been addressed for this lot within the Melford site but not on the entire TCPII, because the sheets for those other areas were not submitted. Although the DSP only covers a limited area of the site, the TCPII must cover the entire area of the TCPII associated with CSP-06002, and it must meet those conditions prior to certification of this DSP.

Recommended Condition: Prior to certification of the DSP, the TCPII shall be revised to include all the necessary sheets included in TCPII/36/99-06 so that the entire Melford site is included and that plan shall be in conformance with the conceptual site plan (CSP-06002) and the associated TCPI (TCPI/36/99-02) and all conditions of approval.

Recommended Condition: Prior to certification of the DSP, the TCPII shall be revised to add the following note: "The -07 revision to this TCPII is associated with the approval of DSP-07072."



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 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: 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.**

Comment: The submitted TCPII and DSP propose surface parking throughout the site within this application. 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 construction of the parking spaces above the maximum requirement should be designed with permeable paving or other applicable design method that will allow natural infiltration on the site.

Recommended Condition: Prior to certification of the detailed site plan, the DSP and TCPII shall demonstrate the use of alternative parking methods and 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.

Urban Design Comment: In lieu of this condition, staff is suggesting displacing some of the parking with landscaped pedestrian allees and using permeable paving only adjacent to the upper pond.

- 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: 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 proposes to clear the entire 3.33 acres of on-site woodland. This clearing is consistent with the TCPI approved with the CSP.

- 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.

In the February 21, 2008, memorandum, the Environmental Planning Section offered the following further review:

1. The site has a natural resource inventory that includes a forest stand delineation (FSD) that is currently under review. The FSD was found to meet the requirements of the technical manual. The overall site contains a total of 175 acres of woodland on the net tract. The current application does not cover the entire Melford site; however, the area of woodland for this application is correctly shown on the plan.

Comment: As discussed in the previous section, the TCPII will be revised prior to certification of the DSP to cover the entire site.

2. 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/44/98-02, was in conjunction with CSP-06002. The CSP is pending certification and the TCPI is pending signature approval.

Comment: A revised Type II tree conservation plan has been submitted and was found to meet the requirements of the Woodland Conservation Ordinance for the subject site. The TCPII proposes the clearing of the on-site woodland for the area within this application. The plan shows the provision of 0.05 acre of preservation and 2.00 acres of afforestation on this portion of the site to meet the overall requirements. The proposed clearing and woodland conservation for the subject site is in conformance with the approved TCPI.



The plan does not show the required utility easements for the site. This information should be shown on the plan to ensure the proposed woodland conservation will not be placed in public utility easements and storm drain easements.

**Recommended Condition:** Prior to certification of the detailed site plan, the TCPII shall be revised to show all required easements on the site.

3. A copy of the stormwater management concept plan approval letter and plan were not included in the submittal of the DSP. Concept approval is required prior to certification of the DSP.

**Recommended Condition:** Prior to certification of the detailed site plan, submit copies of the approved stormwater management concept plan and letter. The concept must be correctly reflected on the TCPII.

The Environmental Planning Section's suggestions are incorporated into the recommendation section of this report.

**Fire Department:** At the time of this writing, staff has not received comment from the Prince George's Fire Department.

**Department of Public Works and Transportation (DPW&T):** In a memorandum dated February 5, 2008, DPW&T stated that because the project is located within the incorporated limits of the City of Bowie it would not impact any county-maintained roadways and the stormwater management concept plan for the project would be approved by the City of Bowie.

**Washington Suburban Sanitary Commission (WSSC):** In an e-mail dated October 15, 2007, WSSC stated that they are not allowed to have structures within the public utility easement, but only to cross it with a pipeline. WSSC, in their comments, supported Verizon in stating that a ten-foot public utility easement must be delineated inside of and adjacent to the front property line facing the street. A condition to this effect is included in the recommendation section of this report.

**Maryland State Highway Administration (SHA):** In a memorandum dated November 13, 2007, a representative of the SHA, mentioning their long-term plan to develop US 301, from US 50 to the interchange at TB, as a six-lane freeway with service roads on one or both sides of the highway in varying locations, impacting uses located within the US 301 right-of-way, noted that the proposed development is not located within in the right-of-way.

**Verizon:** In e-mails dated October 15, 2007, and October 17, 2007, Verizon indicated that they would need a ten-foot unobstructed (by their definition this may include WSSC pipes crossing in more or less a perpendicular fashion) public utility easement. A recommended condition below would require that such public utility easement be shown.



**City of Bowie:** In a letter dated December 6, 2007, the City of Bowie stated that the City Council, after conducting a public hearing on the project on December 3, 2007, unanimously recommended approval of the project subject to the following conditions. Staff has included each recommended condition in bold face type and followed it by staff comment:

1. **Prior to final signature approval of the project, applicant shall comply with the following:**
  - a. **The *Landscape Manual's* minimum height of 12 to 14 feet for shade trees (8-10 feet for minor shade trees) shall be indicated on the landscape plan for the project.**

Comment: A condition below would require the addition of this information to the landscape plan for the project.

- b. **The applicant shall provide continuous sidewalk connectivity between all of the buildings on the site and the adjoining public street sidewalks, especially those leading to the Lower Pond.**
  - i. **A decorative crosswalk shall be provided across Melford Boulevard to the Lower Pond.**
  - ii. **A decorative crosswalk shall be provided across the drive aisle south of the circle leading to the parking compound.**
  - iii. **A decorative pathway shall be provided through the parking lot between the office building and the retail buildings.**

Comment: These requirements are included in the conditions below.

- c. **The plans shall be revised such that there are no more than 15 parking spaces without an island along the southern portion of the site.**

Comment: Staff concurs that the addition of landscaping on the southern portion of the site would provide a better transition to the green area adjacent. A condition requiring a 15-parking-space maximum without a landscape island has been included in the recommendation section of this report.

- d. **The applicant shall design three public amenity spaces: a 'Viewing Area' adjacent to the Upper Pond along the sidewalk located between the retail buildings and Telsa Drive; a 'Mainstreet' streetscape along Melford Boulevard in front of the retail buildings; and two (2) courtyard areas between the three (3) retail buildings leading from the 'Main Street' areas to the 150,000 square foot office building.**



- i. **The scenic 'Viewing Area' shall have decorative paving and interpretative signage describing the native plants and wildlife in the Upper Pond, the reasons for utilizing native plants, and the advantages to the Chesapeake Bay.**
- ii. **The 'Main Street' area shall have decorative pavers, tree grates, outdoor seating, decorative lighting and plantings to create a streetlike rhythm between the retail buildings and Melford Boulevard.**
- iii. **The two (2) courtyards shall be gateway areas that are accessible, safe, and comfortable and have decorative paving with potted plants and/or vines, decorative lighting and some benches that create a unique sense of place between the parking area and 'Main Street.'**

Comment: Staff concurs that these improvements would upgrade the quality of the development to the standards outlined in the relevant conceptual plan. Therefore, staff has incorporated the suggestions as conditions in the recommendation section of this report.

- e. **The square footage of all the signage and the height of the monument sign shall be consistent with other approved signage and monument signs in the Melford development.**

Comment: A condition below would require the applicant to take an inventory of all existing signage on the site.

- f. **The applicant shall submit a separate detailed site plan for signage for the retail site or revise the site plan such that the square footage of all of the signage and the height of the monument sign is consistent with other approved signage and monument signs in the Melford**

Staff Comment: A recommended condition below would require submission of such plan or such revision of the site plan.

- 2. **Prior to issuance of any new sign permits for the Melford development, the developer shall survey the overall development for all existing and approved signage and shall submit a more unified signage program for the entire Melford development that complies with the approved comprehensive design plan and the recently approved conceptual site plan.**

Comment: Such condition is included in the recommendation section of this report.



**3. No fast food franchises or drive through facilities shall be located within the proposed retail buildings.**

Comment: The architectural form of the retail should be the focus of the control. If a fast food franchise can fit into the preexisting architectural form without insistence on utilizing its standard corporate footprint, it should not be ruled out. Staff, however, concurs that drive-through facilities are not fitting in the type retail sought here, i.e., primarily to service the population that works and can walk to the retail buildings. Staff has included a condition in the recommendation section of this report that would prohibit drive-through establishments and minimize the negative impacts of having fast food franchises locate in the subject buildings.

**4. The number of handicapped parking spaces shall be increased by 10 spaces.**

Comment: The applicant has complied with the Zoning Ordinance requirement for handicapped spaces. Staff does not recommend increasing the number of handicapped parking spaces as suggested.

**5. The applicant shall defer construction of 100 parking spaces until there is a demonstrated need for these spaces.**

Comment: Since a recommended condition of this approval requires a redesign of the parking areas to include landscaped pedestrian allees and the construction of some permeable parking, staff does not concur that the applicant be required to defer construction of 100 parking spaces until such time as need is demonstrated.

**In addition, the Bowie City Council recommended that, as a consideration, the applicant consider constructing Green Buildings, including such features as a green roof.**

Comment: In view of recent interest in and commitment to investigating green building construction and LEED certification, staff supports incorporation of "green" features into the building construction and encourages the applicant to employ such features in these buildings. As the subject application is the last opportunity for Planning Board review, however, staff does not recommend that a formal "consideration" be part of the approval.

**Sherwood Manor Civic Association (SMCA):** In a letter dated January 28, 2008, SMCA recommended approval of DSP-07072 provided the applicant reduce impervious surfaces in compliance with Condition 20a of Conceptual Site Plan CSP-06002. More specifically, they recommended approval contingent on the following revisions to the plans:

1. That the number of parking spaces be reduced to 447; and
2. Ten percent of the parking spaces or approximately 45 will be paved with permeable materials.



Comment: Staff generally concurs with the intent of SMCA's recommendations. Condition 20a would be complied with by (1) the addition of several green corridors through the parking lot and a concomitant reduction in the overall number of parking spaces, and (2) the use of some permeable paving. Staff notes that these measures are in lieu of the structured parking recommended by the relevant comprehensive planning document. Staff has incorporated these suggestions into the recommendation section of this report.

14. 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 APPROVED the Type II Tree Conservation Plan (TCPII/36/99-06) and further APPROVED Detailed Site Plan DSP-07072 for the above-described land, subject to the following conditions:

1. Prior to signature approval the applicant shall revise the plans or provide documents as follows:
  - a. The "future building pad site" label and the dashed-in building footprint in the same location shall be removed from the plans.
  - b. All required loading spaces shall be clearly identified on the site plan.
  - c. An unobstructed ten-foot public utility easement shall be shown inside of and adjacent to the front property line facing the street, or alternative arrangement shall be made with all affected utilities and written evidence provided to that effect.
  - d. The applicant shall correct Note 6 of the site data for Lot 1 to include retail, restaurant and bank in addition to "office" for the proposed land use to be developed on the site.
  - e. TCPI/44/98-02 and CSP-06002 shall have obtained signature approval.
  - f. The TCPII shall be revised to include all the necessary sheets included in TCPII/36/99-06 so that the entire Melford site is included and that plan shall be in conformance with the conceptual site plan (CSP-06002) and the associated TCPI (TCPI/36/99-02) and all conditions of approval.
  - g. The TCPII shall be revised to add the following note: "The -07 revision to this TCPII is associated with the approval of DSP-07072."
  - h. The detailed site plan and TCPII shall be revised to show and label all required easements on the site.



- i. The applicant shall submit copies of the approved stormwater management concept plan and letter to staff and shall have it correctly reflected on the TCPII and detailed site plan.
- j. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be clearly delineated and detailed on the site plan.
- k. Applicant shall add a note to the plans that a fire suppression system shall be provided in all of the proposed buildings.
- l. The “typical pedestrian light” specified in the photometric plan submitted for the project shall be replaced with a similar cut-off light fixture that would minimize light pollution from the site.
- m. Parking schedule shall be revised to delete all reference to a future building to be placed on the pad site.
- n. The applicant shall add the *Landscape Manual’s* minimum height of 12 to 14 feet for shade trees (or 8 to 10 feet for minor shade trees) to the landscape plans for the project.
- o. The number of parking spaces to be provided for the project shall be reduced by the addition of five pedestrian allees and the line of 67 parking spaces most directly adjacent to the upper pond shall be paved with permeable paving materials. Final plans for the pedestrian allees and parking areas shall be approved by the Urban Design Section as designee of the Planning Board.
- p. The applicant shall design three public amenity spaces: a ‘Viewing Area’ adjacent to the Upper Pond along the sidewalk located between the retail buildings and Telsa Drive; a “Mainstreet” streetscape along Melford Boulevard in front of the retail buildings; and two courtyard areas between the three retail buildings leading from the “Main Street” areas to the 150,000-square-foot office building.
  - i. The scenic “Viewing Area” shall have decorative paving, an observation pavilion with benches and interpretative signage describing the native plants and wildlife in the Upper Pond, the reasons for utilizing native plants, and the advantages to the Chesapeake Bay.
  - ii. The “Main Street” area along Melford Boulevard shall have decorative pavers, tree grates, outdoor seating, decorative lighting and plantings to create a street-like rhythm between the retail buildings and Melford Boulevard.
  - iii. The two courtyards shall be gateway areas that are accessible, safe, and comfortable and have decorative paving with potted plants and/or vines,



decorative lighting and some benches that create a unique sense of place between the parking area and "Main Street."

Construction details for the above amenities shall be reviewed and approved in accordance with applicant's exhibits relating to the viewing area, "Main Street" and courtyards by the Urban Design Section as designee of the Planning Board.

- q. A maximum of 15 parking spaces shall be situated between landscape islands on the southern portion of the site.
- r. A note shall be added to the plans stating that no drive-through facilities will be permitted in the buildings and that any "fast food" tenants be subject to a staff level revision of the detailed site plan if any alterations to signage and or the architectural elevations are anticipated in order to accommodate the fast food tenant.
- s. The applicant shall provide two sidewalk connections or designated pedestrian walkways through the parking lot between Building 3B and the retail component as specified by the trails coordinator in his memorandum dated February 27, 2008. Design of the allees shall include a five-foot paved area flanked on either side by a four-foot landscaped strip. Final design shall be approved by the Urban Design Section as designee of the Planning Board.
- t. The applicant shall provide three sidewalk connections or designated pedestrian walkways through the parking lot on the west side of Building 3B as specified by the trails coordinator in his memorandum dated February 27, 2008. Design of the allees shall include a five-foot paved area flanked on either side by a four-foot landscaped strip. Final design shall be approved by the Urban Design Section as designee of the Planning Board.
- u. All temporary signage shall either be removed from the site or attached to the exterior facades of one of the buildings. Such temporary signage shall be removed from the site within a six-month period after the use and occupancy permit is issued for the project.
- v. Applicant shall utilize decorative paving for all crosswalks to be included in the project which shall match the size, color and materials currently used in the cross walks for the existing office building on Lot 1 and one such decorative crosswalk shall be added across the drive aisle south of the circle leading to the parking compound.
- w. A chart listing all development existing and/or approved by a detailed or specific design plan shall be included in the plans approved for all additional development on the site and its square footage shall be included for the purpose of tracking floor area ratio and permitted residential density.
- x. A note shall be added to the plans stating that any further development of this property that would generate more than 2,200 AM and 2,605 PM peak-hour trips will require a new traffic impact study.



- y. The TCPII shall be revised to correctly show the 150-foot, 100-year floodplain buffer.
  - z. Prior to certification of the detailed site plan, the TCPII and detailed site plan shall be revised to show all water, sewer and stormdrain connections and their associated easements. The plan shall also show the ten-foot public utility easement. No woodland conservation shall be shown in any easements.
  - aa. The applicant must submit the findings of the Phase II investigations for archeological sites 18PR164 and 18PR165 in the form of a draft report to be reviewed by staff before a final report for the work can be accepted in compliance with Conditions 21 and 22 of Conceptual Site Plan CSP-06002.
  - bb. The number of handicapped parking spaces shall be increased by 10 spaces.
2. 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 (signed by the WSSC Assessment Supervisor), shall be submitted to the Department of Parks and Recreation for their review. Upon approval by the Department of Parks and Recreation, the deed shall be recorded in the land records of Prince George's County.
3. The following conditions shall apply to the property to be conveyed to M-NCPPC:
- a. 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 the approval of a final plat for the property.
  - b. The land to be conveyed shall not be disturbed or filled in any way without prior written consent of the Department of Parks and Recreation. If the land is to be disturbed, the Department of Parks and Recreation 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 of M-NCPPC) shall be submitted to the Department of Parks and Recreation within two weeks prior to applying for grading permits.
  - c. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Department of Parks and Recreation shall review and approve the location and design of these facilities. The Department of Parks and Recreation may require a performance bond and easement agreement prior to issuance of grading permits.



- d. 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 Department of Parks and Recreation shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
  - e. All existing structures shall be removed from the property to be conveyed unless the applicant obtains the written consent of the Department of Parks and Recreation.
  - f. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
  - g. The land to be conveyed to the Department of Parks and Recreation 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, 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, the Department of Parks and Recreation may require the applicant to relocate said easements.
  - h. No stormwater management facilities or tree conservation or utility easements (other than typical PUEs associated with the edge of public right-of-way) shall be proposed on land owned by or to be conveyed to M-NCPPC without prior written consent of the Department of Parks and Recreation. The Department of Parks and Recreation shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.
  - i. A temporary 20-foot-wide easement shall be recorded along with the parkland dedication deed to provide suitable vehicular access to the parkland until the public roads are extended to the parkland.
- 4. Restoration of Melford and outbuildings must be completed prior to issuance of use and occupancy permits for any new office use to be included in the three speculative restaurant/retail/office buildings.
  - 5. At the time of building permit, if expected six-unit per configuration of the proposed building changes, the parking schedule shall be revised and parking on the site modified accordingly.
  - 6. The applicant shall consider utilizing "green" building construction techniques and attempt to fulfill at least the basic standard for Leadership in Energy and Environmental Design (LEED) certification.



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 Cavitt, seconded by Commissioner Vaughns, with Commissioners Cavitt, Vaughns and Parker voting in favor of the motion, and with Commissioner Squire and Clark absent at its regular meeting held on Thursday, March 13, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of April 2008.

Oscar S. Rodriguez  
Executive Director

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

OSR:FIG:RG:bjs

APPROVED AS TO LEGAL SUFFICIENCY.

*Berge*  
Berge

Date 3/26/08



CERTIFICATE OF APPROVAL

MELFORD PROPERTY, BLOCK 3  
DSP-07072-01

This Detailed Site Plan was approved on March 25, 2021 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 to revise the architectural elevations for materials, cornice, and awnings, and increase the gross floor area of each of the three retail buildings to 8,167 square feet.

The Planning Director's approval of this Detailed Site Plan is consistent with the required findings in Section 27-289 of the Prince George's County Zoning Ordinance. The conditions of the original approval shall remain in full force and effect.

This approval includes:

- 1 Cover Sheet
- 1 Approval Sheet
- 3 Detailed Site Plans
- 5 Landscape Plans
- 6 Detail Sheets
- 1 Photometric Plan
- 4 Architectural Elevations

**Any departure from this plan shall be resubmitted to the Planning Board for approval.**

**CERTIFIED ON: 3/25/21 BY AUTHORITY OF:**  
**The Prince George's County Planning Board**

Signed: \_\_\_\_\_  
Andree Green Checkley, Esq.  
Planning Director  
Prince George's County Planning Department



**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**SITTING AS THE DISTRICT COUNCIL**  
**2006 Legislative Session**

Resolution No. CR-11-2006  
Proposed by The Chairman (by request – Planning Board)  
Introduced by Council Members Dean, Exum, Harrington and Dernoga  
Co-Sponsors \_\_\_\_\_  
Date of Introduction February 7, 2006

**RESOLUTION**

1 A RESOLUTION concerning

2           The Master Plan and Sectional Map Amendment for Bowie and Vicinity  
3 For the purpose of Approving the Master Plan and Sectional Map Amendment for Bowie and  
4 Vicinity thereby defining long range land use and development policies, and setting forth and  
5 adopting detailed zoning proposals in Planning Areas 71A, 71B, 74A, and 74B, for the area  
6 generally bounded by the Patuxent River to the east and northeast; the Beltsville Agricultural  
7 Research Center and Patuxent Wildlife Research Center to the northwest; Springfield Road,  
8 Hillmeade Road, Enterprise Road, and Watkins Park Drive to the west; and Oak Grove Road,  
9 Leeland Road, and District Branch to the south.

10           WHEREAS, the Master Plan and Sectional Map Amendment for Bowie and Vicinity  
11 amends the 1991 *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for*  
12 *Bowie-Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A, and 74B*; the 2002  
13 *Prince George's County Approved General Plan*; the 2005 *Countywide Green Infrastructure*  
14 *Functional Master Plan*; the 1982 *Master Plan of Transportation*; the 1983 *Functional Master*  
15 *Plan for Public School Sites*; the 1990 *Public Safety Master Plan*; the 1992 *Prince George's*  
16 *County Historic Sites and Districts Plan*; and the 1975 *Countywide Trails Plan with the 1985*  
17 *Equestrian Addendum*; and

18           WHEREAS, the master planning area covers the City of Bowie and the surrounding area;  
19 and

20           WHEREAS, the purpose of the Master Plan and Sectional Map Amendment for Bowie  
21 and Vicinity is to develop visions, goals, policies, strategies, and appropriate zoning to



1 implement a comprehensive policy plan for the Bowie and Vicinity area, in accordance with the  
2 goals and policies of the 2002 *Prince George's County Approved General Plan*; and

3 WHEREAS, the Master Plan and Sectional Map Amendment for Bowie and Vicinity  
4 contains a zoning proposal known as the sectional map amendment (SMA), intended to  
5 implement the land use recommendations of the master plan for the foreseeable future; and

6 WHEREAS, a public forum was held on June 5, 2003, where the public had an  
7 opportunity to provide comments on the issues and possible strategies presented in the Public  
8 Forum Information Brochure; and

9 WHEREAS, the District Council approved the Goals, Concepts and Guidelines and the  
10 Public Participation Program on September 30, 2003; and

11 WHEREAS, as part of the public participation program, focus groups were formed, to  
12 examine planning issues for the Developing Tier, the Rural Tier, the Bowie Regional Center  
13 identified by the 2002 General Plan, and future mixed-use activity centers including the Old  
14 Town Bowie area; and

15 WHEREAS, a charrette process was then determined to be the form of public  
16 participation to be used for input in the preparation of the master plan; and

17 WHEREAS, a pre-charrette meeting was held on September 1, 2004, to develop visions  
18 for the following seven focus areas: Developing Tier, Rural Tier, Bowie Regional Center, Old  
19 Town Bowie, West Bowie Village, Bowie Main Street, and Pointer Ridge; and

20 WHEREAS, a community-wide public charrette was held from September 8 to 13, 2004,  
21 to assist in developing land use plan concepts and urban design schemes for the master plan; and

22 WHEREAS, prior to publishing the preliminary plan, the Planning Board of The  
23 Maryland-National Capital Park and Planning Commission submitted the plan to the District  
24 Council and the County Executive, for review of the sufficiency of planned public facilities; and

25 WHEREAS, the Planning Board of The Maryland-National Capital Park and Planning  
26 Commission granted permission to print the preliminary plan and proposed sectional map  
27 amendment on March 31, 2005; and

28 WHEREAS, the District Council and the Planning Board of The Maryland-National  
29 Capital Park and Planning Commission held a duly advertised joint public hearing on the  
30 *Preliminary Master Plan and Proposed Sectional Map Amendment (SMA) for Bowie and*  
31 *Vicinity* on May 17, 2005; and



1 WHEREAS, on July 14, 2005, the Planning Board of The Maryland-National Capital  
2 Park and Planning Commission held a public worksession to examine the testimony presented at  
3 the May 17, 2005 joint public hearing on the *Preliminary Master Plan and Proposed Sectional*  
4 *Map Amendment Bowie and Vicinity*; and

5 WHEREAS, on July 28, 2005, the Planning Board of The Maryland-National Capital  
6 Park and Planning Commission, in response to the public hearing testimony, adopted the master  
7 plan and endorsed the sectional map amendment with revisions, as described in Prince George's  
8 County Planning Board Resolution PGCPB No. 05-169, and transmitted the master plan,  
9 sectional map amendment, and supporting documents and a comprehensive rezoning proposal  
10 (A-9968) to the District Council on September 9, 2005; and

11 WHEREAS, the District Council held a first worksession on September 20, 2005, to  
12 consider public hearing testimony, and proposed a number of amendments to the plan and  
13 sectional map amendment; and

14 WHEREAS, the District Council held a second worksession on October 18, 2005, to  
15 finalize all proposed amendments and to announce a second public hearing on amendments; and

16 WHEREAS, the District Council and the Planning Board of The Maryland-National  
17 Capital Park and Planning Commission held a duly advertised second public hearing to allow  
18 public comment on proposed amendments described in Council Resolution 77-2005 on  
19 November 22, 2005; and

20 WHEREAS, the District Council held a worksession on November 29, 2005, and adopted  
21 Council Resolution 90-2005, approving the Master Plan and Sectional Map Amendment for  
22 Bowie and Vicinity, with amendments to the Zoning Map, as stated in Council Resolution  
23 90-2005; and

24 WHEREAS, at the worksession on November 29, 2005, the District Council determined,  
25 after discussion, that questions had been raised about the sufficiency of the notice prior to the  
26 hearing on November 22, 2005, and the Council decided, in order to address these and related  
27 questions, and to assure citizens and property owners that the master plan and sectional map  
28 amendment had been properly adopted and approved, in accordance with all requirements of  
29 law, that Council Resolution 90-2005 would be reconsidered and that the Adopted Master Plan  
30 and Endorsed Sectional Map Amendment for Bowie and Vicinity would be readvertised, given  
31 further public notice, and then reviewed in an additional public hearing; and



1 WHEREAS, the District Council and the Planning Board of The Maryland-National Capital  
2 Park and Planning Commission held a third public hearing on January 31, 2006, to allow public  
3 comment on the recommended amendments as described in Council Resolution 1-2006.

4 WHEREAS, the District Council held a worksession on February 7, 2006, and adopted  
5 Council Resolution 11-2006, approving the Master Plan and Sectional Map Amendment for  
6 Bowie and Vicinity, with amendments to the Zoning Map; and

7 WHEREAS, the District Council, having reviewed supporting materials submitted as part  
8 of the comprehensive rezoning proposal (A-9968) and examined the testimony presented at the  
9 second public hearing, finds that the accumulated record, with County plans and policies,  
10 justifies the zoning changes within this SMA.

11 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
12 County, sitting as the District Council for that part of the Maryland-Washington Regional  
13 District in Prince George's County, Maryland, that the Master Plan and Sectional Map  
14 Amendment for Bowie and Vicinity, as adopted and endorsed by The Maryland-National Capital  
15 Park and Planning Commission on July 28, 2005, is hereby approved, with the amendments  
16 stated below; and

17 BE IT FURTHER RESOLVED that upon approval by the District Council, this master plan  
18 amends the 2002 *Prince George's County Approved General Plan*; the 1991 *Approved Master*  
19 *Plan and Adopted Sectional Map Amendment (SMA) for Bowie-Collington-Mitchellville and*  
20 *Vicinity, Planning Areas 71A, 71B, 74A, and 74B*; the 2005 *Countywide Green Infrastructure*  
21 *Functional Master Plan*; the 1982 *Master Plan of Transportation*; the 1983 *Functional Master*  
22 *Plan for Public School Sites*; the 1990 *Public Safety Master Plan*; the 1992 *Prince George's*  
23 *County Historic Sites and Districts Plan*; and the 1975 *Countywide Trails Plan with the 1985*  
24 *Equestrian Addendum*, the approved master plan containing revisions, extensions, deletions, and  
25 additions presented at the public hearing and in response to the public hearing record; and

26 BE IT FURTHER RESOLVED that the conditions and findings have been attached to a  
27 previously approved zoning application which were adopted in the Sectional Map Amendment  
28 for Planning Areas 71A, 71B, 74A, and 74B, as described in Council Resolution 22-1991, are  
29 considered part of this Sectional Map Amendment where the previous Zoning category has been  
30 maintained and noted on the Zoning Map; and  
31



1 BE IT FURTHER RESOLVED that the Adopted Master Plan and Sectional Map  
 2 Amendment is approved with the following amendments:

**AMENDMENT 1**

Change the zoning of the Autotech property, located on the south side of MD 450, east of Superior Lane.

**Location:** **Existing Zone:** C-S-C **Proposed Zone:** C-M

**Legal Description:** Account: 0726539 Street Address: 015711 ANNAPOLIS RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: N/A, Property Description: PARCEL A

**AMENDMENT 2**

Change the zoning of properties north and south of MD 450 generally between MD 3 and Race Track Road. Properties north of MD 450 and west of the Public Works road are to be zoned R-E. Properties north of MD 450 and east of the Public Works road are to be zoned O-S. Properties south of MD 450 are to be zoned R-A.

**Location:** **Existing Zone:** R-R **Proposed Zone:** R-A

**Legal Description:** Account: 0692756 Street Address: 000000 ANNAPOLIS RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: N/A, Property Description: PT OF LT 1-A EQ .4180 AC

**Existing Zone:** R-R **Proposed Zone:** R-A

Account: 0712570 Street Address: 007096 CRAIN HWY NW

Lot: N/A, Block: N/A, Section: N/A, Parcel: 55, Property Description: WHITEMARSH PT PAR 55 (.24A DFR ST MD EF 12/15/99L13573 F89 00)

**Existing Zone:** R-R **Proposed Zone:** R-A

Account: 0712588 Street Address: 000000 ANNAPOLIS RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: N/A, Property Description: OUTLOT

**Existing Zone:** R-R **Proposed Zone:** R-A

Account: 0712604 Street Address: 000000 ANNAPOLIS RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 60, Property Description: WHITE MARSH

**Existing Zone:** R-R **Proposed Zone:** R-E

Account: 1594761 Street Address: 016200 ANNAPOLIS RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 61, Property Description: N/A

**Existing Zone:** O-S **Proposed Zone:** R-E

Account: 1594753

Street Address: 000000 ANNAPOLIS RD BOWIE, MD 20715-0000

Lot: N/A Block: N/A Section: N/A Parcel: 01 Property Description: PT of Parcel 1, located north of MD 450 and west of Parcel 48, EQ. 6.36 acres

**Existing Zone:** R-R **Proposed Zone:** O-S

Account: 1594753

Street Address: 000000 ANNAPOLIS RD BOWIE, MD 20715-0000

Lot: N/A Block: N/A Section: N/A Parcel: 01 Property Description: PT of Parcel 1, located north of MD 450 and east of Parcel 48, EQ. 1.36 acres



**Existing Zone: R-R Proposed Zone: R-A**

Account: 0796425

Street Address: 016301 Annapolis Road

Lot: N/A, Block: N/A, Section: N/A, Parcel: N/A, Property Description: WHITEMARSH, PT OF LT 1-A EQ 29.4012 AC

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0801563

Street Address: 0000000 Annapolis Road

Lot: N/A, Block: N/A, Section: N/A, Parcel: N/A, Property Description: WHITEMARSH, PT OF LOT 1-A EQ 4.4059 AC

**AMENDMENT 3**

Change the zoning of the Cornerstone Assembly property located north of MD 450 and east of Race Track Road.

**Location:**

**Legal Description:**

**Existing Zone: R-R Proposed Zone: R-E**

Account: 1594720 Street Address: 016010 ANNAPOLIS RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: N/A, Property Description: PARCEL A CHURCH & 7/99 TEMP CLASS RMS

**AMENDMENT 4**

Change the zoning of properties in the median of US 301 and MD 3.

**Location:**

**Legal Description:**

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0664110 Street Address: 000801 CRAIN HWY NE

Lot: N/A, Block: N/A, Section: N/A, Parcel: 100, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0664128 Street Address: CRAIN HWY

Lot: N/A, Block: N/A, Section: N/A, Parcel: 125, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0664185 Street Address: 000901 NORTH CRAIN HWY

Lot: N/A, Block: N/A, Section: N/A, Parcel: 12, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0665935 Street Address: 002605 CRAIN HWY NW

Lot: N/A, Block: N/A, Section: N/A, Parcel: 29, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0667139 Street Address: 000803 CRAIN HWY NW

Lot: N/A, Block: N/A, Section: N/A, Parcel: 81, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0669572 Street Address: 006501 CRAIN HWY S

Lot: N/A, Block: N/A, Section: N/A, Parcel: 7, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0689216 Street Address: 000123 CRAIN HWY SE

Lot: N/A, Block: N/A, Section: N/A, Parcel: 141, Property Description: (PARCEL CHANGE PER OWNER APPR 2004)

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0689224 Street Address: 000127 CRAIN HWY SE

Lot: N/A, Block: N/A, Section: N/A, Parcel: 107, Property Description: N/A



**Existing Zone: R-R Proposed Zone: R-R**

Account: 0699454 Street Address: 006301 CRAIN HWY NW  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 10, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0706655 Street Address: CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 66, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0712620 Street Address: 000000 CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 56, Property Description: WHITE  
MARSH

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0713545 Street Address: CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 36, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0719443 Street Address: 000151 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 68, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0727891 Street Address: 000000 CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 75, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0727917 Street Address: 001200 CRAIN HWY NE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 10, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0728675 Street Address: 000001 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 22, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-R**

Account: 0731257 Street Address: CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 78, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0731372 Street Address: 000007 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 142, Property Description: (LAC PER  
SUR TRS & PARCEL # CHANGE 2004)

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0731539 Street Address: 000700 CRAIN HWY NE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 111, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-R**

Account: 0731638 Street Address: 002011 CRAIN HWY NW  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 143, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0733386 Street Address: 000802 CRAIN HWY NE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 18, Property Description: N/A



**Existing Zone: R-R Proposed Zone: R-E**

Account: 0735928 Street Address: 002251 CRAIN HWY NW  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 139, Property Description: (LAC PER  
SUR TRS 2002-03)

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0735977 Street Address: 000149 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 69, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0735985 Street Address: 000137 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 99, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0739466 Street Address: 000107 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 60, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0739474 Street Address: 000121 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 64, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-R**

Account: 0739482 Street Address: 000109 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 61, Property Description: (PT IMPS  
RAZED 5-1-04)

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0739516 Street Address: 000125 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 65, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0739532 Street Address: 000119 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 57, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0739540 Street Address: 016401 OLD CENTRAL AVE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 136, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0739649 Street Address: CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 56, Property Description: 43560 SQ FT &  
1.50ACRES

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0739706 Street Address: 016405 OLD CENTRAL AVE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 58, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-R**

Account: 0739714 Street Address: OLD CENTRAL AVE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 19, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-R**

Account: 0743575 Street Address: 000803 CRAIN HWY NW  
Lot: N/A, Block: N/A, Section: N/A, Parcel: N/A, Property Description: PT LOT 1 EQ  
.5830 ACRES



**Existing Zone: R-R Proposed Zone: R-A**

Account: 0788091 Street Address: 002201 CRAIN HWY NW  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 44, Property Description: N/A

**Existing Zone: RA Proposed Zone: R-A**

Account: 0796078 Street Address: CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 6, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0796243 Street Address: 000133 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 67, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-R**

Account: 0815225 Street Address: 000902 CRAIN HWY NE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 132, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0816900 Street Address: CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 94, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0822239 Street Address: CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 4, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Account: 0822684 Street Address: 000117 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 63, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-R**

Account: 0822692 Street Address: 000111 CRAIN HWY SE  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 62, Property Description: (ENTIRE IMPS  
RAZED 4/1/02)

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0824110 Street Address: 006203 CRAIN HWY NW  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 12, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-R**

Account: 0824177 Street Address: 000155 CRAIN HWY SE  
Lot: 1, Block: N/A, Section: N/A, Parcel: N/A, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-A**

Account: 0824391 Street Address: CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 53, Property Description: N/A

**Existing Zone: R-R Proposed Zone: R-E**

Accounts: 0824854 and 3199718 Street Address: 006311 CRAIN HWY NW  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 30, Property Description: PT PAR 30  
(.994 A TO ACCT 3199718 HTC 99)

**Existing Zone: R-R Proposed Zone: R-R**

Account: 3199718 Street Address: 006311 NORTHWEST CRAIN HWY  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 30, Property Description: PT PAR 30  
(SET UP NEW FROM 0824854 HTC 99)



The following property is a “research property” owned by the State of Maryland at the intersection of US 301 and MD 214. The state Department of Assessment and Taxation does not identify a property tax account number of legal description for this site.

**Existing Zone:** N/A **Proposed Zone:** R-A

Account: N/A Street Address: N/A N/A N/A N/A

Lot: N/A, Block: N/A, Section: N/A, Parcel: N/A, Property Description: N/A

## **AMENDMENT 5**

Change the zoning of M-NCPPC owned property to place them in the least intense zoning categories available, based on their size.

### **Location:**

### **Legal Description:**

**Existing Zone:** R-R **Proposed Zone:** O-S

Account: 1706290 Street Address: 000000 TRIPLE CROWN RD

Lot: , Block: A, Section: , Parcel: , Property Description: PLAT 1 PARCEL E

**Existing Zone:** R-R **Proposed Zone:** O-S

Account: 3456019 Street Address: 000000 MOCKINGBIRD LN

Lot: , Block: , Section: , Parcel: , Property Description: PARCEL A

**Existing Zone:** R-55 **Proposed Zone:** O-S

Account: 1580174 Street Address: 000000 4TH ST

Lot: , Block: 3, Section: , Parcel: , Property Description: LOTS 6.7.8.9 & EAR OT  
LOTS 10.11.12.13

**Existing Zone:** R-R **Proposed Zone:** O-S

Account: 3259306 Street Address: 000000 FALLING WATER CT

Lot: , Block: A, Section: , Parcel: , Property Description: SUBJ TO AGTX PARCEL E

**Existing Zone:** R-A **Proposed Zone:** O-S

Account: 3593498 Street Address: 000000 BLACK BRANCH WAY

Lot: , Block: B, Section: , Parcel: , Property Description: OUTLOT A (TOWN  
ANNEXATION 2005)

**Existing Zone:** R-R **Proposed Zone:** O-S

Account: 1625904 Street Address: 013514 AR-ROWWOOD LN

Lot: 1, Block: D, Section: , Parcel: , Property Description:

**Existing Zone:** R-R **Proposed Zone:** O-S

Account: 1626449 Street Address: 007300 OLD CHAPEL DR

Lot: 4, Block: G, Section: , Parcel: , Property Description:

**Existing Zone:** R-R **Proposed Zone:** O-S

Account: 1626423 Street Address: 007304 OLD CHAPEL DR

Lot: 2, Block: G, Section: , Parcel: , Property Description:

**Existing Zone:** R-R **Proposed Zone:** O-S

Account: 1626431 Street Address: 007302 OLD CHAPEL DR

Lot: 3, Block: G, Section: , Parcel: , Property Description:

**Existing Zone:** RL **Proposed Zone:** O-S

Account: 3363256 Street Address: 000000 NEW ACADIA LN

Lot: , Block: , Section: , Parcel: , Property Description: PARCEL K



**Existing Zone: R-80 Proposed Zone: O-S**

Account: 0732966 Street Address: 000000 KINGS MANOR DR  
Lot: , Block: 70, Section: , Parcel: , Property Description: PLAT 49 OUTLOT A

**Existing Zone: R-55 Proposed Zone: O-S**

Account: 0696302 Street Address: 000000 COLLINGTON RD  
Lot: , Block: 180, Section: 56, Parcel: , Property Description: BELAIR PARCEL D

**Existing Zone: R-E Proposed Zone: O-S**

Account: 2861615 Street Address: 001913 SOUTHWOOD CT  
Lot: , Block: G, Section: , Parcel: , Property Description: PARCEL A EQ 37,842SF

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1646009 Street Address: 11TH ST  
Lot: , Block: , Section: , Parcel: , Property Description: PT PARCEL 3 EQ.8841  
ACRES

**Existing Zone: R-A Proposed Zone: O-S**

Account: 0801191 Street Address: 003603 CRAIN HWY NE  
Lot: , Block: , Section: , Parcel: 21, Property Description: (1AC FR 0801209 EF 96)

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1645993 Street Address: 11TH ST  
Lot: , Block: , Section: , Parcel: , Property Description: RECREATION CENTER  
PARCEL 2

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1707405 Street Address: 000000 LAUREL BOWIE RD  
Lot: , Block: , Section: , Parcel: 15, Property Description:

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1700962 Street Address: 000000 OLD CHAPEL RD  
Lot: , Block: , Section: , Parcel: 17, Property Description:

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1706787 Street Address: 008300 MYRTLE AVE  
Lot: , Block: A, Section: , Parcel: , Property Description: PLAT 2 PT PARCEL A EQ  
1.4652 ACRES

**Existing Zone: R-80 Proposed Zone: O-S**

Account: 0785253 Street Address: WHITEHOLM DR  
Lot: , Block: 41, Section: , Parcel: , Property Description: PLAT 28 PT PARCEL B EQ  
1.5070 ACRES

**Existing Zone: R-R Proposed Zone: O-S**

Account: 0727917 Street Address: 001200 CRAIN HWY NE  
Lot: , Block: , Section: , Parcel: 10, Property Description:

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1671080 Street Address: 000000 CHESTNUT RD  
Lot: , Block: , Section: , Parcel: 84, Property Description: HIGH BRIDGE

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1634526 Street Address: 000000 EASTER SEAL LN  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL A



**Existing Zone: R-R Proposed Zone: O-S**

Account: 0713545 Street Address: CRAIN HWY  
Lot: , Block: , Section: , Parcel: 36, Property Description:

**Existing Zone: R-R Proposed Zone: O-S**

Account: 3456027 Street Address: 000000 MOCKINGBIRD LN  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL E

**Existing Zone: R-L Proposed Zone: O-S**

Account: 3362555 Street Address: 000000 NEW ACADIA LN  
Lot: , Block: A, Section: , Parcel: , Property Description: PARCEL H

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0742825 Street Address: 000000 DOLPHIN WAY  
Lot: , Block: D, Section: , Parcel: , Property Description: PLAT 3 PARCEL A

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0707679 Street Address: 000000 MAN O WAR DR  
Lot: , Block: E, Section: , Parcel: , Property Description: PLAT 4 PARCEL A

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1634245 Street Address: 000000 GALAXY LN  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL A

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1634716 Street Address: 000000 MADDOX LN  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL B

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0742692 Street Address: 014801 MOUNT OAK RD  
Lot: , Block: C, Section: , Parcel: , Property Description: PLAT 3 PT PARCEL B  
EQ 3.0301 ACRES

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1625987 Street Address: OLD CHAPEL DR  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL C

**Existing Zone: M-X-C Proposed Zone: O-S**

Account: 3418449 Street Address: 000000 HILLMEADE RD  
Lot: , Block: E, Section: , Parcel: , Property Description: PARCEL B

**Existing Zone: M-X-C Proposed Zone: O-S**

Account: 3478526 Street Address: 000000 TRADE ROW  
Lot: , Block: I, Section: , Parcel: , Property Description: PARCEL J

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0743468 Street Address: 014800 MOUNT OAK RD  
Lot: , Block: K, Section: , Parcel: , Property Description: PLAT 8 PARCEL B

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1634708 Street Address: 000000 EASTER SEAL LN  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL A



**Existing Zone: R-R Proposed Zone: O-S**

Account: 0816900 Street Address: CRAIN HWY  
Lot: , Block: , Section: , Parcel: 94, Property Description:

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1625995 Street Address: OLD CHAPEL DR  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL A

**Existing Zone: R-R Proposed Zone: O-S**

Account: 3259348 Street Address: 000000 FALLING WATER CT  
Lot: , Block: A, Section: , Parcel: , Property Description: SUBJ TO AGTX  
PARCEL D

**Existing Zone: R-80 Proposed Zone: O-S**

Account: 0696294 Street Address: HEMING LN  
Lot: , Block: 196, Section: 65, Parcel: , Property Description: PARCEL A

**Existing Zone: R-80 Proposed Zone: O-S**

Account: 0754408 Street Address: OAKEN DR  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL A

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1656131 Street Address: RESTON LN  
Lot: , Block: 256, Section: 93, Parcel: , Property Description: N PT PAR A  
EQ 4.60 ACRES

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0743369 Street Address: 000000 DER-RICK CT  
Lot: , Block: C, Section: , Parcel: , Property Description: PLAT 6 PT PARCEL A  
EQ 4.7448 AC

**Existing Zone: R-S Proposed Zone: O-S**

Account: 0786251 Street Address: 000000 EASTHAVEN LN  
Lot: , Block: B, Section: , Parcel: , Property Description: PARCEL B

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1651132 Street Address: 000000 CHESTNUT RD  
Lot: , Block: , Section: , Parcel: 235, Property Description: HIGH BRIDGE

**Existing Zone: R-80 Proposed Zone: O-S**

Account: 0785261 Street Address: WHITEHOLM DR  
Lot: , Block: 41, Section: , Parcel: , Property Description: PLAT 28 PARCEL B EX  
1.5070 ACRES

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0743450 Street Address: 014900 MOUNT OAK RD  
Lot: , Block: K, Section: , Parcel: , Property Description: PLAT 8 PARCEL A

**Existing Zone: R-55 Proposed Zone: O-S**

Account: 0696286 Street Address: STONE HAVEN LN  
Lot: , Block: 19, Section: 06, Parcel: , Property Description: PARCEL B

**Existing Zone: R-R Proposed Zone: O-S**

Account: 0768044 Street Address: 000000 ATLANTIS DR  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL M-1



**Existing Zone: R-R Proposed Zone: O-S**

Account: 3603073 Street Address: 000000 GOVERNORS BRIDGE RD  
Lot: , Block: J, Section: , Parcel: , Property Description: PARCEL B

**Existing Zone: R-T Proposed Zone: O-S**

Account: 0789669 Street Address: 000000 MITCHELLVILLE CT  
Lot: , Block: , Section: 01, Parcel: , Property Description: PARCEL C

**Existing Zone: R-L Proposed Zone: O-S**

Account: 3129350 Street Address: 012510 MARLEIGH DR  
Lot: , Block: B, Section: , Parcel: , Property Description: PARCEL G

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1626456 Street Address: OLD CHAPEL DR  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL B

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0707083 Street Address: 003400 SPECTACULAR BID CT  
Lot: , Block: B, Section: , Parcel: , Property Description: PLAT 2 PARCEL A  
MAP 62 GRID F-1

**Existing Zone: R-80 Proposed Zone: O-S**

Account: 1656123 Street Address: MOVCAN DR  
Lot: , Block: 153, Section: 46, Parcel: , Property Description: PARCEL B

**Existing Zone: R-R Proposed Zone: O-S**

Account: 3091659 Street Address: 014905 RIVER CHASE CT  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL E

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0743484 Street Address: 000000 MOUNT OAK RD  
Lot: , Block: L, Section: , Parcel: , Property Description: PLAT 8 PARCEL B

**Existing Zone: R-R Proposed Zone: O-S**

Account: 3259330 Street Address: 000000 FALLING WATER CT  
Lot: , Block: A, Section: , Parcel: , Property Description: SUBJ TO AGTX  
PARCEL C

**Existing Zone: R-80 Proposed Zone: O-S**

Account: 0774307 Street Address: 000000 KINGS AR-ROW ST  
Lot: , Block: 68, Section: , Parcel: , Property Description: PLAT 45 PARCEL B

**Existing Zone: R-80 Proposed Zone: O-S**

Account: 0785485 Street Address: PEACH WALKER DR  
Lot: , Block: 54, Section: 28, Parcel: , Property Description: BELAIR VILLAGE  
PARCEL A

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0743476 Street Address: 000000 MOUNT OAK RD  
Lot: , Block: L, Section: , Parcel: , Property Description: PLAT 8 PARCEL A

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1645951 Street Address: DUCKETTOWN RD  
Lot: , Block: , Section: , Parcel: , Property Description: LOCAL PARK PARCEL A



**Existing Zone: R-80 Proposed Zone: O-S**

Account: 1656149 Street Address: 012910 CLEARFIELD DR  
Lot: , Block: 203, Section: 68, Parcel: , Property Description: PT PARCEL B EQ  
9.9881 AC

**Existing Zone: R-L Proposed Zone: O-S**

Account: 3634128 Street Address: 000000 CHURCH RD  
Lot: , Block: , Section: , Parcel: , Property Description: PT PAR E EQ 10.13A

**Existing Zone: R-A Proposed Zone: O-S**

Account: 0785105 Street Address: 000000 CHURCH RD  
Lot: , Block: , Section: , Parcel: 18, Property Description: L3711 F243

**Existing Zone: R-S Proposed Zone: O-S**

Account: 0785410 Street Address: 003701 NORTHVIEW DR  
Lot: , Block: , Section: , Parcel: 4, Property Description:

**Existing Zone: R-80 Proposed Zone: O-S**

Account: 0750042 Street Address: 002809 NOTTINGHILL DR  
Lot: , Block: 1, Section: 14, Parcel: , Property Description: BELAIR VILLAGE  
PARCEL C EQ 10.6510 AC

**Existing Zone: R-R Proposed Zone: O-S**

Account: 0748558 Street Address: 001717 PITTSFIELD LN  
Lot: , Block: 30, Section: 09, Parcel: , Property Description: AT COLLINGTON  
PARCEL A

**Existing Zone: R-R Proposed Zone: O-S**

Account: 3091675 Street Address: 008550 RACE TRACK RD  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL D

**Existing Zone: R-L Proposed Zone: O-S**

Account: 3634110 Street Address: 000000 CHURCH RD  
Lot: , Block: , Section: , Parcel: , Property Description: PT PARCEL E EQ 11.90A

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1645985 Street Address: 013311 11TH ST  
Lot: , Block: , Section: , Parcel: , Property Description: PT PARCEL 1 EQ 12.3433  
ACRES

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1658269 Street Address: 000000 LEMONS BRIDGE RD  
Lot: , Block: , Section: , Parcel: 11, Property Description: BOWIE BRANCH OP  
(LAC PER SUR TRS 2001-2002)

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1645860 Street Address: 006800 HIGH BRIDGE RD  
Lot: , Block: , Section: , Parcel: 88, Property Description: HIGHBRIDGE REC CTR

**Existing Zone: R-E Proposed Zone: O-S**

Account: 0743377 Street Address: 000000 DER-RICK CT  
Lot: , Block: C, Section: , Parcel: , Property Description: PLAT 6 PT PAR B EQ  
12.6125 AC



**Existing Zone: R-L Proposed Zone: O-S**

Account: 3362530 Street Address: 000000 NEW ACADIA LN  
Lot: , Block: A, Section: , Parcel: , Property Description: PARCEL V SUBJ TO AGTX

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1658277 Street Address: 000000 LAUREL BOWIE RD  
Lot: , Block: , Section: , Parcel: 14, Property Description: OLD W B AND A ELEC  
R.R. R/W

**Existing Zone: R-L Proposed Zone: O-S**

Account: 3635901 Street Address: 000000 TURNER WOOTTON PKWY  
Lot: , Block: , Section: , Parcel: , Property Description: PT PARCEL I

**Existing Zone: M-X-C Proposed Zone: O-S**

Account: 3431830 Street Address: 000000 ANNAPOLIS RD  
Lot: , Block: , Section: , Parcel: 143, Property Description: (SET UP NEW FR #  
0712729 STR 2002)

**Existing Zone: R-E Proposed Zone: R-O-S**

Account: 3557741 Street Address: 000000 CHURCH RD  
Lot: , Block: A, Section: , Parcel: , Property Description: PARCEL A

**Existing Zone: R-L Proposed Zone: R-O-S**

Account: 3635893 Street Address: 000000 TURNER WOOTTON PKWY  
Lot: , Block: , Section: , Parcel: , Property Description: PT PARCEL I

**Existing Zone: O-S Proposed Zone: R-O-S**

Account: 1580141 Street Address: 000000 DUCKETTOWN RD  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL TWO

**Existing Zone: O-S Proposed Zone: R-O-S**

Account: 1618875 Street Address: 009306 OLD LAUREL BOWIE RD  
Lot: , Block: , Section: , Parcel: 2, Property Description:

**Existing Zone: M-X-C Proposed Zone: R-O-S**

Account: 3420197 Street Address: 012390 FAIRWOOD PKWY  
Lot: , Block: B, Section: , Parcel: , Property Description: PARCEL P

**Existing Zone: O-S Proposed Zone: R-O-S**

Account: 3056058 Street Address: 005211 GLENN DALE RD  
Lot: , Block: , Section: , Parcel: 182, Property Description: (ADDED BACK FROM  
STATE HWY 97/98) RAIL ROAD BED

**Existing Zone: M-X-C Proposed Zone: R-O-S**

Account: 3420296 Street Address: 000000 HILLMEADE RD  
Lot: , Block: G, Section: , Parcel: , Property Description: PARCEL A

**Existing Zone: R-R Proposed Zone: R-O-S**

Account: 2827715 Street Address: 004101 CRAIN HWY NE  
Lot: , Block: , Section: , Parcel: , Property Description: PT PAR A(6.8620AC COMB  
FR 3378064 ANNEX TO BOWIE 2001-02)

**Existing Zone: O-S Proposed Zone: R-O-S**

Account: 1580166 Street Address: 009500 OLD LAUREL BOWIE RD  
Lot: , Block: , Section: , Parcel: , Property Description: PARCEL FOUR



**Existing Zone: R-A Proposed Zone: R-O-S**

Account: 0801209 Street Address: 000000 CRAIN HWY

Lot: , Block: , Section: , Parcel: 21, Property Description: SUBJ TO AGTX (1.0 AC TO#0801191 FR#0801209 96/97)

**Existing Zone: R-A Proposed Zone: R-O-S**

Account: 0785188 Street Address: 013500 WOODMORE RD

Lot: , Block: , Section: , Parcel: 5, Property Description:

**Existing Zone: E-I-A Proposed Zone: R-O-S**

Account: 3422599 Street Address: 015811 COMMERCE CT

Lot: , Block: E, Section: , Parcel: , Property Description: PARCEL B (MAP 70)

**Existing Zone: O-S Proposed Zone: R-O-S**

Account: 1580133 Street Address: 000000 DUCKETTOWN RD

Lot: , Block: , Section: , Parcel: , Property Description: PARCEL ONE

**AMENDMENT 6**

Change the zoning of the Chesley-Gibraltar property located in the northeast quadrant of US 301 and Mill Branch Road.

**Location:**

**Legal Description:**

**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0711283 Street Address: 003805 CRAIN HWY NE

Lot: N/A, Block: N/A, Section: N/A, Parcel: 57, Property Description: PT PAR 57 (PRF REM TRS 2004)

**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0711291 Street Address: 003807 CRAIN HWY NE

Lot: N/A, Block: N/A, Section: N/A, Parcel: 57, Property Description: PT PAR 57 SUBJ TO AGTX (PREF GRANTED 04)

**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0735522 Street Address: CRAIN HWY

Lot: N/A, Block: N/A, Section: N/A, Parcel: 27, Property Description: N/A

**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0787663 Street Address: 000000 MILL BRANCH RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 59, Property Description: AGTX PD 9/21/99 TRS(AGR ASMT REMVD PER 2000 TRS)

**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0794511 Street Address: MILL BRANCH RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 52, Property Description: AGTX PD9/21/99TRS (AGR ASMT REMVD PER 2000 TRS)

**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0794529 Street Address: 000000 MILL BRANCH RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 71, Property Description: AGTX PD9/21/99TRS (AGR ASMT REMVD PER 2000 TRS)

**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0811398 Street Address: CRAIN HWY

Lot: N/A, Block: N/A, Section: N/A, Parcel: 20, Property Description: SUBJ TO AGTX-DECL 04/11/2001 ON 3.0500 AC



**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0811406 Street Address: CRAIN HWY

Lot: N/A, Block: N/A, Section: N/A, Parcel: 28, Property Description: SUBJ TO AGTX-DECL 04/11/2001 ON 8.9919 AC

**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0818575 Street Address: 000000 MILL BRANCH RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 58, Property Description: AGTX PD 9/21/99TRS (AGR ASMT REMVD PER TRS 2000)

**Existing Zone: R-A Proposed Zone: C-S-C**

Account: 0822254 Street Address: CRAIN HWY

Lot: N/A, Block: N/A, Section: N/A, Parcel: 32, Property Description:

**AMENDMENT 7**

Change the zoning of the property located on the north side of Leeland Road, west of US 301 (see PGCPB No. 05-178)

**Location:**

**Legal Description:**

**Existing Zone: E-I-A Proposed Zone: R-S**

Account: 0197194 Street Address: 015211 LEELAND RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 36, Property Description: HOMESITE (PT IMPS RAZED 5/1/04)

**Existing Zone: E-I-A Proposed Zone: R-S**

Account: 0197202 Street Address: 015315 LEELAND RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 36, Property Description: AG TX (1.49A TO 0197244 BNDRY LINE ADJ L17941 F194 04)

**Existing Zone: E-I-A/R-A Proposed Zones: R-S and I-1**

Account: 0670737 Street Address: LEELAND RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 30, Property Description: AG TX

**AMENDMENT 8**

Retain the zoning of the Santos property, located south of Old Annapolis Road (MD 450), west of the railroad tracks, and east of Woodcliff Road.

**Existing Zone: R-R Proposed Zone: R-R**

Account: 0804393 Street Address: 014217 WOODCLIFF CT

Lot: N/A, Block: N/A, Section: N/A, Parcel: 13, Property Description: (The endorsed SMA recommended the C-M Zone.)

**AMENDMENT 9**

Change the zoning for that part of the Bowie Race Track property between Race Track Road and the Patuxent River to O-S; retain R-R zoning on the property west of Race Track Road.

**Location:**

**Legal Description:**

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1679893 Street Address: 008311 RACE TRACK RD

Lot: N/A, Block: N/A, Section: N/A, Parcel: 11, Property Description: PT PAR 11 BOWIE RACE TRACK-SE3420 (32.6438 A IN SUB FOR97-98 #3089752)



**AMENDMENT 10**

Change the zoning of McLaughlin property located east of MD 197 and north of Rustic Hill Road.

**Location:**  
**Legal Description:**

**Existing Zone: R-R Proposed Zone: O-S**  
Account: 1649292 Street Address: 008201 LAUREL BOWIE RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 193, Property Description: (11.46 AC COMB FR 2958932 PER OWR REQUEST 03/04)

**AMENDMENT 11**

Change the zoning of the Berwyn Road and Gun Club property located east of MD 197 and north of Rustic Hill Road.

**Location:**  
**Legal Description:**

**Existing Zone: R-R Proposed Zone: O-S**  
Account: 1579234 Street Address: 000000 LAUREL BOWIE RD  
Lot: , Block: , Section: , Parcel: 192, Property Description:

**Existing Zone: R-R Proposed Zone: O-S**  
Account: 1579242 Street Address: 008311 LAUREL BOWIE RD  
Lot: , Block: , Section: , Parcel: 141, Property Description:

**Existing Zone: R-R Proposed Zone: O-S**  
Account: 1699073 Street Address: 008305 LAUREL BOWIE RD  
Lot: , Block: , Section: , Parcel: 223, Property Description: (LAC PER SUR 2003)

**AMENDMENT 12**

Change the zoning of the Northpeake property, located south of Race Track Road.

**Location:**  
**Legal Description:**

**Existing Zone: L-A-C Proposed Zone: O-S**  
Account: 2925907 Street Address: 000000 RACE TRACK RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 338, Property Description: PT PAR 338 (PAR # CHG PER TRS 99)

**Existing Zone: L-A-C Proposed Zone: O-S**  
Account: 3237229 Street Address: 000000 RACE TRACK RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 338, Property Description: PT PAR 338 (SET UP NEW FR 1683077 STR 99)

**AMENDMENT 13**

Change the zoning of the Northpeake property, located south of Race Track Road.

**Location:**  
**Legal Description:**

**Existing Zone: R-S Proposed Zone: O-S**  
Account: 1583657 Street Address: 000000 BOWIE RACE TRACK RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 212, Property Description: N/A

**Existing Zone: R-R Proposed Zone: O-S**  
Account: 1590850 Street Address: 000000 BOWIE RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 224, Property Description: N/A

**Existing Zone: R-S Proposed Zone: O-S**  
Account: 1620137 Street Address: 000000 LAUREL BOWIE RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 178, Property Description: (L 9722 F 722)



**AMENDMENT 14**

Change the zoning of properties located in the southwest quadrant of Race Track Road and Jericho Park Road.

**Location:**  
**Legal Description:**

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1587070 Street Address: 008710 RACE TRACK RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 59, Property Description: N/A

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1613694 Street Address: 009016 RACE TRACK RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 53, Property Description: PT PAR 53 (PRF REM & LAC TRS 05)

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1613728 Street Address: 009008 RACE TRACK RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 216, Property Description: (PRF REM & LAC PER SUR TRS 2005)

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1627165 Street Address: 008706 RACE TRACK RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 58, Property Description: N/A

**Existing Zone: R-R Proposed Zone: O-S**

Account: 1655562 Street Address: 008910 RACE TRACK RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 55, Property Description: BOWIE

**AMENDMENT 15**

Uphold SMA Change Number 6 for the Spriggs-Mills Property, located west of US 301, north of Mitchellville Road. from page 88 of the endorsed sectional map amendment, as below:

**Location:**  
**Legal Description:**

**Existing Zone: R-R Proposed Zone: C-M**

Account: 0740993 Street Address: 001807 MITCHELLVILLE RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 16, Property Description: N/A

**Existing Zone: R-R Proposed Zone: C-M**

Account: 0788331 Street Address: 000000 MITCHELLVILLE RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 42, Property Description: SUBJ TO AGTX L6887 F271(T-DT 1/3/95 L9963F169)

**Existing Zone: R-R Proposed Zone: C-M**

Account: 0788349 Street Address: MITCHELLVILLE RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 175, Property Description: AG TX

**Existing Zone: R-R Proposed Zone: C-M**

Account: 0815720 Street Address: 001910 CRAIN HWY NW  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 171, Property Description:

**Existing Zone: R-R Proposed Zone: C-M**

Account: 3437092 Street Address: 000000 MITCHELLVILLE RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 181, Property Description: SUBJ TO AGTX (NEW FROM 0788331 STR 2002)



**AMENDMENT 16**

Change the zoning of the Zehner property, located south of US 50, west of Patuxent River, and north of Governor's Bridge Road.

**Location:**  
**Legal Description:**

**Existing Zone:** V-L **Proposed Zone:** O-S

Account: 0825547 Street Address: 016800 GOVERNORS BRIDGE RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 4, Property Description: HOMESITE

**Existing Zone:** V-L **Proposed Zone:** O-S

Account: 0825554 Street Address: 016810 GOVERNORS BRIDGE RD  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 4, Property Description: AG TX

**AMENDMENT 17**

Change the zoning of the property located southwest of the intersection of US 50 and MD 197.

**Location:**  
**Legal Description:**

**Existing Zone:** C-O **Proposed Zone:** R-18

Account: 0731695 Street Address: 000000 NEBRASKA LN  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 75, Property Description: N/A

**Existing Zone:** C-O **Proposed Zone:** R-18

Account: 2793974 Street Address: 000000 NORTHVIEW DR  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 81, Property Description: N/A

**Existing Zone:** C-O **Proposed Zone:** R-18

Account: 2805299 Street Address: 000000 NORTHVIEW DR  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 80, Property Description: (TRSDT S/B 3/2/93 L8771F311 TRDT S/B11/16/86L6256 F241)

**Existing Zone:** C-O **Proposed Zone:** R-18

Account: 2837474 Street Address: 000000 NORTHVIEW DR  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 84, Property Description: N/A

**Existing Zone:** C-O **Proposed Zone:** R-18

Account: 2837482 Street Address: 000000 NORTHVIEW DR  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 85, Property Description: PT PAR 85 EQ .0298 AC (.0830 AC TO ACCT 3072998 PER MCF 97-98)

**Existing Zone:** C-O **Proposed Zone:** R-18

Account: 3032414 Street Address: 000000 HEALTH CENTER DR  
Lot: N/A, Block: N/A, Section: N/A, Parcel: 95, Property Description: (IMPS TO#3267044, 3267069, 3267051 FOR 7/1/99 SPL)

**Existing Zone:** C-O **Proposed Zone:** R-18

Account: 3072980 Street Address: 000000 NORTHVIEW DR  
Lot: N/A, Block: 1, Section: N/A, Parcel:, Property Description: PT PAR C EQ. .7370 (.7370 FRM ACCT #3032414 PER MCF 97-98)

**AMENDMENT 18**

Modify the endorsed sectional map amendment to reduce the area of the proposed Old Town Bowie Development District Overlay Zone (DDOZ). The following properties are proposed to have a DDOZ superimposed on either the C-S-C (Commercial Shopping Center) or I-1 (Light Industrial) Zones.

**Location:**  
**Legal Description:**

**Existing Zone:** C-S-C **Proposed Zone:** C-S-C/D-D-O

Account: 1570431 Street Address: 013009 9TH ST  
Lot: LOT, Block: 100, Section: , Parcel: 261, Property Description:



**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1571751 Street Address: 000000 RAILROAD AVE  
Lot: , Block: , Section: , Parcel: 268, Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1586262 Street Address: 9TH ST  
Lot: 50, Block: 17, Section: , Parcel: , Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1586312 Street Address: 013006 9TH ST  
Lot: , Block: 17, Section: , Parcel: , Property Description: E 40 FT LTS 9,10, 11,12 & 13 REAR OF LOTS

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1586403 Street Address: 000000 CHESTNUT RD  
Lot: , Block: , Section: , Parcel: 313, Property Description:

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**  
Account: 1587302 Street Address: 008401 ZUG RD  
Lot: , Block: , Section: , Parcel: 110, Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1587948 Street Address: 008705 MAPLE AVE  
Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 5.6.7.8 & ADJ 75 SQ FT NCONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1592476 Street Address: WASHINGTON AVE  
Lot: , Block: , Section: , Parcel: 270, Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1593649 Street Address: 013039 RAILROAD AVE  
Lot: , Block: , Section: , Parcel: 208, Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1594001 Street Address: WASHINGTON AVE  
Lot: , Block: , Section: , Parcel: 206, Property Description: (CHG TO AC NOT IN SUB 05)

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1594027 Street Address: 013005 9TH ST  
Lot: , Block: , Section: , Parcel: 264, Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1594035 Street Address: 9TH ST  
Lot: , Block: , Section: , Parcel: 265, Property Description: LT 40X125 FT

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1594423 Street Address: WASHINGTON AVE  
Lot: , Block: 100, Section: , Parcel: 262, Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1594431 Street Address: 013005 9TH ST  
Lot: , Block: , Section: , Parcel: 267, Property Description: (T-DT S/B 10-6-45 L797 F36)



**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1614585 Street Address: 008604 CHESTNUT AVE  
Lot: 16, Block: 18, Section: , Parcel: , Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1615178 Street Address: 008606 CHESTNUT AVE  
Lot: 17, Block: 18, Section: , Parcel: , Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1616705 Street Address: 008700 CHESTNUT AVE  
Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 69 THRU 75

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1618545 Street Address: WASHINGTON AVE  
Lot: , Block: , Section: , Parcel: 207, Property Description: (CHG TO AC NOT IN SUB 05)

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**  
Account: 1622547 Street Address: 000000 RAILROAD AVE  
Lot: , Block: , Section: , Parcel: 104, Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1622745 000000 RAILROAD AVE  
Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 17.18 (COR USE)

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1623529 Street Address: 008520 CHESTNUT AVE  
Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 10.11.12 NCONF USE-HOUSE

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**  
Account: 1627496 008410 ZUG RD  
Lot: , Block: , Section: , Parcel: 108, Property Description: N CONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1627538 Street Address: 013050 9TH ST  
Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 53.54.55

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**  
Account: 1627546 Street Address: 008418 ZUG RD  
Lot: , Block: , Section: , Parcel: 209, Property Description: N CONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1627553 Street Address: 000000 9TH ST  
Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 56 THRU 62 & 400 SQ FT EQ ABND PT OF 10 FT ALLEY

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1630292 Street Address: 008602 CHESTNUT AVE  
Lot: , Block: 18, Section: , Parcel: , Property Description: LOTS 13.14.15

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**  
Account: 1630300 Street Address: 008521 CHESTNUT AVE  
Lot: , Block: 31, Section: , Parcel: , Property Description: LTS 1,2



**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1630318 Street Address: 008519 CHESTNUT AVE

Lot: , Block: 31, Section: , Parcel: , Property Description: LOTS 3,4,5 & 6 NCONF  
USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1641737 Street Address: 013025 11TH ST

Lot: , Block: 19, Section: , Parcel: , Property Description: LTS 6.7.8.9

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1651199 Street Address: 013034 RAILROAD AVE

Lot: , Block: 18, Section: , Parcel: , Property Description: LOTS 5.6

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1652452 Street Address: 013030 RAILROAD AVE

Lot: , Block: 18, Section: , Parcel: , Property Description: LTS 7 THRU 10

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1652460 Street Address: 013024 11TH ST

Lot: , Block: 18, Section: , Parcel: , Property Description: LOTS 11 & 12 N-CONF  
USE-HOUSE

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**

Account: 1652817 Street Address: 008420 ZUG RD

Lot: , Block: , Section: , Parcel: 105, Property Description: BOWIE LOT NCONF  
USE-HOUSE

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**

Account: 1652965 Street Address: 012950 RAILROAD AVE

Lot: , Block: , Section: , Parcel: 251, Property Description: WYE AREA SHEET 1  
(CORR FINAL W/CHNG 2002 REASSMT)

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1655620 Street Address: 013030 9TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 51.52

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1656552 Street Address: 013010 9TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: LOT 47 & W 5 FT LF LOT  
48 L5975 F869

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1656560 Street Address: 013012 9TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: LT 49 & E 15 FT LT 48 &  
300 SQ FT EQ PT ABND ALLEY L5975 F869

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**

Account: 1656982 Street Address: 008407 ZUG RD

Lot: , Block: , Section: , Parcel: 109, Property Description:

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**

Account: 1657832 Street Address: 008421 ZUG RD

Lot: , Block: , Section: , Parcel: 106, Property Description: (IMPS RAZED FOR 99  
REA)



**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**

Account: 1657865 Street Address: 008419 ZUG RD

Lot: , Block: , Section: , Parcel: 107, Property Description: (IMPS RAZED FOR 99 REA)

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**

Account: 1667997 Street Address: 008333 ZUG RD

Lot: , Block: , Section: , Parcel: 271, Property Description:

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1671981 Street Address: 000000 8TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: LOT 38 & 700 SQ FT ABND ALLEY (COR USE)

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1671999 Street Address: CHESTNUT AVE

Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 67.68

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1672005 Street Address: 008710 CHESTNUT AVE

Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 63,64,65 & 66 NCONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1672583 Street Address: 000000 12TH ST

Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 19 THRU 31

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1673359 Street Address: 000000 CHESTNUT AVE

Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 13.14

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**

Account: 1684042 Street Address: 008415 ZUG RD

Lot: , Block: , Section: , Parcel: 174, Property Description: NCONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1692466 Street Address: 013031 9TH ST

Lot: , Block: , Section: , Parcel: 112, Property Description: CORP 44 F301

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1694421 Street Address: 000000 CHESTNUT AVE

Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 15.16 NCONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1694520 Street Address: 013002 9TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: W 85 FT LTS 9.10.11.12.13

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1698869 Street Address: 013001 11TH ST

Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 1 THRU 5 CONF USE-HOUSE



**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1701341 Street Address: 008610 CHESTNUT AVE

Lot: , Block: 18, Section: , Parcel: , Property Description: LTS 3,4 & PT LTS 1& 2 EX PT TO ST OFMD

**Existing Zone: C-S-C Proposed Zone: C-S-C/D-D-O**

Account: 1701358 Street Address: CHESTNUT AVE

Lot: , Block: 18, Section: , Parcel: , Property Description: PT LOT 18 EQ 2043 SQ FT

**Existing Zone: I-1 Proposed Zone: I-1/D-D-O**

Account: 1710268 Street Address: 000000 CHESTNUT AVE

Lot: , Block: , Section: , Parcel: 129, Property Description:

**Existing Zone: C-S-C Proposed Overlay Zone: C-S-C/D-D-O**

Account: 1586296 Street Address: 013007 8TH ST

Lot: , Block: 17 , Section: , Parcel: , Property Description: PT PARCEL A

**Existing Zone: C-S-C Proposed Overlay Zone: C-S-C/D-D-O**

Account: 1607142 Street Address: 8TH ST

Lot: , Block: 17 , Section: , Parcel: , Property Description: LOTS 35.36.37 & 300 SQ FT ABND ALLEY

**Existing Zone: C-S-C Proposed Overlay Zone: C-S-C/D-D-O**

Account: 1594043 Street Address: WASHINGTON AVE

Lot: , Block: 100 , Section: , Parcel: 263, Property Description: R R AVE BOWIE LOT 64.9X148 FT

**Existing Zone: I-1 Proposed Overlay Zone: C-S-C/D-D-O**

Account: 1658137 Street Address: 000000 RAILROAD AVE

Lot: , Block: , Section: , Parcel: 111, Property Description: WYE AREA SHEET 1 OP PUBLIC UTILITY OPERATING PROPERTY

**Existing Zone: I-1 Proposed Overlay Zone: C-S-C/D-D-O**

Account: 1583137 Street Address: Zug Road

Lot: , Block: , Section: , Parcel: 143, Property Description:

**AMENDMENT 19**

Retain existing zoning (R-R and R-55 Zones) on residential properties located in the Old Town Bowie Mixed-Use Activity Center (by deleting endorsed SMA change number 10 and portions of SMA change number 9). Revise the land use map to designate these areas for residential, Low-Density land uses. Uphold the Endorsed SMA Zoning Change for commercial properties from the C-S-C (Commercial Shopping Center) Zone to the M-U-I (Mixed-Use Infill) Zone as follows below. A Development District Overlay Zone (DDOZ) is superimposed on the M-U-I zoned properties.

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1570431 Street Address: 013009 9TH ST

Lot: LOT, Block: 100, Section: , Parcel: 261, Property Description:

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1571751 Street Address: 000000 RAILROAD AVE

Lot: , Block: , Section: , Parcel: 268, Property Description:



**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1586262 Street Address: 9TH ST  
Lot: 50, Block: 17, Section: , Parcel: , Property Description:

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1586312 Street Address: 013006 9TH ST  
Lot: , Block: 17, Section: , Parcel: , Property Description: E 40 FT LTS 9,10, 11,12 & 13 REAR OF LOTS

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1586403 Street Address: 000000 CHESTNUT RD  
Lot: , Block: , Section: , Parcel: 313, Property Description:

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1587948 Street Address: 008705 MAPLE AVE  
Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 5.6.7.8 & ADJ 75 SQ FT NCONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1592476 Street Address: WASHINGTON AVE  
Lot: , Block: , Section: , Parcel: 270, Property Description:

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1593649 Street Address: 013039 RAILROAD AVE  
Lot: , Block: , Section: , Parcel: 208, Property Description:

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1594001 Street Address: WASHINGTON AVE  
Lot: , Block: , Section: , Parcel: 206, Property Description: (CHG TO AC NOT IN SUB 05)

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1594027 Street Address: 013005 9TH ST  
Lot: , Block: , Section: , Parcel: 264, Property Description:

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1594035 Street Address: 9TH ST  
Lot: , Block: , Section: , Parcel: 265, Property Description: LT 40X125 FT

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1594423 Street Address: WASHINGTON AVE  
Lot: , Block: 100, Section: , Parcel: 262, Property Description:

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1594431 Street Address: 013005 9TH ST  
Lot: , Block: , Section: , Parcel: 267, Property Description: (T-DT S/B 10-6-45 L797 F36)

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1614585 Street Address: 008604 CHESTNUT AVE  
Lot: 16, Block: 18, Section: , Parcel: , Property Description:

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1615178 Street Address: 008606 CHESTNUT AVE  
Lot: 17, Block: 18, Section: , Parcel: , Property Description:



**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1616705 Street Address: 008700 CHESTNUT AVE  
Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 69 THRU 75

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1618545 Street Address: WASHINGTON AVE  
Lot: , Block: , Section: , Parcel: 207, Property Description: (CHG TO AC NOT IN SUB 05)

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1622745 Street Address: 000000 RAILROAD AVE  
Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 17.18 (COR USE)

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1623529 Street Address: 008520 CHESTNUT AVE  
Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 10.11.12 NCONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1627538 Street Address: 013050 9TH ST  
Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 53.54.55

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1627553 Street Address: 000000 9TH ST  
Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 56 THRU 62 & 400 SQ FT EQ ABND PT OF 10 FT ALLEY

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1630292 Street Address: 008602 CHESTNUT AVE  
Lot: , Block: 18, Section: , Parcel: , Property Description: LOTS 13.14.15

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1630300 Street Address: 008521 CHESTNUT AVE  
Lot: , Block: 31, Section: , Parcel: , Property Description: LTS 1,2

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1630318 Street Address: 008519 CHESTNUT AVE  
Lot: , Block: 31, Section: , Parcel: , Property Description: LOTS 3,4,5 & 6 NCONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1641737 Street Address: 013025 11TH ST  
Lot: , Block: 19, Section: , Parcel: , Property Description: LTS 6.7.8.9

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1651199 Street Address: 013034 RAILROAD AVE  
Lot: , Block: 18, Section: , Parcel: , Property Description: LOTS 5.6

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1652452 Street Address: 013030 RAILROAD AVE  
Lot: , Block: 18, Section: , Parcel: , Property Description: LTS 7 THRU 10

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1652460 Street Address: 013024 11TH ST  
Lot: , Block: 18, Section: , Parcel: , Property Description: LOTS 11 & 12 N-CONF USE-HOUSE



**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1655620 Street Address: 013030 9TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 51.52

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1656552 Street Address: 013010 9TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: LOT 47 & W 5 FT LF LOT 48 L5975 F869

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1656560 Street Address: 013012 9TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: LT 49 & E 15 FT LT 48 & 300 SQ FT EQ PT ABND ALLEY L5975 F869

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1671981 Street Address: 000000 8TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: LOT 38 & 700 SQ FT ABND ALLEY (COR USE)

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1671999 Street Address: CHESTNUT AVE

Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 67.68

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1672005 Street Address: 008710 CHESTNUT AVE

Lot: , Block: 17, Section: , Parcel: , Property Description: LOTS 63,64,65 & 66 NCONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1672583 Street Address: 000000 12TH ST

Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 19 THRU 31

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1673359 Street Address: 000000 CHESTNUT AVE

Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 13.14

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1692466 Street Address: 013031 9TH ST

Lot: , Block: , Section: , Parcel: 112, Property Description: CORP 44 F301

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1694421 Street Address: 000000 CHESTNUT AVE

Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 15.16 NCONF USE-HOUSE

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1694520 Street Address: 013002 9TH ST

Lot: , Block: 17, Section: , Parcel: , Property Description: W 85 FT LTS 9.10.11.12.13

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1698869 Street Address: 013001 11TH ST

Lot: , Block: 19, Section: , Parcel: , Property Description: LOTS 1 THRU 5 NCONF USE-HOUSE



**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1701341 Street Address: 008610 CHESTNUT AVE

Lot: , Block: 18, Section: , Parcel: , Property Description: LTS 3,4 & PT LTS 1& 2 EX  
PT TO ST OFMD

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1701358 Street Address: CHESTNUT AVE

Lot: , Block: 18, Section: , Parcel: , Property Description: PT LOT 18 EQ 2043 SQ  
FT

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1586296 Street Address: 013007 8TH ST

Lot: , Block: 17 , Section: , Parcel: , Property Description: PT PARCEL A

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1607142 Street Address: 8TH ST

Lot: , Block: 17 , Section: , Parcel: , Property Description: LOTS 35.36.37 & 300 SQ  
FT ABND ALLEY

**Existing Zone: C-S-C Proposed Zone: M-U-I**

Account: 1594043 Street Address: WASHINGTON AVE

Lot: , Block: 100 , Section: , Parcel: 263, Property Description: R R AVE BOWIE LOT  
64.9X148 FT

**AMENDMENT 20**

Revise Map 20 (Bowie and Vicinity Bicycle, Pedestrian and Trail Facilities) to remove  
hiker/biker trails from the former PT-1.

**AMENDMENT 21**

Change the zoning for the property located on the east side of Old Central Avenue and  
US 301 (Hopkins property) from R-A to I-4.

**Existing Zone: R-A Proposed Zone: I-4**

Account: 0735621 Street Address: 016600 Old Central Ave.

Lot: , Block: , Section: , Parcel: 31, Property Description: (COR USE)

**Existing Zone: R-A Proposed Zone: I-4**

Account: 0735639 Street Address: 000000 Old Central Ave.

Lot: , Block: , Section: , Parcel: 29, Property Description: (COR USE)

**AMENDMENT 22**

**ATTACHMENT A –**

**TEXT AMENDMENTS - BOWIE AND VICINITY MASTER PLAN**

**Amendment of 2002 General Plan Tiers and Centers**

**Rural Tier**

**Developing Tier**

**Bowie Main Street**

**West Bowie Village**

**Pointer Ridge Mixed-Use Activity Center**

**Economic Development**

**Bowie Regional Center**

**Bowie Main Street**

**Old Town Bowie**

**West Bowie Village**

**Pointer Ridge**

**Historic Preservation**

**Old Town Bowie DDOZ**



BE IT FURTHER RESOLVED that the Basic Plan for A-9968, Willowbrook, is hereby approved, and the subject property is rezoned from the E-I-A Zone to the R-S Zone, with the Basic Plan, and with the following limitations and conditions:

(1) Land use types and quantities:

- Total area: 427 acres
- Land in the 100-year floodplain. 89.7 acres
- Adjusted Gross Area (427 less half the floodplain): 382± acres
- Land devoted to mixed retirement development: 28 acres
- Adjusted Gross Area (382 less 28 acres): 354± acres

Market Rate Development

- 354 acres @ 1.6 to 1.7 du/ac = 566 to 602 dwellings
- Approximately 80 percent single-family detached and 20 percent single family attached units

Mixed Retirement Development

- 28 acres @ 2.2 to 8.0 du/ac = 61 to 224
- Approximately 14 percent single-family detached, 25 percent single family attached, and 61 percent multifamily units

Open Space

- Public Active Open Space: 20± acres
- Private Active Open Space: 10-12± acres
- Passive Open Space: 220± acres

(2) A ten-foot-wide master plan hiker/biker trail shall be located in the Collington Branch Steam Valley, and the six-foot feeder trails shall be located near the development pods.

(3) A buffer area shall be located between Leeland Road and any townhouse or multifamily development, sufficient to fully screen these units from view from the roadway, and to retain the current wooded character of the frontage.



(4) A small activity recreation area shall be centrally located within the proposed development, as shown in the Basic Plan submitted in May 2005.

(5) The amenities proposed for the mixed retirement development shall be listed on the face of the Comprehensive Design Plan.

The following conditions and considerations of approval shall be printed on the face of the Basic Plan.

**CONDITIONS:**

(1) At the time of the submission of a Comprehensive Design Plan or Preliminary Plan of Subdivision, the applicant shall provide a traffic study that analyzes the following intersections:

- a. US 301/MD 725
- b. US 301/Village Drive
- c. US 301/Leeland Road
- d. US 301/Trade Zone Avenue
- e. Leeland Road/Safeway Access
- f. Oak Grove Road/Church Road
- g. Oak Grove Road/MD 193
- h. MD 202/MD 193

(2) At the time of preliminary plan of subdivision, the applicant shall provide the dedication for one-half of the 100 feet of dedication required to build Leeland Road (MC-600) to its ultimate cross section, per DPWT standards.

(3) At the time of preliminary plan of subdivision, the applicant shall dedicate 100± acres of parkland to M-NCPPC, including the Collington Branch stream valley and 20 acres of developable land for active recreation, as shown on DPR Exhibit 1.

(4) The land to be conveyed to M-NCPPC shall be subject to the conditions of Exhibit B, attached to the June 21, 2005, memorandum from the Parks Department.



1 (5) The applicant shall construct a ten-foot-wide master plan hiker/biker trail in the  
2 Collington Branch stream valley, and 6-foot wide feeder trails to the development pods.  
3

4 (6) A revised plan showing parkland dedication and master plan train shall be reviewed  
5 and approved by the DPR staff.  
6

7 (7) The applicant shall provide adequate private recreational facilities to meet the future  
8 subdivision requirements for the proposed development. The private recreational facilities shall  
9 be constructed in accordance with the standards outlined in the *Parks and Recreation Facilities*  
10 *Guidelines*.  
11

12 (8) The applicant shall construct recreational facilities typical for a 20-acre community  
13 park, such as ball fields, a playground, tennis or basketball courts, shelters, and restroom  
14 facilities. The list of recreational facilities shall be determined at the preliminary plan of the  
15 subdivision and specific design plan stage. The construction of park facilities shall be eligible  
16 for the award of density increments based upon the regulations of the RS Zone.  
17

18 (9) The submission package of the comprehensive design plan shall contain a signed  
19 natural resources inventory (NRI). The NRI shall be used by the designers to prepare a site  
20 layout that minimizes impacts to the regulated areas of the site.  
21

22 (10) A geotechnical study that identifies the location and elevation of the Marlboro clay  
23 layer throughout the site shall be submitted as part of the CDP application package.  
24

25 (11) A protocol for surveying the locations of all rare, threatened, and endangered species  
26 within the subject property shall be obtained from the Maryland Department of Natural  
27 Resources, prior to acceptance of the CDP and this protocol shall be part of the submittal  
28 package. The completed surveys and required reports shall be submitted as part of any  
29 application for preliminary plans.  
30  
31



1 (12) Prior to the signature certification of the preliminary plan of subdivision, a Phase I  
2 archeological investigation shall be conducted according to the Maryland Historical Trust  
3 (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland*  
4 (Shaffer and Cole 1194); and a report shall be submitted in accordance to the MHT guidelines  
5 and the American Antiquity or Society of Historical Archaeology style guide. Archeological  
6 excavations shall be spaced along a regular 20-meter or 50-foot grid and excavations should be  
7 clearly identified on a map to be submitted as part of the report.  
8

9 (13) Public benefit features shown on the Basic Plan, and any future Comprehensive  
10 Design Plans, such as a church site, swimming pool, community buildings, recreation facilities,  
11 open space, etc. shall either be constructed or provided as described on the plan.  
12

### 13 **COMPREHENSIVE DESIGN PLAN CONSIDERATIONS:**

14 (1) The natural aesthetic qualities of the site should be accentuated by a design that is in  
15 part determined by the environmental constraints of the site. Streets should not be uniformly  
16 double loaded. Single loaded streets and/or breaks between lots should be strategically placed to  
17 provide visual relief and afford views into open space.  
18

19 (2) Recreational facilities should be dispersed throughout the subdivision so as to provide  
20 nearby recreational facilities for all residents. The type of recreational facilities shall be  
21 determined at the time of Comprehensive Design Plan. They should accommodate all age  
22 residents and should include such elements as a pool, tot lots, preteen lots, tennis courts and  
23 trails, and passive recreational facilities.  
24

25 (3) A 200-foot buffer shall be maintained between the residential lots and adjacent land  
26 other than parkland that is in the E-I-A Zone. The existing woodland may be augmented by  
27 additional plantings so that the project is sufficiently protected from the impacts of the adjacent  
28 development.  
29  
30  
31



1 BE IT FURTHER RESOLVED that the staff is authorized to make appropriate text and  
 2 map revisions to correct identified errors, reflect updated information, reconcile the  
 3 Development District Overlay and land use recommendations with Adopted and Approved  
 4 changes, and incorporate the Zoning Map changes reflected in this Resolution; and

5 BE IT FURTHER RESOLVED that this Sectional Map Amendment is an amendment to  
 6 the Zoning Ordinance and to the official Zoning Map for the Maryland-Washington Regional  
 7 District in Prince George's County. The zoning changes approved by this Resolution shall be  
 8 depicted on the official Zoning Maps of the County.

9 BE IT FURTHER RESOLVED that the provisions of this Resolution are severable. If any  
 10 provision, sentence, clause, section, zone, zoning map, or part thereof is held illegal, invalid,  
 11 unconstitutional, or unenforceable, such illegality, invalidity, unconstitutionality, or  
 12 unenforceability shall not affect or impair any of the remaining provisions, sentences, clauses,  
 13 sections, zones, zoning maps, or parts hereof or their application to other zones, persons, or  
 14 circumstances. It is hereby declared to be the legislative intent that this Resolution would have  
 15 been adopted as if such illegal, invalid, unconstitutional, or unenforceable provision, sentence,  
 16 clause, section, zone, zoning map, or part had not been included therein.

17 BE IT FURTHER RESOLVED that this Resolution shall take effect on the date of its  
 18 adoption.

Adopted this 7th day of February, 2006.

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: \_\_\_\_\_  
 Thomas E. Dernoga  
 Chairman

ATTEST:

\_\_\_\_\_  
 Redis C. Floyd  
 Clerk of the Council



TEXT AMENDMENTS - BOWIE AND VICINITY MASTER PLAN

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Amendment of 2002 General Plan Tiers and Centers

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Page 2

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2. The Rural Tier and Developing Tier boundaries are amended as follows:

\* \* \*

d. Property in the northeast quadrant of US 50 and MD 3 which is located within the 100-year floodplain of the Patuxent River is placed in the Rural Tier to preserve the environmental features of the area while providing a necessary connection to link two separate portions of the Rural Tier to form a contiguous Rural Tier through the Bowie and vicinity planning area.

e. M-NCPPC parkland located in the northwest quadrant of US 50 and MD 3 is placed in the Rural Tier to preserve the historical and environmental significance of the property.

f. Property located west of the Patuxent River, south of US 50, and north of Governor's Bridge Road is placed in the Rural Tier to form a contiguous Rural Tier through the Bowie and Vicinity planning area.

g. The portion of the Corporation of the Roman Catholic Clergymen property (also known as the Jesuit Property), and the Roman Catholic Archdiocese of Washington property south of MD 450 are placed in the Rural Tier to protect historic vistas and environmentally sensitive lands. The historic property of the Sacred Heart Parish should be shielded on all sides with an undisturbed visual and audio setting. Undeveloped properties in this area should be rezoned as needed to protect historic vistas and environmentally sensitive lands, and be placed in the Rural Tier. Those currently developed with commercial uses may continue as nonconforming uses in the Rural Tier.

h. The Rural Tier is extended to include all properties south of US 450, west of MD 3, north of US 50, and east of properties zoned R-55 (One-Family Detached Residential) that are currently classified in the R-O-S (Reserved Open Space), O-S (Open Space), R-A (Residential-Agricultural), R-E (Residential-Estate), R-R (Rural Residential) Zones.

i. The Northpeake properties located east of MD 197, south and west of Race Track Road, and north of the WB&A Trail, as well as several properties in this vicinity south of the WB&A Trail, are placed in the Rural Tier to protect the Horsepen Branch watershed and provide a connection between two separate portions of the Rural Tier in the northern part of the Bowie and vicinity planning area.



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### Rural Tier

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Page 8

Revise Policy 3, "Protect landowners equity in their land," Strategy 2 as follows:

2. Encourage participation in a TDR program, pursuant to County legislation. Consider increasing the TDR Allocation Rate in order to preserve and enhance ecologically fragile and aesthetically valuable environments in the Rural Tier, including certain streams, stream valleys, floodplains, wetlands, groundwater steep slopes, woodlands, scenic vistas and scenic corridors.

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### Developing Tier

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Page 10

Policy 3: Protect, maintain and enhance the unique historical, cultural, and architectural identity, heritage and character of the City of Bowie.

Strategies:

4. Properties located at key intersections within the planning area, such as the intersection of US 301 and MD 197, are recommended for site plan review and approval.

Page 11

*Replace the language of Policy 4 on Page 11 (modified as per PGCPB 05-169) with the following:*

Policy 4: **Develop high-quality senior citizen housing.**

Strategies:

1. Active senior citizen developments should be provided according to the following design guidelines:



- a. Development should be located [within one half mile of the edge of the Bowie Regional Center or mixed use activity centers to enhance its pedestrian orientation and] to provide easy access to commercial and cultural centers of the Bowie and vicinity planning area.
  - b. Development should include [pedestrian] linkages to shopping and services in the Bowie Regional Center or mixed-use activity centers.
  - c. Development should be of sufficient size to provide amenities, such as indoor parking or garages, gardens, plazas, swimming pools, or common eating areas.
  - d. Development should have direct access to a collector road or greater to allow easy access for emergency medical services.
  - e. Development should be served by public transit or shuttle buses to shopping and services in the Bowie Regional Center or mixed-use activity centers.
  - f. Prior to approval of new development, a market analysis should be conducted that evaluates and satisfactorily demonstrates the need for senior housing within one mile of a proposed site.
  - g. Development should occur at locations in accordance with the guidelines of the Bowie and Vicinity Master Plan and/or at locations deemed appropriate by the District Council.
  - h. Senior housing should be provided in locations proximate to existing residential communities.
  - i. All such senior adult residential development shall be subject to a Detailed Site Plan review.
  - j. All such active senior adult developments may be included in mixed-use and multifamily zones.
2. Additional active senior citizen development should be provided according to the following design guidelines:
- a. Development should be of sufficient size to provide amenities, such as indoor parking or garages, gardens, plazas, swimming pools, or common eating areas.
  - b. Development should have direct access to a collector road or greater to allow easy access for emergency medical services.
  - c. Development should occur at locations in accordance with the guidelines of the Bowie and Vicinity Master Plan and/or at locations deemed appropriate by the District Council.
  - d. Senior housing should be provided in locations proximate to existing residential communities.
  - e. All such senior adult residential development shall be subject to a Detailed Site Plan review.
  - f. All such active senior adult developments may be included in mixed-use and multifamily zones.



**Page 11**

**Policy 5:** Reduce traffic congestion, improve ingress/egress, and safety along corridors throughout the planning area., and] Facilitate future highway improvements on US301/MD3 while allowing limited, low traffic-generating development along this corridor.

**Strategy:**

2. Beall Crossing Subdivision: This property consists of ten undeveloped recorded lots and a dedicated public street which would require an additional curb cut on Race Track Road near its intersection with MD 450. A new preliminary plan of subdivision and record plat should be approved. The new layout should eliminate the curb cut onto Race Track Road and reorient the dedicated public street for the subdivision to either of the existing curb cuts at Evans Funeral Home or at the northern property line of the subdivision directly across from the rear (northernmost) entrance to the Hilltop Plaza Shopping Center.

**Page 12**

**Policy 6:** Improve site design to maximize the preservation of environmentally sensitive areas, encourage a diversity of housing types, provide a mix of land uses in appropriate locations, and reduce the cost of providing new roads and other public facilities.

**Strategies:**

1. Recommend and support future rezoning to a suitable mixed-use zone at the time of development and / or redevelopment in conformance with the stated land use concept and development guidelines at the following locations.
  - 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% being senior housing units and a maximum of 25% 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% being senior housing units and a maximum of 25% 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 #8)
  - Professional training facilities

(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%	30%
Office/Employment/Retail/Hotel	70%	80%

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

(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.



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



(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 three thousand (3,000) square feet of finished living space.
  - At least twenty percent (20%) of the houses shall be a minimum of four thousand (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 (8) 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.

(8) Any additional research and development type “flex space” and/or warehouses shall be limited to not more than ten percent (10%) 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.

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

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



\* \* \*

- [(11) The stormwater management concept plans, shall incorporate bioretention and other low impact development techniques throughout the site.]
- (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.
- (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.
- (14) 50% of parking for multifamily uses shall be structured parking.
- (15) The design of the stormwater management ponds shall show them as amenities with gentle natural slopes and extensive native planting.
- (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, than an equal area of natural buffer alternative shall be retained on the community property.
- (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
- \* \* \*
- (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.
- (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.

- (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.
- (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.
- (22) Any Detailed Site Plan shall demonstrate that proposed buildings do not obstruct the historic vista of the Melford House.
- (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.
- (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

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.

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

Delete the “trumpet Interchange” from the plan map.

- b. Property located at the northeast quadrant of the US 301/Mill Branch Road intersection: This property, given its proximity to the Bowie Regional Center, should be developed with high-quality commercial retail uses, including a hotel. Future development should promote the optimum use of the transportation system and public infrastructure, preserve environmentally sensitive areas, and provide for the needs of the workers and residents in the area.

The property should be rezoned to a suitable zone, such as the C-S-C (Commercial Shopping Center) Zone, to permit development of elements, such as an upscale hotel, etc. The development should incorporate the following design guidelines:

- (1) The development should include quality department stores but should not include discount or “big-box” commercial activities. No individual retail use, other than food or beverage stores (grocery store) shall exceed 125,000 square feet in size. Retail sales of alcoholic beverages in a food or beverage store are limited to 5,000 square feet or less.
- (2) A twenty-two (22) foot easement exists from the property located at the northeast quadrant of the US 301/Mill Branch Road intersection (the proposed development known as Mill Branch Crossing) to the Green Branch Regional Park. This existing easement should be vacated and replaced by a new temporary easement, fifty (50) feet in width located on the Mill Branch Crossing property at its eastern-most property line on Mill Branch Road. The new temporary easement should be vacated when it is replaced by permanent access via a right-of-way to be constructed at the time the Mill Branch property is developed. The new temporary easement on the eastern-most property line can form the boundary between the Developing Tier and the Rural Tier.



Page 13

Add text as follows to Policy 6, Strategy 3:

\* \* \*

3. Recommend and support future rezoning to residential Comprehensive Design Zones at selected locations.

- a. Property located on the north and south sides of MD 450 extending from Race Track Road to MD 3 owned by the Corporation of the Roman Catholic Clergymen:

\* \* \*

4. The property should be developed in one or more Comprehensive Design Zones or mixed-use zones. Residential uses that may include diverse housing types and/or a mixed or planned retirement community are encouraged and densities may be shifted to the property located north of MD 450 west of the public works access road.

5. Development in the Rural Tier, including the restoration and redevelopment of the existing commercial or other uses in the southwest quadrant of the MD 450/MD 3 intersection, should occur in an innovative and environmentally sensitive manner. The existing commercial uses may continue as nonconforming uses.

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### **Bowie Main Street**

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Background: The Bowie Main Street mixed-use activity center is located along MD 450 between Race Track Road on the east and Bowie High School on the west. The area includes approximately 682,000 square feet of retail space concentrated primarily in three commercial centers: Free State Mall, Marketplace, and Hilltop Plaza. Bowie Main Street also includes several civic and open space amenities in the form of an M-NCPPC park and a community center, two City of Bowie parks, the Bowie library, Bowie Center for the Performing Arts, and the Bowie High School.

\* \* \*

Goals:

- Provide a diverse and balanced mix of land uses at a pedestrian-friendly scale to revitalize the area.

\* \* \*

Policy 1: Encourage pedestrian-oriented, mixed-use development to foster the creation of a true “main street” environment.



Strategies:

1. Recommend and support future rezoning to an L-A-C (Local Activity Center) or Village Comprehensive Design zone or a suitable mixed-use zone at the time of development and/or redevelopment to allow for an appropriate mix of uses and intensities to achieve the desired character for Bowie Main Street. (See Map 6, Bowie Main Street – Existing and Proposed Zoning.)
2. Evaluate the need for a future sector plan for the Bowie Main Street mixed-use activity center as development pressure intensifies and/or opportunities emerge. This sector plan should:
  - a) Further refine the desired character and boundaries of the area,
  - b) Reevaluate the policies of this plan, and
  - c) Implement a Development District Overlay Zone with appropriate design standards, if necessary.

\* \* \*

Policy 2:

Policy 3: Ensure that design proposals are high quality and conform to form-based design guidelines to create a sense of place and a unique character for Bowie Main Street.

Strategies:

1. Encourage the highest quality of urban design through the application of design recommendations that:

\* \* \*

b. Provide streetscape amenities such as street trees, wide sidewalks accented with special paving materials, landscape buffer/planting strips between streets and sidewalks, pedestrian-scaled lighting fixtures, and street furnishings such as benches, trash receptacles, and bike racks. Use mature vegetation and trees as buffers to boost the appearance of the area.

\* \* \*

c. Use high-quality, durable and attractive materials with appropriate pedestrian-scaled architectural detailing in the design of all buildings.

\* \* \*

f. **Capitalize on every opportunity to provide a mix of uses (residential, retail, civic, and office) within existing retail centers.**



\* \* \*

h. Use the Bowie Center for the Performing Arts/Bowie High School complex to underline the unique character of the Bowie Main Street.

\* \* \*

Policy 4: Ensure that development in Bowie Main Street does not adversely impact the character of existing residential neighborhoods.

Strategies:

1. Use existing parkland adjacent to Bowie Main Street to buffer existing residential areas from new development.

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### **West Bowie Village**

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Page 28

Goals:

\* \* \*

- Provide new single-family, compatible multi-family, and live/work units [to] that help support neighborhood businesses.

\* \* \*

Policy 2: Create a safe, attractive, and vital village center

Strategies:

\* \* \*

c. Use [Utilize] high-quality, durable and attractive materials and appropriate pedestrian-scaled architectural detailing in the design of all buildings.

d. Ensure buildings are appropriately sized for the site, conform to the proposed land use density, and are compatible with adjacent land uses and development.

\* \* \*

Delete existing “f” and replace with the following:



- f. Protect the quality of life in the Westview Forest residential neighborhood by limiting commercial development in that portion of West Bowie Village located in the southwestern quadrant of old MD 450 and the Pope's Creek railroad tracks.

\* \* \*

Policy 3: Revitalize and strengthen existing businesses.

Strategies:

\* \* \*

\* \* \*

1. Enhance access to existing businesses by highlighting entries, providing signature signage, and using a consistent wayfinding system. Coordinate with the State of Maryland to provide special features such as unique and attractive entry signage at the intersection of Grenville Lane and MD 450.

\* \* \*

REVISE Maps 7 (West Bowie Village – Proposed Land Use) and 23 (Bowie and Vicinity – Proposed Land Use) to reclassify the land use recommendation for the Woodcliff Road property (Santos property) from mixed-use land uses to Residential, Low-Density land use. Revise the SMA to retain this property in its current zoning of R-R (Rural Residential).

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### **Pointer Ridge Mixed-Use Activity Center**

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Page 33

Vision: The Pointer Ridge Mixed-Use Activity Center is a community-scale [commercial and employment] area that supports the adjacent suburban residential neighborhoods by providing locally-serving retail, office, and public uses closely integrated with residential development.

Background: The Pointer Ridge Mixed-Use Activity Center consists of commercially zoned property located near the intersection of Pointer Ridge Drive and US 301, including Pointer Ridge Plaza, the Mitchellville Post Office, an existing office/condominium complex, [and] the 19-acre Amber Ridge site and identified R-R zoned properties up to the intersection of Mitchellville Road and US 301. The South Bowie Community Center is also part of the Pointer Ridge Mixed-Use Activity Center, providing a strong amenity to serve the needs of the community.

The mixed-use activity center currently serves a large portion of the South Bowie area. Pointer Ridge Plaza is an older commercial center currently scheduled for renovation.



Development in proximity to the Pointer Ridge Mixed-Use Activity Center, such as the approved retail component of the Karington mixed-use development and the proposed commercial development of the Amber Ridge site, would provide increased market competition. Whereas a detached concentration of specialized retail and office uses on the Amber Ridge site could potentially serve a large market area, Pointer Ridge Plaza may not be able to retain or expand upon its current market share within the region. The Pointer Ridge mixed-use activity center addresses Pointer Ridge Plaza, Amber Ridge, and surrounding sites as a cohesive whole, providing an opportunity to serve the retail, employment, residential, and civic needs of the community. The privately owned R-R zoned portion of the Pointer Ridge Mixed-Use Activity Center on the corner of Mitchellville Road and US 301 should serve to enhance the entire mixed-use activity center. Appropriate future rezoning and use of that property should be accomplished for that purpose. Traffic (particularly in regard to potential conflicts at Pointer Ridge Place and along Pointer Ridge Drive due to potential development of the Amber Ridge site), accessibility, pedestrian safety, and an appropriate mix of uses are key concerns and must be addressed in order to ensure the success of Pointer Ridge Mixed-Use Activity Center. (see Map 10, Pointer Ridge-Proposed Land Use.)

Goals:

\* \* \*

- Give top priority to traffic concerns and conflicts when determining how to provide adequate vehicular access to development sites.
- Preserve and enhance the suburban residential character of the Pointer Ridge and Ridgeview Estates neighborhoods.

\* \* \*

Policy 1: Encourage low- to moderate-density, pedestrian-oriented mixed-use development.

Strategies:

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\* \* \*

1. Plan successful development and/or redevelopment of the Pointer Ridge Mixed-Use Activity Center in light of a possible L-A-C mixed-use development at Hall Road/Central Avenue and the proposed Karington development in the southwest quadrant of Central Avenue and U.S. 301.
  2. Encourage public agencies to locate public facilities to help create a civic core and provide a focal point for the Pointer Ridge Mixed-Use Activity Center.
- \* \* \*
3. Encourage the provision of public and private open space, parkland, and plazas to complement the community-oriented nature of the Pointer Ridge Mixed-Use Activity Center.



4. Explore the provision of quality senior housing within the Pointer Ridge Mixed-Use Activity Center. This senior housing should be attractive to current and future residents of nearby neighborhoods and accessible to these neighborhoods and Pointer Ridge mixed-use activity center services via pedestrian-friendly facilities. To accomplish this strategy, such senior housing is encouraged on the undeveloped Amber Ridge site.

Policy 2: Reduce traffic conflicts, provide multimodal options, and ensure that the traffic pattern of new development does not overwhelm the capacity of local streets.

Strategies:

1. Emphasize right-turn only ingress and egress to the Amber Ridge site along Pointer Ridge Place from Pointer Ridge Drive to help alleviate congestion at the existing traffic signal at the intersection of Pointer Ridge Drive and U.S. 301.
2. Consider access to the Amber Ridge site through a portion of the South Bowie community Center property from Pittsfield Lane. Work with the Department of Parks and Recreation and the City of Bowie to improve vehicular and pedestrian safety and access within the Pointer Ridge Mixed-Use Activity Center.
3. Development on the Amber Ridge C-S-C property should not include discount or “big-box” commercial activities. No individual retail use, other than food or beverage stores (grocery store) shall exceed 75,000 square feet in size. Retail sales of alcoholic beverages in a food or beverage store are limited to 5,000 square feet or less.

Policy 3: Ensure that design is high quality and conforms to form-based design recommendations to create a sense of place and a pedestrian-oriented environment.

Strategies:

1. Encourage the highest quality of urban design through the application of design recommendations that:
  - a. Create a consistent build-to line along all streets (other than US 301) to frame the streets and provide a pedestrian-friendly environment. Ensure that pedestrians are sufficiently buffered from US 301 and other streets by providing a landscaped strip with street trees between each street and sidewalk.
  - b. Provide quality visual and audio screening between existing residential neighborhoods and all commercial developments.

\* \* \*



- c. Use high-quality paving materials and continue sidewalk materials across crosswalks to signify their presence and importance.
- d. Provide buildings that are appropriately sized for the Pointer Ridge Mixed-Use Activity Center, conform to the proposed land use density, and recognize adjacent land uses and development.

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## Economic Development

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Page 70

Vision:

\* \* \*

Background:

\* \* \*

Goals:

\* \* \*

Policy 1: Maintain and enhance the mixed-use areas of Bowie and vicinity.

Strategies: In the Bowie Regional Center, local mixed-use activity centers, and at other appropriate mixed-use areas, acknowledge development opportunities and constraints and reflect these realities in the land use concept for each area.

*Move the plan text on Melford (Maryland Science and Technology Center)" from between "Bowie Regional Center" and "Old Town Bowie" on page 71 (as modified by PGCPB 05-169) to before "Bowie Regional Center" on page 70:*



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### **Bowie Regional Center**

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The plan envisions Bowie Regional Center as a major regionally marketed mixed-use employment area and destination that provides an integrated mix of opportunities to live, work, shop, and play. A substantial amount of commercial and residential development has already taken place. The strong retail market that has been established has helped the center achieve a regional identity.

The Center is envisioned as evolving into a major multimodal transportation hub provided there is coordinated and careful planning of needed multimodal cross-county transportation improvements that will accommodate the development and redevelopment opportunities that this center offers. The center has the potential to provide opportunities for transit-oriented and transit-adjacent development and redevelopment that should be designed and oriented to encourage and maximize transit use and facilitate economic development.

The Regional Center is located between three major transportation facilities – two freeways (US 50 and US 301) and a major arterial, MD 197 – that provide excellent access to and visibility for the center. The existing major road network also serves as a useful base for an expanded future transit network that will provide multimodal travel options to and within the center. The plan recognizes that complete redevelopment of the entire center, and development of the transit service network needed to support it, could take up to ten years. Sufficient parking for additional development, particularly during this interim period will pose a planning and implementation challenge that will require innovative solutions. Additional mixes of transit-oriented retail, office, residential, and hotel uses are envisioned as the market changes or responds to the implementation of the vision for the center. However, careful planning will be needed to ensure both compatibility with the surrounding neighborhoods, and multimodal connectivity between development and the transportation improvements, other services and amenities. Further, implementation of the transportation improvements needed to accommodate and attract the desired development in the regional center will need to be closely coordinated with implementation of both the Countywide Master Plan of Transportation and each succeeding Transit Service and Operations Plan.

The boundaries established for the Bowie Regional Center in this plan are focused on three areas; one of these areas will become the future [transit] transportation hub of the planning area. This plan recommends a new sector plan when the location of this [transit] transportation hub can be determined. The sector plan should consider limiting the size of the Bowie Regional Center based on five- and ten-minute walking distances from this future [transit] transportation hub. At that time, the sector plan should recommend the appropriate zoning to achieve a major mixed-use activity center, as well as a [transit] transportation-accessible destination providing diverse and spatially integrated opportunities to live, work, shop, and play.



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Bowie Main Street

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Since Bowie Main Street cannot compete directly with Bowie Town Center on the regional level, it must establish its own identity or market niche. Revitalized grocery stores and the introduction of additional civic uses (e.g., governmental, recreation) would help achieve this objective by providing new activity generators. Given the nature of the existing built environment, a mix of uses could enhance future development. Grocery-anchored properties continue to make up the majority of U.S. retail space. They are considered the least economically sensitive retail format and hold up extremely well during economic downturns. Any long-term revitalization of this area must provide a plan that will allow for the phasing of redevelopment and intensification.

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Old Town Bowie

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The character and charm of Old Town Bowie is its small scale and atypical entrepreneurial orientation. Its market niche assets include its pedestrian scale, historic character and location, uniqueness, and its existing antiques and collectible shops. Constraining development in Old Town Bowie are current low retail sales and capture rates, low weekday activity, limited visibility, access issues, and small parcel sizes.

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West Bowie Village

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The realignment of MD 450 away from West Bowie Village is expected to have a significant impact upon vehicular traffic, visibility, retail sales, and, ultimately, business retention. Successful economic revitalization of West Bowie Village will require enhanced connectivity to reduce the isolation of the mixed-use activity center. Residential and mixed-use development in the area presents an opportunity for the automobile-oriented village to re-create itself as a more neighborhood-oriented retail and professional services center. An enhanced pedestrian and bike path network, providing access to Bowie Main Street and adjacent residential neighborhoods, will help reduce the isolation of West Bowie Village and promote reinvigoration of the area.



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Pointer Ridge

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The economic development potential of the existing commercial center is regionally constrained by the concentration of retail activity to the north on US 301, the high-speed nature of through traffic, and a limited primary residential market in part a result of the low-density Rural Tier development to the east. Opportunities include frontage along US 301, high traffic counts, visibility, the residential attractiveness of the rural setting to the east, and possible mixed-use and senior/age-restricted residential development.

Given the large format retail offerings to the north, the Pointer Ridge Mixed-Use Activity Center should diversify its uses by adding at-place employment and senior housing. The commercial center has redevelopment potential to expand employment by adding office space. Modest office development of two to three stories could be congruent with the scale of the area while adding to the daytime population and shortening commute times for residents and employees. Senior and age-restricted housing could expand the residential market and allow long term residents to age in place. Additional retail integrated with this residential development could eventually be introduced on the larger Amber Ridge site as part of a pedestrian-friendly environment.

Policy 2: Attract new employment opportunities to the planning area to improve the balance of jobs to housing, enhance the tax base, reduce vehicle miles traveled to jobs, provide at-place employment, and support public investment in transit.

- 1: Compatible commercial development, employment uses and mixed-use development, including live-work dwelling units, should be promoted in the Bowie Regional Center, all mixed-use activity centers, and other appropriate areas. Staff still recommends the original language. The Bowie Regional Center is a defined Center per the general plan, and is therefore more important than the four mixed-use activity centers from a policy perspective.



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Historic Preservation

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Page 74

Replace Strategy 1 of Policy 2 with the following text:

1. Update the *Historic Sites and Districts Plan* to incorporate the following changes:

a. Designate the following properties as Historic Sites:

- (1) 71B-002-23 (Knights of St. John Hall)
- (2) 74B-006 (Carroll Chapel and Cemetery)
- (3) 74B-012 (Queen Anne Bridge)

b. List the following property as an Historic Resource:

- (1) 71A-022-4 (Noble Strother House)

c. Delete the following properties from the Inventory of Historic Resources because they no longer exist:

- (1) 71A-011 (Site of Bowie Cemetery)
- (2) 71A-014 (Bowie-Arnold House)
- (3) 74A-013 (Site of Hill Tenant House)

d. List the following properties as "Documented Properties Not Included in the Inventory of Historic Resources" in Appendix L of the *Historic Sites and Districts Plan*:

- (1) 71A-006 (Concrete Railroad Bridge)
- (2) 71A-016 (Collington Rosenwald School)
- (3) 71A-043 (Eugene Roberts House)
- (4) 71B-002-02 (Frank B. Luers House)
- (5) 71B-002-04 (Joffe Store)
- (6) 71B-002-14 (William Luers House)
- (7) 71B-011 (Jacob Seitz House)
- (8) 74B-029 (Mills Property)
- (9) 71B-12 (Bernard Luers House)

Delete Strategies 2 and 3 of Policy 2 on pages 74-75 of the preliminary master plan.  
Renumber Strategy 4 (to Strategy 2).



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## Sectional Map Amendment

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Page 83

Change Numbers 1A, 1B, 1C, 1D

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*Use and Location:* The historic Sacred Heart Church, located on the south side of MD 450 (1A), a triangular-shaped parcel currently zoned R-R, located on the east side of the Bowie City Public Works access road (1B), and a triangular property (p/o Parcel 1) located on the west side of the Bowie City Public Works access road (1C), property located north of MD 450, west of Public Works Road (1D). (Tax Map 38, Grids D3, E2, p/o Parcel 55 and p/o Parcel 1). These properties, located on both sides of MD 450, are largely undeveloped, and include a church and a sand and gravel processing site.

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*Discussion:* The rezoning of the subject properties from the R-R (Rural-Residential) and O-S Zones to the R-E (Rural-Estate), R-A (Rural-Agricultural), and O-S (Open-Space) Zones are in accordance with the recommendations of the master plan. The rezoning of these properties is intended to protect the historic church, environmentally sensitive areas, and the Rural Tier.

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## Old Town Bowie DDOZ

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### Applicability and Administration

Page 102:

1. Legally existing development. Until a site plan is submitted, all buildings, structures, and uses which were lawful or could be certified as a legal nonconforming use on the date of SMA approval are exempt from the Development District Standards and from site plan review and are not nonconforming. However, if a permit application is submitted for a nonresidential use and it is determined that a legal use has been discontinued for more than 180 days in accordance with Section 27-241©, the uses and structures on the lot shall comply with all applicable Development District Standards and with the requirement for site plan review. Notwithstanding this provision, building permit(s) and U&O permit(s) may be issued for any existing building under 2,000 square feet if the building permit application is filed by April 1, 2006.

\* \* \*



<p><b>Table 6</b> <b>Standards Thresholds and Applicability</b></p>					
	<b>Process<sup>1</sup></b>	<b>Building Envelope</b>	<b>Streetscape</b>	<b>Architecture and Landscape</b>	<b>Parking<sup>2</sup></b>
Threshold		Applicable Design Standards			
* * *					
4. Additions to an existing nonresidential building(s) when more than 15 percent or 750 square feet of existing or proposed GFA (which ever is less) is proposed. <u>Notwithstanding this provision, building permit(s) and U&amp;O permit(s) may be issued for any existing building under 2,000 square feet if the building permit application is filed by April 1, 2006.</u>	DSP	✓	✓	✓	✓
* * *					

\* \* \*

Underscoring indicates language added to the adopted plan text.  
[Brackets] indicate language deleted from the adopted plan text.  
Asterisks \*\*\* indicate intervening existing Plan text that remain unchanged



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.<sup>1</sup>

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<sup>1</sup> 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<sup>2</sup> 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.

<sup>2</sup> 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<sup>3</sup> 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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<sup>3</sup> § 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.

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## (7) Residential / Lodging:

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

**Footnote 7**

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

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

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



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

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

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

*See § 27-547(d), Zoning Ordinance.*

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

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

- (a) Maximum floor area ratio (FAR):
  - (1) Without the use of the optional method of development -- 0.40 FAR; and
  - (2) With the use of the optional method of development -- 8.00 FAR.
- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.
- (c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.
- (d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional



buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

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

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

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

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



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

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

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



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

See § 27-548, Zoning Ordinance.

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

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

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

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

<b>Uses</b>	<b>Square footage</b>
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
<b>FAR</b>	<b>0.47 – 0.70</b>

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

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

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

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



**Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.**

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

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

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

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

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

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

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

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



construction should be permitted. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 5–6. Just outside of that primary view corridor, one-story buildings are permitted. The second view corridor is directed east from Melford house to the proposed East-West Boulevard and the amphitheater. Within this second view corridor, the applicant has proffered building height restrictions. The recommended language, which the Planning Board adopts, clarifies which views shall be protected and establishes techniques for the protection of the views within the defined view corridors. *Id.*

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

The HPC recommended the following revised language for existing Condition 5 to eliminate the reference to a 1986 comprehensive design plan, which has little current regulatory bearing on the subject site, and is difficult to research due to the age and condition of the CDP document. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 6. We’ve reviewed the proposed language, and we find that the language below retains the original intent:

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

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

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



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

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

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

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

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

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



**Condition 8: Prior to issuance of building permits for any property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and outbuildings shall be completed prior to issuance of use and occupancy permits for any future hotel or office uses.**

Based on the completion of work associated with HAWP 5-07 and HAWP 45-07, reviewed and approved by HPC, substantial rehabilitation of Melford House and its outbuildings has been completed to a residential standard. This condition is no longer necessary. Any future rehabilitation of the historic site for a nonresidential use will be carried out through another HAWP as recommended by the modified language of Condition 6 (above). *See* PGCPB No. 14-128, at 22–23; 10/30/2014 TSR, at 23.

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

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

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

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

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



Pedestrian safety features, bicycle parking, and other amenities will be addressed at the time of DSP. However, a comprehensive network of sidewalk and trail connections is reflected on the submitted CSP. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

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

A trail is proposed along the Patuxent River stream valley, including the area of the lower pond. Two trail connections are reflected on the submitted plans that connect the development site to the stream valley trail. In addition to the trail connections, a comprehensive network of sidewalks is reflected and a partial grid street network is proposed, further enhancing and promoting pedestrian access. *See* PGCPB No. 14-128, at 23–24; 10/30/2014 TSR, at 23–24. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

As indicated by the prior conditions of approval, County Council Resolution CR-11-2006 contained a number of design standards and guidelines related to the Melford property. The standards and guidelines pertaining to trail or pedestrian access approved by the District Council in Amendment 22 within CR-11-2006 are as follows:

**The Conceptual Site Plan shall have an integrated network of streets, sidewalks (on all streets), and open space, public or private, and shall give priority to public space and appropriate placement of uses.**

*See* CR-11-2006, at 40, ¶ 6.



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

*See* CR-11-2006, at 41, ¶ 5.

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

*See* CR-11-2006, at 46–47.

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

*See* CR-11-2006, at 47, ¶ 30.

After review of the evidence in the administrative record, we find the subject application is consistent with the above-referenced standards and guidelines. To illustrate this point, we note Applicant's inclusion of a comprehensive network of sidewalks in the subject development proposal, as well as a master plan trail along the Patuxent River, and various associated connections to the master plan trail, within the the proposed development application. *See* PGCPB No. 14-128, at 24; 10/30/2014 TSR, at 23–24. Additional areas of open space also appear to be provided, as well as various plazas and urban parks, as indicated on the Green Network exhibit. The open space appears to be accessible and visible from adjacent roadways and buildings, and the sidewalk network appears to provide pedestrian access throughout the site and to all of the appropriate destinations. *Id.*

**13. The illustrative plan provided with the CSP is for illustrative purposes only and does not reflect the final layout for any purpose, including limits of disturbance. The CSP may be used as a guide for the layout to be reviewed with**



**the preliminary plan of subdivision or detailed site plans, but its proposed development should be modified, where development shown in the CSP is not consistent with environmental or other Master Plan considerations.**

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

**Condition 14: Prior to signature approval of the CSP and TCP I, the TCP I shall be revised as follows:**

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



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

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

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

At the time of preliminary plan review and subsequent development applications, the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts. *See PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.*

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



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

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

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

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

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

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

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



1. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the Final Plat.
2. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.
3. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
4. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by The M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, The M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
5. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by The M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by The M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
6. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
7. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.



8. The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.

9. No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to The M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

We find that, since the land has been conveyed to M-NCPPC, this condition has been satisfied and does not need to be brought forward with the subject CSP revision. *See* PGCPB 14-128, at 26-27; 10/30/2014 TSR, at 26-27.

**Condition 20: Prior to the approval of a preliminary plan or detailed site plan, the applicant shall demonstrate:**

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



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

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

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

We find Applicant has complied with the requirements of this condition for the Phase II archeological investigations. As of this date, the artifacts have not been curated, and that portion of the condition should be carried forward. *See* PGCPB 14-128, at 28–29; 10/30/2014 TSR, at 28. In addition, we note the testimony by Applicant at the Planning Board hearing concerning that documentation has been received verifying that artifacts have been deposited with the Maryland Archeological Conservation Lab, as well as the evidence in the record confirming the accuracy of Applicant's statements. *Id.*

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

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

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

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



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

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

- a. Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining; and providing attractive gateways/entries and public spaces.
- b. Create outdoor amenities to include, at a minimum, such amenities as brick pavers, tree grates, decorative lighting, signs, banners, high-quality street furniture, and extensive landscaping, including mature trees.
- c. Create attractive architecture by using high-quality building materials such as stone, brick, or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes and customized shopfronts, to create a street-like rhythm.
- d. Provide attractive, quality façades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC, and other unsightly functions.
- e. Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for safe and comfortable travel; pedestrian walkways shall be separated from vehicular circulation by planting beds, raised planters, seating walls, and on-street parallel parking or structures; walking distances through parking lots shall be minimized and located to form logical and safe pedestrian crossings; and walkways shall be made more pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.
- f. Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.



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

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

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

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

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

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

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



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

**l. Provide green areas or public plazas between pad sites.**

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

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

**Condition 24: The research and development flex space shown in DSP-07031, if approved by the District Council, shall be the last research and development flex space approved in the M-X-T Zone at Melford.**

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

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



The record evidence reveals that the width of the stream buffers shown on the Type I tree conservation plan (TCPI) is consistent with the approved natural resources inventory (NRI) for the site. *See* PGCPB 14-128, at 31; 10/30/2014 TSR, at 30. However, a revised NRI with addenda, in which all streams, wetland limits, floodplain limits are prominently identified, an update to the specimen tree list, and a forest stand delineation for areas not yet approved for clearing with accounting details as to any clearing that has already occurred, will be submitted by Applicant. Current stream buffer requirements shall be applied on the NRI and at the time of preliminary plan in defining the primary management area for the site. *Id.*

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

**Condition 26: Prior to the approval of a detailed site plan, the following issues shall be addressed:**

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

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

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

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



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

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

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

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

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

To this end, we find that the boundary of the subject CSP revision shall be revised to include all of the privately-owned properties that were the subject of CSP-06002. If the subject CSP boundary includes the same properties as the original CSP, then the subject approval may



entirely supersede the previous approval, and appropriately update all necessary conditions of approval. Publicly-owned properties not subject to zoning do not need to be included in the CSP boundary. *See* PGCPB 14-128, at 32; 10/30/2014 TSR, at 31.

**Condition 28: Detailed site plans shall provide a minimum 30-foot wide landscape buffer between the development and US 50, if research and development flex space is proposed. The buffer shall be measured from the public utility easement.**

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

**Condition 29: Recreation Facilities Conditions:**

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

The Prince George's County Department of Parks and Recreation ("DPR") recommends the revised language for this condition language, as follows:

"The applicant shall allocate appropriate and developable areas for the private recreational facilities on the Home Owners Association (HOA) land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Review Section of the Development Review Division for adequacy and property siting, prior to approval of the Detailed Site Plan by the Planning Board."

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

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



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

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

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

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

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

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

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



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

**f. The applicant shall submit to the DPR a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by the DPR, within at least two weeks prior to applying for building permits. Upon completion of the trail and trailhead construction, M-NCPPC shall acknowledge the applicant's donation of the trail and trailhead construction by completing the appropriate Federal and State tax forms deemed acceptable by M-NCPPC.**

We concur with the finding of Planning Board, and based on persuasive evidence in the administrative record, that alternative wording for the above language is appropriate. Thus, we find that, in lieu of this stated condition "f," above, Applicant shall submit a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR, at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development. *See* PGCPB 14-128, at 32-33; 10/30/2014 TSR, at 33. In other words, based on our review of the available information within the administrative record, we are persuaded that oversights in the assessment as to the trips calculated for transportation have potential significance on the actual trip cap stated for the subject proposal within the administrative record, and upon which the Planning Board and the District Council relied in the assessment of the applications. To address this issue, Applicant prepared a technical memorandum (dated September 2013), which was submitted to the administrative record; included therein is a mutually agreeable formula as a control to filter varying impact of background developments in the area, as well as a sensitivity analysis, to provide greater



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

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

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

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

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



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

**Governors Bridge Road shall be widened, and a left-turn lane shall be added, as recommended by DPW&T. Because of the short right-turn-only lane, the widening shall extend from the intersection of US 301 to the apartment complex driveway, and the entire roadway shall be restriped, to provide two outbound lanes for approximately 250 feet, all as recommended by DPW&T.**

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

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

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

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

The Historic Preservation Commission ("HPC") recommended the following revised language for existing Condition 4 to clarify the meaning of the historic vista, and how it may best be protected, as follows:

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

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



Our examination of the evidence in the administrative record further reflects support for that the CSP contains two view corridors. One connects the Melford house and the historic cemetery, within which no building construction should be permitted. *See* PGCPB No. 14-128, at 21; 10/30/2014 TSR, at 21–22; 10/22/2014 Mem., HPC to Kosack, at 5–6. Just outside of that primary view corridor, we note that one-story buildings are permitted. The second view corridor is directed east from Melford house to the proposed East-West Boulevard and the amphitheater. Within this second view corridor, the applicant has proffered building height restrictions. *Id.* The recommended language, which the Planning Board adopts, clarifies which views shall be protected and establishes techniques for the protection of the views within the defined view corridors. *Id.*

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

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

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

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



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

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

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

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

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



**be incorporated into the proposal, to minimize adverse impacts to the historic site.**

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

**Condition 8: Prior to issuance of building permits for any property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and outbuildings shall be completed prior to issuance of use and occupancy permits for any future hotel or office uses.**

Based on the completion of work associated with HAWP 5-07 and HAWP 45-07, reviewed and approved by HPC, substantial rehabilitation of Melford House and its outbuildings has been completed to a residential standard. This condition is no longer necessary. Any future rehabilitation of the historic site for a nonresidential use will be carried out through another HAWP as recommended by the modified language of Condition 6 (above). *See* PGCPB No. 14-128, at 22-23; 10/30/2014 TSR, at 23.

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

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

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

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



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

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

Pedestrian safety features, bicycle parking, and other amenities will be addressed at the time of DSP. However, a comprehensive network of sidewalk and trail connections is reflected on the submitted CSP. *See* PGCPB No. 14-128, at 23; 10/30/2014 TSR, at 23. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

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

A trail is proposed along the Patuxent River stream valley, including the area of the lower pond. Two trail connections are reflected on the submitted plans that connect the development site to the stream valley trail. In addition to the trail connections, a comprehensive network of sidewalks is reflected and a partial grid street network is proposed, further enhancing and promoting pedestrian access. *See* PGCPB No. 14-128, at 23–24; 10/30/2014 TSR, at 23–24. We also take note of the wide sidewalks provided in the subject proposal along commercial areas and other areas of higher density. *Id.*

As indicated by the prior conditions of approval, County Council Resolution CR-11-2006 contained a number of design standards and guidelines related to the Melford property. The standards and guidelines pertaining to trail or pedestrian access approved by the District Council in Amendment 22 within CR-11-2006 are as follows:



**The Conceptual Site Plan shall have an integrated network of streets, sidewalks (on all streets), and open space, public or private, and shall give priority to public space and appropriate placement of uses.**

*See CR-11-2006, p. 40, at ¶ 6.*

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

*See CR-11-2006, p. 41, at ¶ 5.*

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

*See CR-11-2006, at 46–47.*

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

*See CR-11-2006, p. 47, at ¶ 30.*

After review of the evidence in the administrative record, we find the subject application is consistent with the above-referenced standards and guidelines. To illustrate this point, we note Applicant's inclusion of a comprehensive network of sidewalks in the subject development proposal, as well as a master plan trail along the Patuxent River, and various associated connections to the master plan trail, within the the proposed development application. *See* PGCPB No. 14-128, at 24; 10/30/2014 TSR, at 23–24 Additional areas of open space also appear to be provided, as well as various plazas and urban parks, as indicated on the Green Network exhibit. The open space appears to be accessible and visible from adjacent roadways



and buildings, and the sidewalk network appears to provide pedestrian access throughout the site and to all of the appropriate destinations. *Id.*

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

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

**Condition 14: Prior to signature approval of the CSP and TCP I, the TCP I shall be revised as follows:**

- a. **Revise the shading patterns so that the information underneath is legible;**
- b. **Eliminate the pattern used to depict previously approved limits of disturbance and show only the limit of disturbance needed for the proposed development;**
- c. **Eliminate all clearing not necessary for the conceptual construction of the features shown;**
- d. **Revise the existing tree line per Staff Exhibit A (2006 Aerial);**
- e. **Provide labels on each cleared area, with acreage and land pod identifications; if cleared areas cross pods, divide them up so that the table on Sheet 1 can be checked for correctness;**
- f. **Revise the worksheet to reflect all cleared areas, preservation areas, etc.;**
- g. **Revise the table on Sheet 1 to fill in all the boxes;**



- h. Add the following note: "This TCP I is associated with the approval of CSP-06002; it is conceptual in nature, and is subject to further revisions with the preliminary plan of subdivision application";
- i. Revise the plans to address all other staff comments of record; and
- j. Have the revised plans signed and dated by the qualified professional who prepared them.

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

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

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

At the time of preliminary plan review and subsequent development applications, the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts. *See* PGCPB No. 14-128, at 26; 10/30/2014 TSR, at 26.

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



**necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.**

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

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

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

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

Our review of the administrative record reveals that this condition has been addressed. *See* PGCPB No. 14-128, at 26–27; 10/30/2014 TSR, at 26–27. The CSP indicates that 99.48 acres of land have been donated to M-NCPPC. This land area is no longer included within the CSP boundary. As a result, we find that this condition does not need to be brought forward with the subject approval. *Id.*

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

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

- 1. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be**



submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the Final Plat.

2. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.
3. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
4. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by The M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, The M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
5. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by The M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by The M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
6. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
7. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
8. The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.



9. No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to The M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

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 impervious surfaces and polluted runoff at each stage of development, as required by the Master Plan. In fact, the Planning Board weakened the conditions of the previous CSP-06002 with respect to minimizing impervious surfaces. It makes no sense that this application should allow additional construction with excessive impervious surfaces that will later have to be retro-fitted using tax revenues.

In short, the Melford CSP will replace rather than promote employment, foster a dense urban and auto-dependent community far from mass transit, with substantial environmental and quality of life impacts, and divert development from areas that the County has prioritized. In light of these severe shortcomings, we do not believe that CSP-06002-01 represents a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use," as required for approval in § 27-276(b)(1) of the Zoning Ordinance. We believe that there are more reasonable alternatives to CSP-06002-01 that preserve the object of promoting an employment center, and that better protect the environment.



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

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

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

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



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

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



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

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

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

Approval of CSP-06002-01 is subject to the following conditions:

1. The proposed development shall be limited to a mix of uses where the trip cap associated with the uses within the boundary of CSP-06002-01 shall not exceed 4,441 AM and



4,424 PM peak hour trips. Any development with an impact beyond that identified hereinabove shall require a revision to the conceptual site plan with a new determination of the adequacy of transportation facilities.

2. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:
  - a. Verify the square footages of the existing development within the area of the CSP. Correctly note the existing and proposed square footages and floor area ratio based on the net tract area.
  - b. Add a note to the Site Data chart on Sheet 4 that all detailed site plans must show conformance to the specific allowed floor area ratios.
  - c. Revise the CSP to graphically show the conceptual location of the proposed pedestrian connection between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section of Bowie.
  - d. Revise General Note 4 and the CSP to clearly indicate the range of square footage for each use within the boundary of the CSP.
  - e. Designate the retail area west of Melford Boulevard for retail, institutional, or office uses.
  - f. Correct the notations on the CSP to include the following text "Melford and Cemetery Environmental Setting (Historic Site 71B-016)."
  - g. Revise CSP Sheets 4, 5, 6, 7, 8, and 9 of 13 to show the 150-foot-wide floodplain buffer correctly.
  - h. Indicate the location of a "conservation easement" that is required for the 150-foot-wide floodplain buffer on Sheet 13 of 13.
  - i. Revise the subject CSP boundary to include all of the properties that were the subject of Conceptual Site Plan CSP-06002. Publicly-owned properties not subject to zoning do not need to be included in the boundary of CSP-06002-01.
3. Prior to certificate of approval of the conceptual site plan (CSP), the Melford Village Design Guidelines (Guidelines) shall be revised as follows:
  - a. References to departures, variances, or variations should be modified or clarified, as necessary, to avoid conflicts with Zoning Ordinance procedures.
  - b. Label each appendix section clearly as an appendix.



- c. Move the parking ratio table and shared parking adjustment table, and all associated language, to an appendix. Add an opening statement regarding the purpose, as described in Finding 7e above, to be reviewed by the Urban Design Section as designee of the Planning Board.
  - d. Move the Definitions section to an appendix and add an opening statement regarding the purpose, as described in Finding 6 above, to be reviewed by the Urban Design Section as designee of the Planning Board.
  - e. Move the Design Review Committee Policies & Procedures section to an appendix and add an opening statement regarding the purpose, as described in Finding 6 above, to be reviewed by the Urban Design Section as designee of the Planning Board.
  - f. A note shall be added to the Street Sections section (page 19) indicating that it shows conceptual street sections that are subject to final approval with the preliminary plan of subdivision.
  - g. Provide language at the bottom of the Street Sections section on page 19 to state that the appropriateness of shared lane markings (sharrows) will be evaluated at the time of preliminary plan of subdivision subject to the approval of the City of Bowie.
  - h. Remove the reference to a parking space size in the Parking Standards section.
  - i. Revise the maps within the Guidelines to maintain consistency with the CSP, as necessary.
  - j. Amend the landscape design guidelines to state that "Residential landscaping shall be provided in accordance with Section 4.1 of the Prince George's County Landscape Manual."
  - k. Amend the landscape design guidelines to reflect that street trees along private streets should be located between the street curb and the sidewalk in conformance with the Prince George's County Landscape Manual, and meet the minimum soil surface area requirements contained in the Prince George's County Landscape Manual.
  - l. Amend the landscape design guidelines on page 51 to reflect that landscaping in parking areas should be designed to conform to the Prince Georges County Landscape Manual.
4. At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:



- a. Reevaluate the intersection of Melford Boulevard and Science Drive to determine what improvements will be needed at various phases of the proposed development.
  - b. Provide an updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, concerning the presence of rare, threatened, and/or endangered species on the site as an amendment to the updated natural resources inventory (NRI) prior to approval.
  - c. If impacts to regulated environmental features are proposed at the time of preliminary plan, over and above those previously approved by the Planning Board, a statement of justification shall be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification shall address how each impact has been avoided and/or minimized and shall include 8.5 by 11 exhibits of the proposed disturbance.
  - d. The preliminary plan application package shall contain a copy of the erosion and sediment control concept plan.
  - e. Evaluate the provision of a circulator shuttle bus service or route throughout Melford, to/from adjacent or nearby employers, commuter bus lots, and future stations and/or mass transit.
5. Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbances to the stream and floodplain buffers shall be eliminated. Where buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The Type I tree conservation plan associated with the preliminary plan of subdivision will be evaluated for impacts to these buffers for the installation of stormwater management outfalls, as necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.
6. During the review of the Type I tree conservation plan associated with the preliminary plan of subdivision, the linear wetland in the middle of the southeastern portion of the site shall be evaluated to ensure its protection in a manner consistent with previous approvals.
7. Prior to approval of a preliminary plan of subdivision or detailed site plan, the applicant shall demonstrate:
- a. The development plans shall show minimization of impervious surfaces to the maximum extent possible, through all phases of the project, with the use of permeable paving surfaces in accordance with the approved storm water management concept plan for Melford. Structured parking should be used to the maximum extent reasonably practicable.
  - b. The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the



fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.

- c. Clearing for utility installation shall be minimized, especially in environmentally-sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.
  - d. The open space system, including but not limited to environmentally-sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.
8. All stream channels on the site shall be depicted on all plans in their entirety, with the regulated stream buffer shown as required.
9. At the time of detailed site plan (DSP), the following design issues shall be addressed:
- a. The plans shall show the stormwater management ponds as amenities, with gentle natural slopes and extensive native planting.
  - b. Prior to the approval of any detailed site plan that includes a portion of the Melford and Cemetery Environmental Setting, in consultation with archeology staff, the applicant shall provide for additional public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a printed brochure, public lectures or a website. The location and wording of any additional signage, brochure text, or website shall be subject to approval by the Prince George's County Planning Department staff archeologist.
  - c. The proposed lighting system shall use full cut-off lighting systems, with limited light spill-over.
  - d. Applicable DSPs that may affect the historic vista of the Melford and Cemetery Historic Site (71B-016) shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in Conceptual Site Plan CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.
  - e. Prior to approval of any DSPs that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.



10. Detailed site plans shall provide a minimum 30-foot-wide landscaped buffer between the development and John Hanson Highway (US 50/301) if research and development flex space is proposed. The buffer shall be measured from the public utility easement.
11. At the time of detailed site plan, the private on-site recreational facilities within the area of each DSP shall be reviewed. The following issues shall be addressed:
  - a. The applicant shall provide a final list of proposed private recreational facilities and their cost estimates. The list of facilities provided on page 15 of the conceptual site plan design guidelines shall initially be viewed as the types of facilities required. The appropriateness of the number and size of the facilities will be reviewed at DSP.
  - b. The minimum size of the proposed private recreational facilities and the timing of their construction shall be determined.
  - c. The developer and the developer's heirs, successors, and/or assignees shall satisfy the Prince George's County Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.
12. Before approval of a detailed site plan for any retail uses, the plans shall demonstrate that the retail uses are designed to:
  - a. Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services, and dining; and providing attractive gateways/entries and public spaces.
  - b. Create outdoor amenities to include, at a minimum, such amenities as brick pavers, tree grates, decorative lighting, signs, banners, high-quality street furniture, and extensive landscaping, including mature trees.
  - c. Create attractive architecture by using high-quality building materials such as stone, brick, or split-face block, and providing architectural elements such as façade articulation, dormer windows, canopies, arcades, varied roofscapes, and customized shopfronts to create a street-like rhythm.
  - d. Provide attractive quality façades on all commercial buildings visible from public spaces and streets; and completely screen loading, service, trash, HVAC (heating, ventilating, and air conditioning), and other unsightly functions.
  - e. Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for



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

- f. Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.
  - g. Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.
  - h. Provide a hierarchy of pedestrian-scaled, high-quality, energy-efficient, direct and indirect lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.
  - i. Provide a comprehensive sign package for signs and sign standards that integrate the signage guidelines within Conceptual Site Plan CSP-06002-01 and the previously approved sign standards contained in Detailed Site Plan DSP-11008. The standards shall address size, location, square footage, materials, and lighting. Any revision to existing approved signage plans shall incorporate the previously approved designs. The revised signage plan to consolidate the signage standards and remove inconsistencies may be approved by the Planning Director, as designee of the Planning Board.
  - j. Eliminate all temporary signage on the site or attached to the exterior façades of a building.
  - k. Make retail pad sites compatible with the main retail/office/hotel/residential component. If the retail pad sites are located along the street, all off-street parking shall be located to the rear or side of the pad sites. Parking provided on the side of pad sites shall be buffered with appropriate screening and/or landscape features.
  - l. Provide green areas or public plazas between pad sites, to the maximum extent possible.
  - m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.
13. All plans shall delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016.
14. Prior to Planning Board approval of the first detailed site plan for development in the northwest or southwest neighborhood of Melford Village, the applicant in the historic area work permit process shall submit a plan and timetable for the protection,



stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery Historic Site. The Historic Preservation Commission shall review and approve the plan and timetable through the Historic Area Work Permit (HAWP) process.

15. In the detailed site plan for the development of the Melford Historic Site (71B-016), its outbuildings, and its cemetery, the proposed development shall be compatible in scale, design, and character with the existing historical and architectural character of the buildings. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.
16. Prior to approval of any preliminary plan of subdivision or detailed site plan applications, the Historic Preservation Section shall certify that all quarterly reports have been received in a timely manner and that the Melford site is being properly maintained.
17. The applicant shall provide standard sidewalks along both sides of all internal roads, in keeping with Guideline 3 of Prince George's County Council Resolution CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required where reasonably appropriate, unless modified by the City of Bowie for portions of sidewalk within the public right-of-way.
18. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate, and shall be shown on all affected detailed site plans.
19. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the lower pond. The comprehensive trail network will be evaluated at the time of preliminary plan of subdivision and should be in conformance with Guidelines 29 and 30 of Prince George's County Council Resolution CR-11-2006.
20. The illustrative plan provided with the conceptual site plan (CSP) is for illustrative purposes only and does not reflect the final layout for any purpose, including limits of disturbance. The CSP may be used as a guide for the layout to be reviewed with the preliminary plan of subdivision or detailed site plans, but its proposed development should be modified, where development shown in the CSP is not consistent with environmental or other master plan considerations.
21. No additional research and development flex space is permitted in the Mixed Use-Transportation Oriented (M-X-T) Zone at Melford.
22. Recreation Facilities Conditions:



- a. The applicant shall complete construction of a ten-foot-wide asphalt surface hiker/bicyclist/equestrian trail, four boardwalks, a 15-space asphalt parking lot, an asphalt access road, and trailhead facilities on adjacent Patuxent River Park prior to issuance of a building permit for the 500th residential dwelling unit within the Melford development.
  - b. Prior to the first residential building permit, the applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) for review and approval revised construction drawings for public recreational facilities. These drawings shall include details for construction of the planned asphalt parking lot and asphalt access road.
  - c. The applicant shall construct at least two eight-foot-wide asphalt trail connectors from the residential neighborhood to the master-planned trail on dedicated parkland. The location of the trail connectors shall be established at the time of detailed site plan review and approval.
  - d. The applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DPR, at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development.
  - e. Prior to a submission of any final plat of subdivision for the residential component of Melford, the public Recreational Facilities Agreement (RFA) recorded at Liber 34304, Folio 145 shall be amended to incorporate an asphalt parking lot and asphalt access road to the park, timing of construction, and bonding of the recreational facilities. Upon DPR approval, the RFA shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.
  - f. The applicant shall allocate appropriate and developable areas for the private recreational facilities on the homeowners association land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.
23. A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the building permit for the 300th dwelling unit, subject to the approval of the Maryland State Highway Administration.



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

Ordered this 23<sup>rd</sup> day of March, 2015, by the following vote:

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

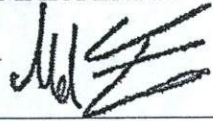
Opposed: Council Member Lehman.

Abstained:

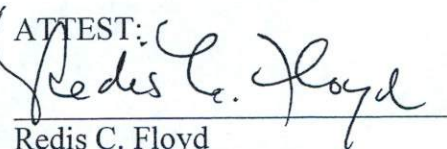
Absent: Council Member Franklin.

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](http://www.mncppc.org/pgco)

PGCPB No. 17-45

File No. 4-16006

## RESOLUTION

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

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

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-16006 for Melford Village was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on March 9, 2017, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on March 9, 2017, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type 1 Tree Conservation Plan (TCP1-044-98-05), and APPROVED a Variance from Section 25-119(d), and further APPROVED Preliminary Plan of Subdivision 4-16006, including a Variation from Section 24-128(b)(7)(A) for 256 lots and 50 parcels with the following conditions:

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



- c. Label Parcel 40 as to be conveyed to the City of Bowie and update the homeowners association dedication notes on Sheet 1 accordingly.
  - d. Correct General Note 13 to provide the correct number of parcels proposed for commercial and multifamily uses, TH, and two-family.
  - e. Remove the lot designations for the two over two units and relabel them as numbered parcels.
  - f. Show the required 10-foot-wide public utility easements (PUEs) along both sides of New Public Roads 'A' through 'E.' Any deviation from the 10-foot wide PUE shall only be allowed upon demonstration of approval by the appropriate public utility. A variation must be approved prior to detailed site plan for any deviation from the 10-foot-wide PUE requirement.
  - g. Include a location for a trailhead facility for the master plan trail along the Patuxent River.
  - h. The pedestrian network exhibits shall be revised to include the trailhead location and the additional shared-lane marking.
  - i. The applicant shall provide written documentation that the City of Bowie has approved a waiver of the street standards for the project.
2. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement (PUE) along all public rights-of-way, and one side of all private streets, not including alleys. Any deviation from the 10-foot-wide PUE shall only be allowed upon demonstration of approval by the appropriate public utility. A variation must be approved prior to detailed site plan for any deviation from the 10-foot-wide PUE requirement.
3. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval and on the approved plan, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
4. Prior to certification of the preliminary plan, an updated Letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, shall be submitted concerning the presence of rare, threatened and/or endangered species on the site.
5. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:



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

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



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



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

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

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

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

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

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



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



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



14. Prior to signature approval of the preliminary plan of subdivision and the Type 1 tree conservation plan, the plans shall be revised to delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016 as required by Condition 13 of PGCPB Resolution No. 14-128 for CSP-06002-01.
15. Prior to signature approval of the preliminary plan of subdivision and Type I tree conservation plan, the applicant and the applicant's heirs, successors, and/or assignees shall clarify the ownership of the cemetery parcel associated with the Melford Historic Site (71B-016).
16. Total development shall be limited to uses which generate no more than 2,353 AM peak-hour trips and 2,766 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.
17. Prior to issuance of any residential building permits within the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction through the applicable agency's access and permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency, and per applicable City, County, and/or SHA standards and requirements:
  - a. **Melford Boulevard and Science Drive:** Convert the existing roundabout to a traditional four-legged signalized intersection, as described below:
    - (1) Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required physical and traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.
    - (2) Provide four travel lanes on the northbound approach and on the southbound approach. These shall include two travel lanes in each direction and turning lanes, as determined to be appropriate by the City of Bowie.
    - (3) Provide two travel lanes on the eastbound approach and on the westbound approach. These shall be marked and striped as determined to be appropriate by the City of Bowie.
  - b. **Melford Boulevard and Tesla Drive/site access:** Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.



- c. **US 301 and Governors Bridge Road/Harbour Way:** Provide an additional right-turn lane on eastbound Harbour Way and restripe the eastbound approach on Harbour Way to result in two left-turn lanes, one shared through/left-turn lane, and one right-turn lane.
18. Prior to signature approval of the preliminary plan of subdivision and Type I tree conservation plan, the applicant and the applicant's heirs, successors, and/or assignees shall revise the plans per the applicant's exhibit and demonstrate conformance to Section 27-548(h) of the Prince George's County Zoning Ordinance for all townhouse lots.
19. Pursuant to a proffer made in the traffic impact study and an agreement with the City of Bowie, prior to the first residential building permit, the applicant and the applicant's heirs, successors, and/or assignees shall provide for at least four traffic calming measures or devices along Belair Drive, west of the MD 3 interchange and per the City of Bowie standards and specifications. These measures shall be provided and reviewed with the first detailed site plan for residential development filed pursuant to this preliminary plan of subdivision.
20. A hiker-biker trail connection shall be shown on the preliminary plan of subdivision and constructed by the applicant and the applicant's heirs, successors, and/or assignees along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.
21. A 10-foot-wide hiker-biker trail shall be provided by the applicant and the applicant's heirs, successors, and/or assignees on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This segment of the trail system shall be shown on the preliminary plan of subdivision prior to signature approval. The appropriate triggers for the permitting and construction of the hiker-biker trail on Parcel 40 shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.
22. To help fulfill the purpose of Condition 19 of Conceptual Site Plan CSP-06002-01, "sharrows" shall be installed by the applicant and the applicant's heirs, successors, and/or assignees on Curie Drive (and Science Drive, beyond the Melford Village project limits). The appropriate location(s) and triggers for permitting and construction of the sharrows shall be determined at the time of detailed site plan for each phase of the project.
23. The applicant and the applicant's heirs, successors, and/or assignees shall deed Parcel 40 to the City of Bowie upon completion of all facilities on Parcels 40 and 41 (the amphitheater parcel).
24. The applicant and the applicant's heirs, successors, and/or assignees shall execute a maintenance agreement with the City of Bowie for maintenance of Parcel 40 prior to issuance of any building permits.



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

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

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

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

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



The proposed 500 senior age restricted units will be integrated within the multi-family buildings containing market-rate units. Specifics regarding the exact location of the senior units will be determined at the time of detailed site plan (DSP). Additionally, the southeast neighborhood will be largely developed with fee simple townhouse lots primarily served by private streets. Each of the neighborhoods will have a variety of recreational amenities that will be determined more fully at the time of DSP. The PPS has been reviewed for conformance with the CSP.

#### **Previous Approvals**

On January 25, 1982, the Prince George's County District Council approved Zoning Map Amendment (Basic Plan) A-9401 for the subject property, with ten conditions (Zoning Ordinance 2-1982). The zoning map amendment rezoned the property from the R-A and O-S Zones to the Employment and Institutional Area (E-I-A) Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Prince George's County Planning Board decision (PGCPB Resolution No. 86-107), for the Maryland Science and Technology Center, with 27 conditions and two considerations.

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

On May 6, 2014, the Prince George's County Council approved the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035), which created new center designations to replace those found in the 2002 Prince George's County Approved General Plan, and classified the Bowie Town Center, including the subject site, as a "Town Center." The subject site retained its status as an "Employment Area" in the plan. CSP-06002-01 was filed by the Applicant on June 9, 2014. At its meeting on April 21, 2014, the Bowie City Council conducted a public hearing on CSP-06002-01 for the Melford property. As originally proposed to the City, the CSP revision included up to 100,000 square feet of retail; up to 260,000 square feet of employment; 126,520 square feet of research space; and up to 2,500 dwelling units (including up to 500 senior adult multifamily units, 1,500 non-senior multifamily units, and 500 townhome units). The City Council voted to approve CSP-06002-01 for Melford Village, but determined that the residential component should be revised to include up to 1,000 senior multifamily units (which may include assisted living facility units), up to 1,000 non-senior multifamily units, and up to 500 townhome units.



The Planning Board held its public hearing on CSP-06002-01 on November 13, 2014. The Planning Board issued Resolution No. 14-128 approving CSP-06002-01. On February 23, 2015, the District Council held Oral Argument based on an appeal filed by local citizen opponents and took the case under advisement. On March 23, 2015, the District Council issued a Notice of Final Decision and Order of Approval with Conditions affirming the Planning Board's decision in CSP-06002-01.

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

3. **Setting**—The subject property is located in the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301), in Planning Area 71B and Council District 4.

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

The site is bounded to the north by office and medical office uses in the Mixed-Use Transportation-Oriented (M-X-T) Zone, and beyond Sherwood Manor, an existing subdivision of single-family detached dwelling units in the Residential-Agricultural (R-A) Zone, and a vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the Reserved-Open Space (R-O-S) Zone; to the east by vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the Mixed Use Transportation-Oriented (M-X-T) Zone, and beyond, the Patuxent River and the U.S. Air Force transmitter station located in Anne Arundel County; to the south by office, medical office, warehouse and institutional uses in the Mixed Use - Transportation Oriented (M-X-T) Zone, and beyond by the John Hanson Highway (US 50/301) right-of-way and a small vacant property in the Open Space (O-S) Zone; and to the west by the Crain Highway (MD 3) right-of-way. The property is located within the City of Bowie.



#### FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

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

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

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

#### Background

Development Review Case	Tree Conservation Plan	Approval Authority	Status	Action Date	Approval Document
A-9401	N/A	District Council	Approved	10/10/2001	PGCPB No. 02-43
A-9401-02	N/A	N/A	Dormant	N/A	N/A
CSP-06002	TCPI-044-98-02	District Council	Approved	5/11/2009	Order of Approval
CSP-06002-01	TCP1-044-98-04	District Council	Approved	3/23/2015	Order of Approval
4-16006	TCP1-044-98-05	Planning Board	Pending	3/2/2017	Pending



The plans for the site were previously reviewed when it was zoned E-I-A and known as the University of Maryland Science and Technology Center. The site was rezoned M-X-T in the Bowie and Vicinity Planning Area Sectional Map Amendment (SMA). The District Council's action in the SMA for this site is found in County Council Resolution CR-11-2006.

Type I and Type II Tree Conservation Plans, (TCPI-044-98 with revisions and TCP II-036-99 with revisions, respectively) are associated with the site based on previous approvals by the Planning Board of a PPS (4-98076), Comprehensive Design Plan (CDP-8601) and several Specific Design Plans (SDP-0201, SDP-0203, SDP-0301 and SDP-0405) when the site was zoned E-I-A, a comprehensive design zone.

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

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

#### **Grandfathering**

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

#### **Site Description**

The overall Melford development of which this application is a part, is in the northeast quadrant of the intersection of US 50 and MD 3/US 301, and contains 431.55 acres in the M-X-T Zone. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on this property. According to the "Soil Web Survey" the principal soils on the site are in the Adelpia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and then other pose no special development challenges. Marlboro and Christiana clays are not located on or in the vicinity of the property. According to available information, Marlboro clay



is not found to occur in the vicinity of this property. Based on information obtained from the Maryland Department of Natural Resources Wildlife and Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property; however, there are records of 'species of concern' known to occur within the vicinity of the site. There are no designated scenic and historic roads in the vicinity of this property. According to the 2005 *Approved Countywide Green Infrastructure Plan*, all three network features (Regulated Areas, Evaluation Areas and Network Gaps) are present on the Melford site. This property drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River.

**Conformance with Plan Prince George's 2035 Approved General Plan**

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

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

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

"A range of auto-accessible centers that anchor larger areas of suburban subdivision. Overall the centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. The centers typically have a walkable "core" or town center. Often the mix of uses is horizontal across the centers rather than vertical within individual buildings. While master plans may call for future heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction."

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



### **Master Plan Conformance**

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

The following master plan guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

**Policy 1: Protect, preserve and enhance the identified green infrastructure network within the master plan area.**

#### **Strategies:**

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

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

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

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

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



**Strategies:**

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

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

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

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

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

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

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

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

**Strategies**

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



4. **Establish tree planting adjacent to and within areas of impervious surfaces. Ensure an even distribution of tree planting to provide shade to the maximum amount of impervious areas possible.**

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

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

**Strategies:**

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

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

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

**Strategies:**

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

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

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



**Conformance with the 2010 Approved Water Resources Functional Master Plan**

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection and preservation of drinking water, stormwater, and wastewater systems within the County, on a countywide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, County ordinances for stormwater management, floodplain and woodland conservation, and programs implemented by the Prince George's County Department of Permitting, Inspections and Enforcement (DPiE), the Prince George's County Department of Health, the Prince George's County Department of the Environment, the Prince George's Soil Conservation District, the Maryland-National Capital Park and Planning Commission, and the Washington Suburban and Sanitary Commission are also deemed to be consistent with this master plan.

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

**Conformance with the 2005 Approved Countywide Green Infrastructure Plan**

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

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

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

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

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



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

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

The revisions were made and the certificate was issued.

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



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

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

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

This condition will be addressed with the current PPS review, along with restoration of natural buffers in the Environmental Review section below.

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

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

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

- a. **Development plans shall show minimization of impervious surfaces, through all phases of the project, with the use of permeable paving surfaces where soil conditions provide for the use of permeable paving materials. Structured parking should be used to the maximum extent possible.**

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



- b. Streams shall have a 100-foot natural buffer and a 150-foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on community property.**
- c. Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**
- d. The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.**

The plans correctly delineated the 100-foot-wide "natural buffer and 150-foot-wide building and parking setbacks. The open space network, and impacts to environmentally sensitive areas are evaluated below.

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

The width of stream buffers shown on the current plan are consistent with the approved NRI for the site and the condition. A revised NRI applying current stream buffer requirements was approved on March 1, 2016 at staff level, and these buffer requirements were used in delineating the primary management area (PMA) for the site.

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

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

The technical design of stormwater management facilities and associated landscaping is subject to approval by the City of Bowie. Coordination of the stormwater management landscape plans with the overall landscape plan for the site will occur with the review of the DSP.

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

Lighting systems will be reviewed at the time of DSP for conformance to this condition of approval.



**Conditions of Previous Approvals: CSP-06002-01 and TCP1-044-98-04**

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

1. **Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:**

- g. **Revise CSP Sheets 4, 5, 6, 7, 8, and 9 of 13 to show the 150-foot-wide floodplain buffer correctly.**
- h. **Indicate the location of a "conservation easement" that is required for the 150-foot-wide floodplain buffer on Sheet 13 of 13.**

The revisions were made and the certificate was issued.

4. **At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:**

- b. **Provide an updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, concerning the presence of rare, threatened, and/or endangered species on the site as an amendment to the updated natural resources inventory (NRI) prior to approval.**

An updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, concerning the presence of rare, threatened, and/or endangered species on the site was submitted during the revision to the natural resources inventory (NRI-154-06-01), as discussed further.

- c. **If impacts to regulated environmental features are proposed at the time of preliminary plan, over and above those previously approved by the Planning Board, a statement of justification shall be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification shall address how each impact has been avoided and/or minimized and shall include 8.5 by 11 exhibits of the proposed disturbance.**

There are no anticipated nor identified new impacts to regulated environmental features proposed with the current application.

- d. **The preliminary plan application package shall contain a copy of the erosion and sediment control concept plan.**



The application package does contain a copy of the erosion and sediment control concept plan for the project, which will be further reviewed with the DSP.

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

There are no anticipated nor identified new impacts to regulated environmental features proposed with the current application.

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

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

7. **Prior to approval of a preliminary plan of subdivision or detailed site plan, the applicant shall demonstrate:**
  - a. **The development plans shall show minimization of impervious surfaces to the maximum extent possible, through all phases of the project, with the use of permeable paving surfaces in accordance with the approved storm water management concept plan for Melford. Structured parking should be used to the maximum extent reasonably practicable.**
  - b. **The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.**
  - c. **Clearing for utility installation shall be minimized, especially in environmentally-sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland**



**disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**

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

Conditions a, c, and d shall be addressed at the time of DSP. Condition b does not apply.

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

All streams and regulated stream buffers were correctly delineated on the revised NRI, which is reflected in the current plans under review.

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

The existing environmental setting for Melford and the Cemetery have been shown on the current plans and labeled, although the graphic pattern is not included in the legend and should be.

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

The current application shows no impacts to regulated environmental features of the site. If impacts are proposed with future application, consistency with environmental or other master plan considerations will be further evaluated.

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

A Natural Resource Inventory, NRI-054-06, was approved for the subject property on February 21, 2008. A revised NRI (NRI-054-06-01) was required for the current application, because the previous NRI had exceeded the validity period, and the stream buffers required for regulated streams effective September 1, 2010 needed to be addressed for approval prior to PPS application in accordance with a Letter of Agreement dated October 10, 2013 from Christopher Rizzi, Greenman-Pedersen, Inc and Katina Shoulars, Supervisor of the Environmental Planning Section, which outlined the amended materials required for submittal with the revised NRI. The revised NRI was approved on March 1, 2016, and was submitted with the current application.



The environmental and cultural features identified on the NRI, and the delineation of the PMA have been correctly transposed onto the TCP1.

**Rare, Threatened and Endangered Species**

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

Prior to certification of the PPS, an updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, shall be submitted concerning the presence of rare, threatened and/or endangered species on the site as an amendment to the approved NRI prior to approval.

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include streams, wetlands and buffers, and 100-year floodplain, which are shown on the NRI, and the delineated PMA which includes the contiguous regulated environmental features of the site.

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact.

The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.



Impacts to regulated environmental features must first be avoided and then minimized. If impacts to the regulated environmental features are proposed, a statement of justification must be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification must address how each impact has been avoided and/or minimized and should include 8.5 by 11 exhibits of the proposed disturbance.

The current application is a revision to an approved TCP1 found to have satisfied this finding, and no significant change to the limit of disturbance or additional impacts to regulated environmental features is currently proposed. The current TCP1 shows cumulative impacts of 4,358 square feet to the 100-foot-wide "natural stream buffer" for future sewer connections, and 6,394 square feet to the 150-foot-wide "floodplain buffer" for future SWM outfall structures, which were previously approved under an earlier development application for the implementation of the regional stormwater management ponds.

At the time of DSP, if amended environmental information is submitted and/or additional impacts are proposed to regulated environmental features, a full review of additional environmental impacts to regulated environmental features will be performed, and justification of requested impacts will be required.

The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on consistency with the limits of disturbance shown on the previously approved Conceptual Site Plan CSP-06002-01 and Type 1 Tree Conservation Plan TCPI-044-98-04.

#### **Tree Conservation Plan**

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The site already has an approved Type 1 and Type 2 Tree Conservation Plan. A revised TCP1 (TCP1-044-98-05) was submitted with the PPS.

TCP1-044-98-05 covers a 431.55-acre gross tract area, which is portion area of the Melford development (formerly University of Maryland Science and Tech Center) which is subject to the ordinance, and is larger than the PPS currently under review. The woodland conservation threshold is 44.38 acres, based on the M-X-T zoning and a net tract area of 295.86 acres. The site contains 176.47 acres of upland woodlands and 89.26 acres of wooded floodplain. The revised TCP1 proposes clearing 121.39 acres of the upland woodlands, and 0.30 acres of wooded floodplain. No off-site clearing is proposed. Previously dedicated rights-of-way have been subtracted from the gross tract area consistent with the previous TCPI approval. Based upon the clearing proposed, the total woodland conservation requirement for the development is currently calculated to 45.58 acres.



The revised TCP1 proposes to meet the overall requirement (431.55 acres) with 54.36 acres of on-site preservation, 6.37 acres of on-site afforestation/reforestation, 6.812 acres of afforestation/reforestation in natural regeneration, and 5.50 acres of Specimen/Historic Tree Canopy Credit. The entire requirement is proposed to be met on-site, and no off-site woodland conservation is proposed.

Recently a portion of the Melford site, which is included in the boundaries of the TCP1, was transferred to the federal government for construction of the National Holocaust Museum warehouse facility, and is no longer subject to the local WCO. The area of the transferred property shall be deducted from the net tract area, similarly to the way other federal sites in the Melford development are handled, and no woodland conservation can be credited on property owned by the federal government.

The calculation of net tract area needs to be revised in the woodland conservation worksheet to show that Lot 2, in Pod 7, which is 7.61 acres in area, has been purchase by the U.S. Government, and is no longer subject to local woodland conservation requirements. Federal projects are subject to review by the Maryland State Forest Service for compliance with the Clean Water Act. This acreage should be added to the list of "Previously Dedicated Land" in the Woodland Conservation Summary Table, and woodland preservation should no longer be credited on Lot 2. Affected plan sheets, calculations and tables shall be adjusted to reflect this change.

The TCP1 also shows preservation and afforestation proposed on the 1.13-acre cemetery and environmental setting, although the ownership of the cemetery has not been determined and the cemetery is not a part of this PPS. Any crediting of woodland conservation area within the cemetery environmental setting can only occur with the consent of the owner. The woodland within the environmental setting shall be indicated as "woodland retained – not credited, and no afforestation should be shown with the approval of the TCP1.

In review of the TCP1, it was determined that the use of "opportunity areas for regeneration" is not an appropriate methodology in the location proposed on this site. All areas shown as "opportunity areas" shall be eliminated and instead shown as afforestation reforestation areas, and "opportunity areas" shall be eliminated from the legend.

The TCP1 shows woodland conservation being provided on property currently owned by M-NCPPC. Written permission from the Department of Parks and Recreation is required, and the amount of woodland conservation provided on M-NCPPC shall be clearly demonstrated on the plan.

The TCP1 requires technical revisions to be in conformance with the applicable Woodland Conservation Ordinance, the Environmental Planning Section policies, and the Environmental Technical Manual prior to certification of the PPS.



### **Preservation of Specimen, Historic and Champion Trees**

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

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

The NRI and TCP1 indicate that there are 44 specimen trees located on the TCP1, all are located outside of the environmental setting of the historic site. A Subtitle 25 variance application for the twelve specimen trees proposed for removal was submitted along with a Statement of Justification, and will be evaluated below.

The TCP1 indicates that there are forty "historic" trees located within the environmental setting for the Melford Historic Site (71B-016) listed on a separate "Historic Tree Table." No historic trees are proposed for removal. The applicant has requested Specimen /Historic Tree Canopy Credits for 2.75 acres of critical root zone (CRZ) area, which is credited at a rate of two square feet of woodland conservation credit for every one-square-foot of the CRZ area, resulting in credits for 5.50 acres of woodland conservation.

The Historic Tree Table does not address individual trees located within the environmental setting of the Cemetery (71B-016), although the area is proposed to be credited as preservation and afforestation/reforestation. Because the ownership of the cemetery is unknown at this time, and not under the control of the applicant, the cemetery should be shown as "woodland retained - not credited." The applicant has also credited afforestation/reforestation achieved through natural regeneration on the cemetery environmental setting. The applicant cannot credit woodland conservation on property they don't control without the consent of the owner, and any planting within an environmental setting is further subject to a Historic Area Work Permit.

The Environmental Planning Section and the Historic Preservation Section noted, and the Planning Board finds, that some vegetation removal in the cemetery is appropriate to protect and conserve the existing gravesites. Under the current situation of unknown ownership, no credit can be given for woodland conservation located within the environmental setting.

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

A Subtitle 25 Variance Application and a statement of justification for the removal of 12 specimen trees located in Melford Village was received by the Development Review Division on



October 5, 2016. A total of 44 specimen trees have been identified on-site, within the boundary of this PPS, including the Melford historic site.

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

ID	Common Name/ Scientific Name	DBH (inches)	Condition Score/ Condition Rating		Comments	Proposed Disposition
O	Yellow poplar <i>Liriodendron tulipifera</i>	32	23	Fair		Removal
P	Pitch pine <i>Pinus rigida</i>	43	26	Good		Removal
Q	Elm sp. <i>Ulmus sp.</i>	37	20	Poor		Removal
R	Elm sp. <i>Ulmus sp.</i>	44	21	Poor		Removal
S	Elm sp. <i>Ulmus sp.</i>	33	20	Poor		Removal
T	Elm sp. <i>Ulmus sp.</i>	35	12	Very poor	Declining health	Removal
U	Elm sp. <i>Ulmus sp.</i>	35	21	Poor		Removal
V	White ash <i>Fraxinus americana</i>	30	19	Poor		Removal
Y	Elm sp. <i>Ulmus sp.</i>	32	18	Poor		Removal
Z	Black Walnut <i>Juglans nigra</i>	36	23	Fair		Removal
AA	Yellow poplar <i>Liriodendron tulipifera</i>	32	27	Good		Removal
BB	Sycamore <i>Platanus occidentalis</i>	41	27	Good		Removal

The statement of justification submitted describes the need for a developable area to meet the anticipated development pattern of the M-X-T Zone, and the condition of many of the trees as the main reasons for their removal. Nine of the trees identified are in very poor to fair health, with three being in good health. The trees are basically in two geographical areas of the property.

Nine of the trees are located in close proximity (less than 200 feet) to the Melford historic site, although none are located within the environmental setting. Three of the trees are located within the required Type "E" bufferyard (minimum building setback of 60 feet in width, with a minimum landscaped yard of 50 feet, and in poor to very poor condition. Five of the trees located outside the bufferyard are in very poor to fair health. Due to the stress of construction and the development density proposed would be unlikely to thrive. The remaining specimen tree located approximate 200 feet west of the Melford environmental setting is a 43-inch DBH pitch pine in an area proposed for commercial/retail development. While its construction tolerance is moderate to good,



the mass grading and fill proposed for development of the site would significantly change the elevation of the area, and its retention is not compatible within the desired pattern of development.

The remaining three specimen trees proposed for removal are located near to a riparian buffer in the northeast section of the development, where large multifamily development is proposed. One of the trees, a 36-inch DBH black walnut is in poor condition and not good candidate for retention. One tree is a 32-inch tulip poplar in good condition, but is a species that is known to have poor construction tolerance due to its tuberous roots, and is also not a good candidate for retention. The remaining tree is a 41-inch DBH sycamore in good condition, which is generally tolerant to construction. Retention of this tree is not feasible in its current location because of the large footprints and mass grading required for the scale of building proposed, which requires a grading cuts of ten to fifteen feet within the vicinity of the tree.

Section 25-119(d) of the WCO contains six required findings **[text in bold]** to be made before a variance can be granted. The letter of justification submitted seeks to address the required findings for the removal of on-site specimen trees.

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

The statement of justification indicates that the preservation of the twelve identified specimen trees for which this variance is requested is not feasible due to mass grading necessary to fulfill the desired development pattern of the M-X-T Zone. Nine of the trees are in declining health (O, Q, R, S, T, U, V, Y, and Z) or construction intolerant and would be unlikely to survive construction activities. The retention of the three other specimen trees (P, AA and BB) is not feasible due to their location where extensive cut or fill is required for development of the site. The redesign of the site to retain two specimen trees would pose an unwarranted hardship on the development of the site.

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

The statement of justification states that the expectation to retain all specimen trees on the site would prevent the applicant from utilizing the developable area of the proposed in accordance with M-X-T zoning granted to the project, and with the expectations of the General Plan and applicable master plan. The strict enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

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

The statement of justification states that the applicable Zoning Ordinance development requirements are in effect for M-X-T property, and that no special privilege would be conferred by granting the variance. All applicants have the right to request a variance to



remove specimen trees should they prove special circumstances exist that merit their removal.

The requested variance for the removal of specimen trees does not confer any special privilege beyond that granted by the zoning of the property, and the development proposed is in accordance with all other development requirements.

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

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

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

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

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

The statement of justification states that stormwater management will be provided and water quality will be addressed in accordance with County guidelines. Water quality will not be adversely impacted if the site is developed in accordance with county water quality regulations.

The Planning Board approves the variance request for twelve specimen trees (O, P, Q, R, S, T, U, V, Y, Z, AA and BB) based on the above findings.

**Noise Impacts and Mitigation**

Policies contained in the General Plan call for the reduction of adverse transportation noise impacts to meet State of Maryland noise standards. Noise is generally regulated along roads with a classification of arterial or higher, where residential uses are proposed because these roadways carry traffic that results in noise levels above 65 dBA Ldn. The Melford Villages development is located in the northeast quadrant of the intersection of two roadways classified as freeways.

Robert Crain Highway (US 301) is an existing source of traffic-generated noise, and a master planned freeway (F-10). Using the Environmental Planning Section Noise Model and applying a traffic count at build-out of 72,949 and a traffic speed of 55 miles per hour, the anticipated ground floor 65 dBA Ldn noise contour would lie approximately 470 feet from the center line of US 301.



John Hanson Highway (US 50) is an existing source of traffic-generated noise, and a master planned freeway (F-4). Using the Environmental Planning Section Noise Model and applying a traffic count at build-out of 120,680 and a traffic speed of 65 mph, the anticipated ground floor 65 dBA Ldn noise contour would lie approximately 869 feet from the center line of US 301.

The located of these conservative noise contours was plotted on the TCP1 to evaluate potential impacts areas to residential uses, which were not previously evaluated on the development site due to the prior zoning categorization.

The 65 dBA noise contour related to US 50 falls just south of the boundary of the current development proposal, basically running along Melford Boulevard. Just north of Melford Boulevard the plan proposes single-family attached units which are outside of the 65 dBA contour. In conjunction with the lower topography of the adjacent roadway and intervening buildings providing additional shielding, no noise mitigation measures are recommended.

The 65 dBA noise contour related to US 301 runs parallel to the freeway on the western portion of the property, approximately 1,100 feet from closest residential units in the current development proposal. No noise impacts are indicated, and noise mitigation measures are not recommended.

#### **Sediment and Erosion Control**

Prior to grading of the site, the county requires the approval of an Erosion and Sediment Control Plan. The Tree Conservation Plan must reflect the ultimate limits of disturbance not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including Erosion and Sediment Control measures. A Concept Grading, Erosion and Sediment Control Plan (CSC 186-16) was approved by the Prince George's Soil Conservation District on June 30, 2016 and is valid until June 30, 2019.

An erosion and sediment control concept plan must be submitted at the time of PPS so that the limits of disturbance for the project can be verified as shown on the TCP. A copy of the approved erosion and sediment control concept plan will be required prior to certification of the PPS.

#### **Soils**

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

6. **Community Planning**—The subject application is located in Planning Area 71B within the City of Bowie, and within the 2006 Bowie and Vicinity Master Plan and SMA, which rezoned the property from the E-I-A Zone to the M-X-T Zone and recommended a mixed-use development (residential, office/employment/retail/hotel uses) land use for the subject property. This application proposes a mixed-use development which conforms to the land use recommendation within the master plan.



Plan Prince George's 2035 created new Center designations to replace those found in the 2002 Approved General Plan. The General Plan established five Town Centers. Town Centers are focal points of concentrated residential development and limited commercial activity serving established communities. The proposed application is located within the Bowie Town Center. Town Center designations in the General Plan, as identified in the Plan 2035 Center Classification System, offer the following general guidelines.

- a. **New housing mix: Low rise apartments, and condos, townhouses and small single family lots**—This is evident as this application proposes attached and multifamily residential development.
- b. **Average Net Housing Density for New Development: 10-60 Dwelling Units/Acre**—This application is proposing 15 dwelling units per acre.
- c. **FAR for New Commercial Development: 1-2.5**—This application is proposing a 0.07 FAR for new commercial development which is less than the recommended 1–2.5 FAR guideline for Town Centers. However, it appears that the proposed FAR is greater than the FAR on the previously approved Conceptual Site Plan CSP-06002-01 for the Melford development, which proposes an underlying FAR ranging from 0.46 to 0.68.
- d. **Transportation Characteristics: Largely automobile-oriented with access from arterial highways. Limited bus service along with on-demand bus service**—Overall, the centers are less dense and intense than other center types and may be larger than one-half mile in size due to their auto orientation. The centers typically have a walkable “core” or town center. Often, the mix of uses is horizontal across the centers rather than vertical within individual buildings. While master plans may call for future heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction. As development in the Bowie Town Center evolves, this application may create a more robust demand for bus service.

An evaluation of the following policies and strategies from pages 110–118 of Plan Prince George's 2035 revealed the following relevancy to the proposed application:

**Policy 1: Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals set forth in Table 17.**

This application is not located in a regional transit district.

**LU1.1 To support areas best suited in the near term to become economic engines and models for future development, encourage projected new residential and employment growth to concentrate in the Regional Transit Districts that are**



**designated as Downtowns (see the Strategic Investment Program under the Implementation section).**

This is not relevant to this review.

**LU1.2 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other County regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies. Conduct a comprehensive analysis of the Zoning Ordinance, including its use tables, zoning districts and densities, and variance criteria.**

The Zoning Ordinance is currently being updated. This is not relevant to this review.

**LU1.3 Evaluate the existing zoning districts in the Regional Transit Districts to ensure that sufficient development capacity is available to meet desired population and employment targets set forth by the Center Classification System (see Table 16).**

This is not relevant to this review.

**LU1.4 Annually review and report on County growth trends to measure progress toward meeting Plan 2035 growth management goals. Identify potential revisions to policies and ordinances to assist with meeting the goals.**

This is not relevant to this review.

**LU1.5 Annually review the CIP program to ensure consistency with the Plan 2035 vision, goals, and policies. The Planning Board will review proposed public facility and infrastructure projects and submit its recommendations to the District Council and County Executive for consideration (also see Strategic Investment Program under the Section V: Implementation).**

This will be part of the County's CIP review.

**LU1.6 Identify the key capital improvement projects for each of the centers identified in Table 16 that are necessary to promote and facilitate economic and residential development within the center. Identify and coordinate the capital improvement projects with county agencies and key stakeholders. Prepare a summary of the Center Diagnostic score for each center.**

This is not relevant to this review.

**Policy 2: Limit the expansion of public water and sewer outside the Growth Boundary in Rural and Agricultural Areas.**



The development is served by public water and sewer.

**LU2.1 Coordinate the provision of public water and sewer, as outlined in the Public Facilities Element, with the Department of the Environment (DoE) and the Washington Suburban Sanitary Commission (WSSC) and in accordance with the Growth Policy Map to ensure that water and sewer facilities are not extended beyond the Growth Boundary. The Growth Boundary should be reviewed on a periodic basis to assess compatibility with Plan 2035 goals.**

This is not relevant to this review.

**LU2.2 Coordinate amendments to the Growth Boundary with future updates to the Septic Tier Map and the County's Water and Sewer Plan.**

~ This is not relevant to this review.

**Policy 3 Use Plan 2035, including the Growth Policy Map and Center Classification System, to guide the development of land use policies for all future master and sector plans, functional plans, and other county planning documents.**

This is reflected in the General Plan and master plan comments above.

**LU3.1 Evaluate the Plan 2035 future land use categories and apply to new master plans so that, over time, all plans use a common nomenclature to describe similar land uses. Allow plans to develop common land use subcategories.**

This is not relevant to this review.

**LU3.2 Review preliminary master plans and rezoning requests to ensure that proposed development is consistent with the Growth Policy Map and the Center Classification System (see Table 16). (See also Section V: Implementation, under Plan Administration for Amendments and Updates.)**

**LU3.3 Review approved master plans to evaluate the consistency of existing Regional Transit Districts and Local Centers with the Center Classification System (see Table 16). To ensure consistency, future master plan revisions and/or rezonings may be warranted.**

This is not relevant to this review.

**Policy 4 Phase new residential development to coincide with the provision of public facilities and services.**

This is not relevant to this review. Adequate public facilities will be evaluated and determined.



**LU4.1 Annually evaluate the County's residential and employment forecast projections to identify the amount of new land area required to meet demand.**

This is not relevant to this review.

**LU4.2 Create a working group to address the magnitude of the residential pipeline in Established Communities and Rural and Agricultural Areas. Potential strategies to reduce the pipeline include amending the County code to limit validity periods, reevaluating approved adequate public facilities for projects that have not provided assurances that public infrastructure will be constructed in a timely manner, and requiring performance bonding prior to recordation of final plat.**

This is not relevant to this review.

**LU4.3 Evaluate strategies to phase development countywide. Potential strategies include establishing a residential allocation process.**

This is not relevant to this review.

**LU4.4 Identify additional strategies that may reduce the amount of residential and commercial development that is no longer economically viable and has been approved but not constructed throughout the County. Evaluate various codes and procedures including validity periods and the effect on adequate public facilities.**

This is not relevant to this review.

**Policy 5 Implement the Growth Policy Map through coordinated multimodal transportation and mobility planning and programs.**

This is not relevant to this review.

**Policy 6 Support new employment growth in Employment Areas in accordance with the Growth Policy Map and the Growth Management Goals (see Table 17).**

This application supports this policy.

**LU6.1 Align the Economic Development Corporation's work program with the Growth Policy Map to establish programs and policies to support employment growth in the Employment Areas, with a particular emphasis on the Innovation Corridor (see the Strategic Investment Program under Implementation).**

This application is consistent with the Economic Development Corporation's mission of providing employment opportunities.



**Policy 7 Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers.**

This application supports this policy. This application provides a mix of uses and is located in a Town Center.

**LU7.1 Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated.**

This is not relevant to this review. An updated Bowie and Vicinity Master Plan is in the Planning Department's FY18 approved budget.

**LU7.2 Consider developing, as part of the Zoning Ordinance update, alternative lower density zoning districts that promote walkability and allow for a mix of uses.**

The Zoning Ordinance update is currently in progress.

**Policy 8 Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.**

Policy 8 and the sub-land use are not relevant to this review.

**LU8.1 Coordinate land use planning with County municipalities.**

**LU8.2 Use conservation subdivisions in areas adjacent to Rural and Agricultural Areas to transition density and to encourage preservation of green infrastructure corridors as defined by the County's Green Infrastructure Plan.**

**LU8.3 Encourage municipalities to designate Development Review Districts to promote and preserve the integrity of high-quality and complementary infill development in the Established Communities.**

**LU8.4 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other County regulations to ensure they help protect, strengthen, and revitalize the Established Communities.**

**LU8.5 Continue to coordinate, apply for, and use state and federal programs and resources for neighborhood revitalization and reinvestment of low- and moderate-income communities. Programs and resources include Sustainable Community designations, HUD program funds, and tax incentives.**



**Policy 9 Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas.**

This application is in a Town Center. This is not relevant to this review.

**LU9.1 Evaluate rezoning requests to determine if the location, population projections, and market demand justify an increase in commercially-zoned property.**

This is not relevant to this review.

**LU9.2 Develop a countywide strategic plan for future retail development and implement its recommendations through the Zoning Ordinance update, master plan process, and public private partnerships with county agencies. As part of this retail plan, inventory older commercial areas and shopping centers to identify candidates for potential (re)development and rezoning to accommodate residential infill or other neighborhood-serving uses.**

The Zoning Ordinance is currently being updated. Also, a new Bowie and Vicinity Master Plan is in the FY18 budget.

**Policy 10 Retain Future Water and Sewer Service Areas in water and sewer categories S5 and W5 until additional residential development capacity is needed to meet growth projections.**

Policy 10 and the sub-land use are not relevant to this review.

**LU10.1 Evaluate the Future Water and Sewer Service Areas through annual reviews of the residential pipeline and residential development capacity analysis. Establish criteria to determine when land within the Future Water and Sewer Service Areas should be reclassified.**

**LU10.2 Review the annual water and sewer amendments to retain the S5 and W5 water and sewer categories until additional residential capacity is required and public facilities are in place to serve projected development.**

**LU10.3 Evaluate Future Water and Sewer Service Areas as potential woodland conservation banks or stormwater management offset areas to meet the requirements of the Watershed Implementation Plan (see the Natural Environment Element).**

**Policy 11 Preserve and protect the Rural and Agricultural Areas to conserve agricultural and forest resources.**



Policy 11 and the sub-land use are not relevant to this review.

**LU11.1 Continue to implement the Priority Preservation Plan (PPA) to achieve identified agricultural and forestry land preservation goals and coordinate with the Prince George's County Soil Conservation District, University of Maryland Extension Service, the agricultural community, residents, and community groups.**

**LU11.2 Amend the Zoning Ordinance and Subdivision Ordinance to support agricultural production and forest preservation in the Rural and Agricultural Areas.**

**LU11.3 Evaluate the impacts of extractive industries, such as sand and gravel mining, on resource lands, rural character, economic development, and post-reclamation requirements in the Rural and Agricultural Areas. Map remaining sand and gravel natural resources to locate potential future sand and gravel operations, update and revise development standards, and identify post-reclamation land uses, including residential development, agriculture, and forestry. Propose comprehensive legislation to revise county codes and identify recommendations for the Zoning Ordinance update.**

**LU11.4 To preserve environmentally sensitive land and to encourage development in the Regional Transit Districts, evaluate a transfer of development rights program, density exchanges, or purchase of development rights program for the Rural and Agricultural Areas. Explore opportunities to transfer development rights within areas and to coordinate with the Watershed Implementation Plan and Maryland Accounting for Growth Policy.**

**Policy 12 Participate in regional planning activities to enhance collaboration, coordination, and implementation. Regional issues include employment, transportation, sustainability, health, air quality, climate change, workforce and affordable housing, food system planning, infrastructure, water quality, and land use.**

Policy 12 and the sub-land use are not relevant to this review.

**LU12.1 Participate in the Washington Metropolitan Council of Governments' regional planning activities to improve coordination on transit and land use planning. Provide periodic briefings to the Planning Board on regional issues to identify potential land use strategies and programs.**

**LU12.2 Coordinate with the Washington Metropolitan Council of Governments to develop forecasts for residential and employment growth based on the Plan 2035 vision, goals, and policies. The forecast should include an analysis of the remaining development capacity in Prince George's County based on approved zoning,**



**residential and commercial pipeline development, and the Growth Management Goals (see Table 17).**

**LU12.3 Collaborate with adjacent jurisdictions and county municipalities to ensure coordinated land use patterns, connected transportation networks, and continuous environmental networks, in particular during the preparation of master, sector, and functional plans.**

**Master Plan/Sector Plan**

The Bowie and Vicinity Master Plan and SMA approved a residential cap of 866 dwelling units as part of the mix of uses for this development. The District Council, through its approval of Conceptual Site Plan CSP-06002/01, approved 2,500 residential units consistin of 500 townhouse units, 1,000 multifamily units, and 1,000 senior age-restricted multifamily units. The allowable density increased from 10 to 60 dwelling units per acre by its General Plan designation as a Town Center. The applicant is requesting 15 dwelling units per acre. The following strategies are taken from the master plan and are for review.

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

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



- Restaurants should have attractive outdoor seating areas with views of the public spaces/lakes or other natural features.
- (10) All residential development proposals shall demonstrate that interior noise levels will conform to State of Maryland (COMAR) noise regulations.
  - (11) The proposed lighting system shall include the use of full cut-off lighting systems with limited light spill over. The lighting plan and design drawings shall be included with each detailed site plan approved in the future.
  - (12) Development plans shall show the minimization of impervious surfaces through various phases of the project. Early phases of the project may use surface parking and later phases of development will seek to reclaim the surface parking by the use of structured parking to the maximum extent possible.
  - (13) Fifty percent of parking for multifamily uses shall be structured parking.
  - (14) The design of the stormwater management ponds shall show them as amenities with gentle natural slopes and extensive native planting.
  - (15) Streams shall have a 100-foot natural buffer and a 150 foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on the community property.
  - (16) The following facilities shall be evaluated for transportation adequacy in all subsequent traffic analyses for the subject property:
    - MD 450/MD 3 intersection
    - US 301/Harbour Way-Governors Bridge Road
    - Belair Drive/northbound On-Off ramp to MD 3
    - Belair Drive/southbound On-Off ramp to MD 3
  - (29) The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.

The following strategies should be forwarded to the Historic Preservation Section for its review:

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



- (17) At the time of submission of the Detailed Site Plan application, the owner shall present a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford Historic Site for approval by the Historic Preservation Commission and the Planning Board.
- (18) Prior to the acceptance of building permits in the area in the immediate vicinity of Melford House labeled as POD 1, the owner shall begin the restoration of the Melford House and outbuildings. The restoration of Melford and outbuildings shall be completed prior to the release of any use and occupancy permit for POD 1.
- (19) Prior to submitting a Conceptual Site Plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archeological investigation. The applicant's findings shall be submitted to the historic preservation staff of M-NCPPC for review and approval. Upon approval of this determination, plans may be approved and permits may be issued for any portion of the subject property excluded from the scope of the Phase I investigation. No plans may be approved and no permits shall be issued for the area subject to the Phase I investigation before satisfactory completion of the Phase I investigation, or if required Phase II and/or III.
- (20) Prior to the issuance of any building permits, a written agreement/MOU with the Historic Preservation (HPC) that defines/outlines responsibilities and timing for the maintenance/stabilization of all historic buildings within the Environmental Setting, to be followed by quarterly reports submitted by the property owner and/or developer, so that the HPC and staff may monitor the condition of the Melford House, grounds and cemetery.
- (21) Any Detailed Site Plan shall demonstrate that proposed buildings do not obstruct the historic vista of the Melford House.
- (24) The 12.75-acre impact review area approved for the Melford Historic Site by the Historic Preservation Commission and the Planning Board (PGCPB No. 99-28A) should be integrated into a design plan that establishes viewsheds from the Melford Historic Site to the Patuxent River. Open space should be provided adjacent to the historic site that will allow it to be seen from greater distances within the Melford property. A dedicated pedestrian link between the Melford Historic Site and the cemetery should be created. Trails should be provided that connect it to the regional trail system.
- (25) Development abutting the Melford Historic Site, outbuildings, and cemetery should be compatible in scale, design, and character with the existing historical architectural character. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening,



landscaping, berming and open space, should be incorporated into the proposal to minimize any adverse impacts to the historic site.

- (26) Appropriate signage should be placed near the historic site illustrating the history of the area.
- (27) Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested in cooperation with the appropriate utility.

#### **Planning Issues**

There are no General Plan or master plan issues raised by this application.

- 7. **Parks and Recreation**—The Department of Parks and Recreation (DPR) has reviewed the PPS for conformance with the requirements of the Basic Plan A-9401, Conceptual Site Plan CSP-06002, the 2006 Bowie and Vicinity Master Plan and SMA, the Land Preservation and Recreation Program for Prince George's County, the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space, the "Prince George's County Subdivision Regulations (Subtitle 24)" regulations as they pertain to public parks and recreation and facilities.

#### **Findings**

The applicant is proposing mixed use of residential and commercial uses on the site, including 205 townhouses, 88 two-family attached units and 1,500 multifamily dwelling units. Section 24-134 of the Prince George's County Subdivision Regulations requires the mandatory dedication of 11 acres of land suitable for active and passive recreation to serve the proposed development. However, Section 24-134(a)(3)(D) of the Subdivision Regulations also states that any resubdivision of property on which land was previously dedicated or fee in lieu paid, the applicant shall be credited to the extent that the land dedication or fee would otherwise be required upon such resubdivision.

The mandatory dedication requirement of Section 24-134 of the Subdivision Regulations has been previously met for this property by the dedication of 96.5 acres of land adjacent to this subdivision. The land that was dedicated is suitable for active and passive recreation.

In addition, Condition 29 of SP-06002 sets up the framework for the applicant to construct the master plan trail and trailhead facilities on dedicated parkland, contribute \$250,000 for the design and construction of the Green Branch Athletic Complex located in close proximity to the subject development, and provide on-site private recreational amenities, including open plazas, courtyards, pocket parks, three clubhouses with outdoor pools, and an amphitheater.

- 8. **Trails**—The PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and



pedestrian improvements. Because the site is located in the Bowie Gateway Center, it is subject to the requirements of Section 24-124.01 and the "Transportation Review Guidelines, Part 2, 2013" at the time of PPS.

Type of Master Plan Bikeway or Trail

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

\*If a master plan trail is within a city, county, or state right-of-way, an additional two to four feet of dedication may be required to accommodate construction of the trail.

**Review Comments (Master Plan Compliance and Prior Approvals)**

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the area master plan identify two master plan trail corridors that impact the subject site, as shown on the plan maps for the MPOT and area master plan. A trail is shown along the Patuxent River corridor that will potentially connect to existing and planned parkland both to the north and south, and, a connector trail is shown linking the future development on the Melford site with the stream valley trail along the Patuxent.

The MPOT also includes a complete streets element that contains several policies related to accommodations for bicyclists and pedestrians along new road construction. The Complete Streets section includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

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

**Policy 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

The area master plan and MPOT recommend two master plan trails that impact the subject property. As noted above, a stream valley trail is recommended along the Patuxent River, and one trail connection is shown linking the Melford site with the trail along the Patuxent River. The submitted PPS includes the M-NCPPC Stream Valley Trail along much of the length of the Patuxent River along the subject site and two trail connections are included that link the proposed development with the master plan trail. The Conceptual Pedestrian Network Plan shows the stream valley trail extending south through the site to Marconi Drive, where it apparently continues as a



sidewalk to the southern property edge. The extension of the trail the entire length of the stream valley is recommended.

The previously approved CSP-06002/01 (Declaration of Finality) included the following conditions of approval related to bicycle and pedestrian access:

**2. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:**

- c. Revise the CSP to graphically show the conceptual location of the proposed pedestrian connection between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section of Bowie.**

This sidewalk connection will be the required off-site improvement required pursuant to Section 24.124.01 of the Subdivision Regulations. The off-site improvement was proffered in the bicycle pedestrian impact statement (BPIS) and is currently being coordinated with the City of Bowie and the Maryland State Highway Administration (SHA). This sidewalk should be consistent with the street sections approved for Melford.

**3. Prior to certificate of approval of the conceptual site plan (CSP), the Melford Village Design Guidelines (Guidelines) shall be revised as follows:**

- f. A note shall be added to the Street Sections section (page 19) indicating that it shows conceptual street sections that are subject to final approval with the preliminary plan of subdivision.**
- g. Provide language at the bottom of the Street Sections section on page 19 to state that the appropriateness of shared lane markings (sharrows) will be evaluated at the time of preliminary plan of subdivision subject to the approval of the City of Bowie.**

Street cross sections and the applicability of sharrows has been evaluated with the City of Bowie and the applicant has made the recommended changes. As shown on the pedestrian exhibit map, Shared-lane Markings are proposed along New Road "A", New Road "C" and a portion of Melford Boulevard.

**4. At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:**

- e. Evaluate the provision of a circulator shuttle bus service or route throughout Melford, to/from adjacent or nearby employers, commuter bus lots, and future stations and/or mass transit.**



As requested, the applicant has submitted a Pedestrian Network exhibit that shows the proposed sidewalk network, trails, and on-road bicycle facilities. This exhibit also shows proposed public school bus stop locations, as requested by Prince George's County Public Schools. The Applicant has also submitted copies of their correspondence with WMATA concerning the feasibility of public bus service within the property.

- 12. Before approval of a detailed site plan for any retail uses, the plans shall demonstrate that the retail uses are designed to:**
- h. Provide a hierarchy of pedestrian-scaled, high-quality, energy-efficient, direct and indirect lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.**

Adequate pedestrian scale lighting will be evaluated as part of the DSP.

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

Sidewalks are reflected along both sides of all internal roads. Wide sidewalks are provided along commercial areas and other areas of higher density. Trails and on-road bicycle facilities supplement the sidewalk network. The street sections have been reviewed and approved by the City of Bowie, which will serve as the operating agency for the internal roads.

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

Pedestrian safety features, bicycle parking, and other amenities will be addressed at the time of details site plan.

- 19. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the lower pond. The comprehensive trail network will be evaluated at the time of preliminary plan of subdivision and should be in conformance with Guidelines 29 and 30 of Prince George's County Council Resolution CR-11-2006.**



A trail is proposed along the Patuxent River stream valley, including the area of the Lower Pond. Two trail connections are reflected on the submitted plans that connect the development site to the stream valley trail. In addition to the trail connections, a comprehensive network of sidewalks is reflected and a partial grid street network is proposed, further enhancing and promoting pedestrian access. The Transportation Planning Section and the City of Bowie recommended one additional trail connection linking the lower pond with the upper pond, and this has been added by the applicant to the Pedestrian Network exhibit.

23. **A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the building permit for the 300th dwelling unit, subject to the approval of the Maryland State Highway Administration.**

This connection will be coordinated with the appropriate road agencies and the City of Bowie at the time of PPS, per Section 24-124.01 of the Subdivision Regulations. This off-site improvement has been the subject of discussion between the City of Bowie and SHA and final design drawings are recommended by the time of DSP.

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

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



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

The subject application includes sidewalks on both sides of the internal roads and several internal trail/bike connections, in addition to the master plan trail. The trail along the Patuxent River corridor is shown, as two connections from both the north and south ends of the development. These connections meet the intent of the master plan recommendations. A modified grid road network is being proposed which appears to accommodate relatively small block sizes and include sufficient crossing opportunities for pedestrians. In addition to the proposed network of sidewalks, pedestrian access is further supplemented by the stream valley trail, the trail around the pond, and the proposed trail/bike routes.

**Proposed On-Site Bicycle and Pedestrian Improvements:**

Standard or wide sidewalks are proposed along both sides of all internal roads. Shared-lane markings are proposed along several roads, and a condition of approval has been recommended for the expansion of this bicycle network on the site. Trails supplement the sidewalk network by providing paths in a more park like setting around stormwater management ponds and on dedicated parkland. The street sections have been reviewed and approved by the City of Bowie, which will serve as the operating agency for the internal roads. One additional trail segment between the master plan trail and the existing trail around the "lower" pond has been recommended by the Transportation Planning Section and the City of Bowie, and the applicant has incorporated this connection into the plans.

**Review of the Bicycle and Pedestrian Impact Statement (BPIS) and Proposed Off-Site Improvements:**

Due to the location of the subject site within a designated corridor, the application is subject to CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Section 24-124.01(c) includes the following guidance regarding off-site improvements:

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance**



**of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights-of-way.**

County Council Bill CB-2-2012 also included specific guidance regarding the cost cap for the off-site improvements. The amount of the improvements is calculated according to Section 24-124.01(c):

**The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.**

Based on the proposed 124,500 square feet of retail, 100,000 square feet of office space, 135,000 square feet of medical office space and approximately 1,800 dwelling units, the site has a cost cap of \$665,825.

Section 24-124.01 also provided specific guidance regarding the types of off-site bicycle and pedestrian improvements that may be required, per Section 24-124.01(d):

**(d) Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**

- 1. installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
- 2. installing or improving streetlights;**
- 3. building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**
- 4. providing sidewalks or designated walkways through large expanses of surface parking;**
- 5. installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
- 6. installing street trees.**

A scoping agreement meeting was held with the applicant in March 2016. The requirements of Section 24-124.01, the "Transportation Review Guidelines, Part 2, 2013" and possible off-site



improvements were discussed at that time. Sidewalk access along Melford Boulevard/Belair Drive was identified as the primary off-site pedestrian need. This sidewalk will serve as a connection from the existing portion of the City of Bowie to the subject site and will provide pedestrian access under the MD 3 interchange with Belair Drive. The City of Bowie has supported this improvement. A meeting was held with the City of Bowie on August 30, 2016 and it was confirmed at this time that the applicant has been working with both the City of Bowie and SHA on planning for this needed off-site improvement. The necessary BPIS was submitted on June 1, 2016 and the following off-site improvements were proffered:

- a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane.
- b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.
- c. Remove the roundabout at the intersection of Melford Boulevard and Science Drive and construct a signal with signalized pedestrian crossings that meet current standards.

The Planning Board supports the proffered improvements as a way to calm traffic along this segment of road and provide a pedestrian connection between the proposed development and the existing development in the City of Bowie. It was further noted in the BPIS that while a cost estimate has not been finalized for this work, it is estimated to cost approximately \$500,000, which is within the cost cap.

Section 24-121.01(f) of the Subdivision Regulations explains how the improvements can be determined and finalized at the time of DSP.

- (f) If a conceptual or detailed site plan approval is required for any development within the subdivision, the developer/property owner shall include, in addition to all other required information in the site plan, a pedestrian and bikeway facilities plan showing the exact location, size, dimensions, type, and description of all existing and proposed easements and rights-of-way and the appurtenant existing and proposed pedestrian and bikeway facilities throughout the subdivision and within the designated walking or biking distance of the subdivision specified in Subsection (c) of this Section, along with the location, types, and description of major improvements, property/lot lines, and owners that are within fifty (50) feet of the subject easements and rights-of-way.**

At the time of DSP, an exhibit will be provided showing the locations, limits, specifications and details of all off-site improvements.



**Demonstrated nexus between the subject application and the off-site improvements:**

Section 24-124.01(c) requires that a demonstrated nexus be found with the subject application in order for the Planning Board to require the construction of off-site pedestrian and bikeway facilities. This section is copied below, and the demonstrated nexus between each of the proffered off-site improvements and the subject application is summarized below.

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

**Demonstrated Nexus Finding:**

The proffered off-site improvements along Melford Boulevard and Belair Drive will consist of sidewalk construction, traffic calming, and the reconfiguration/elimination of some of the ramps and traffic circles near the MD 3 interchange. These improvements will provide a complete pedestrian connection between the subject site and the existing residential community in the City of Bowie west of MD 3. This sidewalk will serve the future residents and employees by providing one sidewalk connection between the Melford development and the City of Bowie.

**Finding of Adequate Bicycle and Pedestrian Facilities:**

Section 24-124.01 requires that the Planning Board make a finding of adequate bicycle and pedestrian facilities at the time of PPS. More specifically, Section 24-124.01(b)(1) and (2) includes the following criteria for determining adequacy:

- (b) **Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**
1. **The finding of adequate public pedestrian facilities shall include, at a minimum, the following criteria:**
    - A. **The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area; and**



- B. The presence of elements that make is safer, easier and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield lines, “bulb out” curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage. (These elements address many of the design features that make for a safer and more inviting streetscape and pedestrian environment. Typically, these are the types of facilities and amenities covered in overlay zones).**

Currently no sidewalk access exists between Melford and the City of Bowie. The development is separated from the municipality by a high-speed road and an interchange involving ramps and multiple turning movements. Due to the width and design of Melford Boulevard at this location, automobile traffic travels at a high rate of speed, further discouraging bicycle and pedestrian movement. The proffered package of off-site improvements will provide this missing sidewalk connection, as well as incorporate features designed to calm traffic and make the road more accessible and inviting to pedestrians. In addition to the sidewalk, the applicant will be removing one traffic circle, removing the channelized northbound movement, and providing pedestrian signals as needed. These improvements will make it so that Melford will be accessible by pedestrians from the City of Bowie. The proffered off-site improvements meet the intent of Section 24-124.01 and these adequate pedestrian facilities will serve to connect the subject site with the municipality. Internal to the site, standard or wide sidewalks will be provided along both sides of all internal roads. The existing trail around the “lower pond” will be connected to the master plan trail along the Patuxent River with an on-road trail connection, as shown on the Pedestrian Network Exhibit. The sidewalks and trails provided on-site and the package of off-site improvements will provide adequate pedestrian facilities for the subject site.

- 2. The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:**
  - A. the degree to which bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area;**
  - B. the presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**



- C. the degree to which protected bike lanes, on-street vehicle parking, medians or other physical buffers exist to make it safer or more inviting for bicyclists to traverse the area; and
- D. the availability of safe, accessible and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.

A network of on-road bicycle facilities is also proposed for the subject application. Per the direction of the City of Bowie, shared-lane markings are proposed along New Road "A" and New Road "C." These facilities will connect to the existing signed bicycle routes already implemented by the City of Bowie and will provide access through the site to the master plan trail along the Patuxent River. Shared-lane markings are also recommended by the Transportation Planning Section and the City of Bowie along Melford Boulevard, Currie Drive and Science Drive. Supplementing the on-road bike routes will be the trail along the Patuxent River and the existing trail around the "lower pond". In conjunction with the planned sidewalk network, these facilities will serve to accommodate non-motorized modes and meet the intent of Section 24-124.01 for the provision of adequate bicycle facilities.

9. **Transportation**—The subject property consists of approximately 129.16 acres of land in the M-X-T Zone. The property is located in the northeast quadrant of US 50/US 301 (John Hanson Highway) and MD 3 (Crain Highway). The applicant is proposing the development of 293 townhouses (205 townhouses and 88 two-family units), 1,500 multifamily residences (500 age-restricted and 1,000 market rate), 124,500 square feet of retail space, and 235,000 square feet of commercial office space.

### **Analysis of Traffic Impacts**

#### **Trip Generation**

The application is a PPS for a mixed-use subdivision. It needs to be noted that that the traffic study uses 300 townhouses, and 293 are currently proposed. Also, the traffic study uses a mix of general office (100,000 square feet) and medical/professional office (135,000 square feet). The table below summarizes the trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site. The use quantities in the traffic study will be used; the slight reduction in the number of townhouses will be accommodated within these numbers.



Trip Generation Summary, 4-16006, Melford								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Multifamily Residences	1,500	units	156	624	780	585	315	900
Townhouses (293 in current proposal; 300 in study)	300	units	42	168	210	156	84	240
Total Residential Trips			198	792	990	741	399	1,140
Less Internal Trip Capture			-7	-40	-47	-53	-30	-83
<b>Net Residential Trips</b>			<b>191</b>	<b>752</b>	<b>943</b>	<b>688</b>	<b>369</b>	<b>1,057</b>
Retail	124,500	square feet	110	68	178	333	361	694
Less Internal Trip Capture			-34	-14	-51	-37	-54	-91
Pass-By Trip Reduction (40 percent)			-30	-22	-51	-118	-123	-241
<b>Net Retail Trips</b>			<b>46</b>	<b>32</b>	<b>78</b>	<b>178</b>	<b>184</b>	<b>362</b>
General Office	100,000	square feet	180	20	200	35	150	185
Medical/Professional Office	135,000	square feet	311	74	385	162	351	513
Total Commercial Office Trips			491	94	585	197	501	698
Less Internal Trip Capture			-17	-4	-21	-11	-17	-28
<b>Net Commercial Office</b>			<b>474</b>	<b>90</b>	<b>564</b>	<b>186</b>	<b>484</b>	<b>670</b>
<b>Total Trips Utilized in Analysis</b>			<b>711</b>	<b>874</b>	<b>1,585</b>	<b>1,052</b>	<b>1,037</b>	<b>2,089</b>

The traffic generated by the proposed PPS would impact the following intersections, interchanges, and links in the transportation system:

- MD 3 and MD 450
- MD 3 SB Ramps and Belair Drive
- MD 3 NB Ramps and Belair Drive
- US 301 and Governors Bridge Road
- Melford Boulevard and Science Drive
- Melford Boulevard and Tesla Drive/site access
- Melford Boulevard and Tesla Drive/Curie Drive
- Science Drive and Curie Drive

The application is supported by a traffic study dated July 2016. The study was provided by the applicant and referred to SHA, DPW&T, DPIE, and the City of Bowie. Comments from the City of Bowie are contained in the City's staff report to the Bowie Advisory Planning Board, and the City's official position will become part of the record for this case.



## Existing Traffic

### Growth Policy - Service Level Standards

**Links and signalized intersections:** Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

**Unsignalized intersections:** The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. Once the CLV exceeds 1,150, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

**Roundabout Intersections:** The procedure for roundabouts utilizes a volume to capacity (v/c) analysis. Where the analysis indicates a v/c ratio greater than 0.850 for the intersection, geometric improvements or trip reduction measures should be considered that will reduce the v/c ratio to an acceptable level. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.

The following critical intersections, interchanges, and links identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 3 & MD 450	1,713	1,593	F	E
Belair Drive and MD 3 SB Ramps	438	343	A	A
Belair Drive and MD 3 NB Ramps	228	454	A	A
US 301 and Governors Bridge Road/Harbor Way	1,096	1,333	B	D
Melford Boulevard and Science Drive	0.255*	0.219*	--	--
Curie Drive & Science Drive	0.033*	0.061*	--	--
*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.				



### Background Traffic

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program (CIP). Background traffic has been developed for the study area using other approved, but unbuilt, parcels within Melford; no other background development was identified. A 1.0 percent annual growth rate for a period of six years has been assumed. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 3 & MD 450	1,977	1,825	F	F
Belair Drive and MD 3 SB Ramps	751	504	A	A
Belair Drive and MD 3 NB Ramps	512	889	A	A
US 301 and Governors Bridge Road/Harbor Way	1,293	1,507	C	E
Melford Boulevard and Science Drive	1.146*	0.871*	--	--
Curie Drive & Science Drive	0.322*	0.272*	--	--
*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.				

### Total Traffic

Under total traffic, the following critical intersections, interchanges, and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Transportation Review Guidelines," including the site trip generation as described above, operate as follows:



TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 3 & MD 450	2,044	1,904	F	F
Belair Drive and MD 3 SB Ramps	878	667	A	A
Belair Drive and MD 3 NB Ramps	629	1,185	A	A
US 301 and Governors Bridge Road/Harbor Way	1,338	1,570	D	E
Melford Boulevard and Science Drive	1.498*	1.980*	--	--
Melford Boulevard and Tesla Drive/site access	909	1,387	A	D
Melford Boulevard and Tesla Drive/Curie Drive	0.770*	0.793*	--	--
Curie Drive & Science Drive	0.349*	0.289*	--	--
*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.				

It is found that several critical intersections operate unacceptably under total traffic in one or both peak hours. The following is noted:

**Melford Boulevard and Tesla Drive/site access:** The traffic study recommends signalization at this location. Consistent with the City of Bowie's recommendation, it is recommended that a traffic signal warrant be provided during the review of each DSP for development. When a signal is deemed warranted by the City, the appropriate triggers for the permitting and construction of the signal improvements shall be determined.

**Melford Boulevard and Science Drive:** The traffic study recommends conversion of the existing roundabout to a four-way intersection, and also recommends signalization at this location. Consistent with the City of Bowie's recommendation, it is recommended that a traffic signal warrant be provided during the review of each DSP for development. When a signal is deemed warranted by the City, the appropriate triggers for the permitting and construction of the signal improvements shall be determined.

**US 301 and Governors Bridge Road/Harbour Way:** The applicant proposes mitigation at this location. The mitigation is to construct a new right-turn lane along eastbound Harbor Way and redesignate the lane use to result in a double-left, one shared-left/through, and one right-turn lane. As the responsible permitting agency for this improvement, SHA reviewed this proposal. SHA did not raise a concern with it. The impact of the mitigation actions at this intersection is summarized as follows:



IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
US 301 and Governors Bridge Road/Harbor Way				
Background Conditions	C/1,293	E/1,507		
Total Traffic Conditions	D/1,338	E/1,570	N/A	+63
Total Traffic Conditions w/Mitigation	N/A	E/1,466	N/A	-104

To achieve the policy LOS D, the provision of a grade-separated section along US 301 with interchanges would be needed. This improvement, even considering the size of the subject development, would not meet the rough proportionality concept. All alternatives for constructing such an improvement were in excess of \$80 million, according to SHA planning documents for the MD 3 Transportation Corridor Study. This cost is disproportionate to the impacts of this single developer. The following are noted:

- a. As the CLV at the critical intersection during the AM peak hour under total traffic is acceptable, the proposed mitigation actions are not needed.
- b. As the CLV at the critical intersection during the PM peak hour under total traffic is between 1,450 and 1,813, the proposed mitigation actions must mitigate at least 150 percent of the trips generated by the subject property. The above table indicates that the proposed mitigation action would mitigate at least 150 percent of the trips generated by the subject property ( $104/63 = 165$  percent).

In consideration of the findings above, it is determined that the applicant's proposed mitigation meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations.

**MD 3 and MD 450:** The applicant proposes mitigation at this location. The mitigation is to construct a fourth northbound and southbound through lane through the intersection (this improvement has already been constructed by this applicant). As the responsible permitting agency for this improvement, SHA has reviewed this proposal. SHA did not raise a concern with it and permitted it to be constructed. The impact of the mitigation actions at this intersection is summarized as follows:



IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 3 and MD 450				
Background Conditions	F/1,977	F/1,825		
Total Traffic Conditions	F/2,044	F/1,904	+67	+79
Total Traffic Conditions w/Mitigation	F/1,729	F/1,754	-315	-150

To achieve the policy LOS D, the provision of a grade-separated section along US 301 with interchanges would be needed. This improvement, even considering the size of the subject development, would not meet the rough proportionality concept. The cost of SHA's planned project to accomplish these improvements is well over \$100 million, and this cost is disproportionate to the impacts of this single developer. The following are noted:

- a. As the CLV at the critical intersection during the AM peak hour under total traffic is above 1,813, the proposed mitigation actions must mitigate at least 100 percent of the trips generated by the subject property, and the actions must reduce the CLV to no worse than 1,813. The above table indicates that the proposed mitigation action would mitigate at least 100 percent of site-generated trips (470 percent) and result in a CLV of 1,813 or better.
- b. As the CLV at the critical intersection during the PM peak hour under total traffic is above 1,813, the proposed mitigation actions must mitigate at least 100 percent of the trips generated by the subject property, and the actions must reduce the CLV to no worse than 1,813. The above table indicates that the proposed mitigation action would mitigate at least 100 percent of site-generated trips (190 percent) and result in a CLV of 1,813 or better.

In consideration of the findings above, it is determined that the applicant's proposed mitigation at MD 3 and MD 450 meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations. It is noted that the mitigation improvements have already been constructed by this applicant, and there will not be a condition pursuant to this mitigation.

With all improvements in place, the following critical intersections, interchanges, and links identified above would operate as follows:



TOTAL TRAFFIC CONDITIONS w/IMPROVEMENTS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 3 & MD 450	1,729***	1,754***	F	E
Belair Drive and MD 3 SB Ramps	878	667	A	A
Belair Drive and MD 3 NB Ramps	629	1,185	A	A
US 301 and Governors Bridge Road/Harbor Way	1,270***	1,466***	C	E
Melford Boulevard and Science Drive	1,498**	1,980**	--	--
Melford Boulevard and Tesla Drive/site access	909	1,387	A	D
Melford Boulevard and Tesla Drive/Curie Drive	0.770*	0.793*	--	--
Curie Drive & Science Drive	0.349*	0.289*	--	--
<p>*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.</p> <p>**With signalization.</p> <p>***With mitigation improvements.</p>				

The trip cap is a somewhat complex issue. The complexity is the result of initial subdivision findings in the 1980s, multiple subdivisions on the property, and a CSP that applied to parts of the property. The current subdivision includes areas previously subdivided, but does not include the entire area of the CSP. All applications had adequacy findings and all had trip caps imposed. It is something of a puzzle to allot the various entitlements, recognize uses already built, and assure conformity with past applications. The following table attempts to simplify these issues; the traffic study has a more complete demonstration of the components of the site:

Trip Cap Summary, Melford, 4-06006			
Description	Source	AM Peak Hour Trips	PM Peak Hour Trips
Overall Melford Site	This was determined from the 2006 traffic study	4,917	4,871
Trip Cap for CSP-06002	The trips allotted to the Census Bureau, IDA, and SDP-0405 were removed from the overall trip cap for Melford. These three built uses were part of 4-98076 but were not part of CSP-06002.	4,498	4,475
Trip Cap for CSP-06002/01	The 01 revision of the CSP did not include Pod 6, Lot 3, thereby requiring an adjustment to the cap. This is the trip cap for the CSP to which this preliminary plan must conform.	4,441	4,424
Area of CSP-06002/01 not included in this preliminary plan	This quantity removes the following: Block 2, Lots 1-4; Block 4, Lots 1-3 and 5; Pod 6, Lots 1-2 and 4-6; Pod 7; and P2.	1,618	1,615
Trip generation of proposal	This is the trip generation for the new development on the site, as taken from the table earlier in this memorandum.	1,585	2,089



Trip Cap Summary, Melford, 4-06006			
Description	Source	AM Peak Hour Trips	PM Peak Hour Trips
Trip generation of Block 3, Lots 1-2	This area had to be added to the preliminary plan after the traffic analyses were done.	768	677
Total trip generation of 4-16006	Proposal plus Block 3, Lots 1-2. This is the recommended trip cap for 4-16006.	2,353	2,766
Trip generation of areas covered by CSP-06002/01	This is the trip cap for 4-16006 plus the area of CSP-06002/01 not included in this preliminary plan. This must be compared to the trip cap for CSP-06002/01 to ensure conformity with the CSP.	3,971	4,381

As noted in the table, an additional area with existing entitlements was added to the area of the subdivision over the course of the review. The proposed development, at full buildout, is projected to generate 1,585 and 2,089 new vehicle trips during the AM and PM peak hours, respectively. When the area of existing entitlements was added, the trip cap became 2,353 AM and 2,766 PM trips. Also, in comparing the bold numbers in the table above, the trip generation within the areas covered by the underlying CSP is less than the trip cap for CSP-06002/01; therefore, the trip generation of the PPS conforms to the trip cap of the CSP.

#### Agency Comments

As noted earlier, the traffic impact study was forwarded to the County and SHA for comment. The County and SHA each offered comments, as follows:

- a. The County raises issues with the analysis of the roundabout at Melford Boulevard and Science Drive. While these comments are acknowledged, it is also recommended that this roundabout be converted to a signalized intersection (if warrants are met). This improvement, plus other BPIS improvements cited in the comments, will be under the City of Bowie's purview as the improvements are designed.
- b. The initial SHA letter dated September 13, 2016 (Young to Lenhart) concurred with the initial study. The second SHA letter dated January 26, 2017 (Young to Lenhart) agreed to the proposed mitigation at US 301 and Governors Bridge Road/Harbor Way.

The traffic study was also referred to the City of Bowie. No comments were received; however, comments from the City of Bowie are contained in the City's staff report to the Bowie Advisory Planning Board, and the City's official position will become part of the record for this case.

#### Plan Comments

Access and circulation are acceptable.

The site is within or adjacent to the following master-planned transportation facilities:



- MD 3 (F-10) is a master planned freeway facility listed in the Approved Countywide Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations exists, and therefore no additional right-of-way is required for this facility.
- US 50/US 301 (F-4) is a master planned freeway facility listed in the Approved Countywide Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations exists, and therefore no additional right-of-way is required for this facility.
- Melford Boulevard (C-309) is a master planned collector facility listed in the Approved Countywide Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations exists, and therefore no additional right-of-way is required for this facility.

In consideration of the existing traffic that uses Belair Drive west of the site, along with traffic to be generated by the site, the applicant has coordinated with the City of Bowie. As a result of such meetings, the applicant has proffered the installation of four traffic calming devices along Belair Drive between Kenhill Drive and the MD 3 interchange. The City of Bowie has agreed with this proposal, and the City Council has included a condition of approval requiring the installation of these four traffic calming devices prior to issuance of any residential building permits for Melford Village. It shall be noted, however, that this condition is proffered in the traffic study to address citizen and City concerns. While the City's recommended condition is included in the Planning Board's decision in this PPS, it is not a condition associated with transportation adequacy.

#### **Conclusion**

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations, with conditions.

10. **Schools—Residential Uses** — The PPS was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003.



**Impact on Affected Public School Clusters  
Multifamily Dwelling Units**

Affected School Clusters #	Elementary School Cluster 4	Middle School Cluster 4	High School Cluster 4
Dwelling Units	1,500	1,500	1,500
Pupil Yield Factor	0.119	0.054	0.074
Subdivision Enrollment	178	81	111
Actual Enrollment	11,626	4,454	8,008
Total Enrollment	11,804	4,535	8,119
State Rated Capacity	14,216	5,518	9,389
Percent Capacity	83%	82%	86%

**Single-Family Attached Units**

Affected School Clusters #	Elementary School Cluster 4	Middle School Cluster 4	High School Cluster 4
Dwelling Units	293 DU	293 DU	293 DU
Pupil Yield Factor	0.145	0.076	0.108
Subdivision Enrollment	42	22	32
Actual Enrollment	11,626	4,454	8,008
Total Enrollment	11,668	4,476	8,040
State Rated Capacity	14,216	5,518	9,389
Percent Capacity	82%	81%	86%

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between Interstate 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or CSP that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$9,017 and \$15,458 to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved transit district overlay zone; or where there is no approved transit district overlay zone within a ¼ mile of a Metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the Approved Bowie



State Marc Station Sector Plan and Sectional Map Amendment. The bill also established an exemption for studio or efficiency apartments that are located within the county urban centers and corridors as defined in §27A-106 of the County Code; within an approved transit district overlay zone; or where there is no approved transit district overlay zone then within a ¼ mile of a Metro station. This act is in effect from October 1, 2013 through September 30, 2018.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

#### **Schools—Commercial Uses**

The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a nonresidential use.

11. **Fire and Rescue**—The PPS was reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e) (1) (E) states that “A statement by the Fire Chief that the response time for the first due station near the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Northview Fire/EMS Co. 816, a first due response station (a maximum of seven (7) minutes travel time), is located at 14901 Health Center Drive.

“In the Fire/EMS Department’s Statement of Adequate Apparatus, as of May 15, 2016, the Department states they have developed an apparatus replacement program to meet all the service delivery needs of the County.”

#### **Capital Improvement Program (CIP)**

There are no CIP projects for public safety facilities proposed near the subject site.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure.”

#### **Fire and Rescue—Commercial Uses**

The PPS was reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e) (1) (E) states that “A statement by the Fire Chief that the response time for the first due station near the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”



The proposed project is served by Northview Fire/EMS, Company 816, a first due response station (a maximum of seven minutes travel time), is located at 14901 Health Center Drive.

"In the Fire/EMS Department's Statement of Adequate Apparatus, as of May 15, 2016, the Department states they have developed an apparatus replacement program to meet all the service delivery needs of the County."

12. **Police Facilities—Mixed-Use Residential:** The subject property is in Police District II, Bowie. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The PPS was accepted for processing by the Planning Department on October 28, 2016.

Based on the most recent available information provided by the Police Department as of December 2015, the police response time standards of 10 minutes for emergency calls and the 25 minutes for nonemergency calls are met.

**Commercial Uses:** The proposed development is within the service area of Police District II, Bowie. There is 267,660 square feet of space in all the facilities used by the Prince George's County Police Department and the July 1, 2015 (U.S. Census Bureau) county population estimate is 909,535. Using 141 square feet per 1,000 residents, it calculates to 128,244 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

13. **Water and Sewer Categories—**Section 24-122.01(b)(1) states that "the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval." The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System Adequate for Development Planning, and will therefore be served by public systems. The property is within Tier 1 under the Sustainable Growth Act and will therefore, be served by public systems.
14. **Use Conversion—**The subject application is proposing the development of 205 townhomes, 88 two-over-two units, 1,500 multifamily dwelling units, and 359,500 square feet of commercial uses, (consisting of 124,500 square feet of retail and 235,000 square feet of office/medical office). If a substantial revision to the use on the subject property is proposed that affects Subtitle 24 adequacy and findings as set forth in the resolution of approval and the signature approved plan, a new preliminary plan of subdivision shall be required prior to approval of any building permits.
15. **Public Utility Easement (PUE)—**Section 24-122 of the Subdivision Regulations requires a public utility easement (PUE) along both sides of all public rights-of-way. The property's street frontage is along Melford Boulevard and Currie Drive which are recorded rights-of-way via plats NLP 152-16 and REP 211-66, and 10-foot-wide PUE's are recorded along those streets. These PUEs will be re-established with all new final plats. New Public Roads A through E are also proposed on the PPS, and the required 10-foot-wide PUE's along both sides of the public streets are not labeled on the PPS as required by Section 24-122 of the Subdivision Regulations and



should be. The applicant will be required to revise the PPS to show the required 10-foot-wide PUEs along both sides of the public streets prior to signature approval of the PPS.

In accordance with the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the owner's dedication on the final plat:

"Utility easements are granted pursuant to the terms and provisions recorded among the Prince Georges County Land Records of Prince George's County in Liber 3703 at Folio 748."

16. **Stormwater Management**—The City of Bowie has approval authority over Stormwater Management Concept plan for this site. Approval No. 01-114-207NE15, covering Pods 1, 2, 5 and portions of 7, was approved by the city manager on March 10, 2014, with an expiration date of March 10, 2017. In addition to the major "regional" facilities already constructed, the approved stormwater plan proposes stormwater management features such as micro-bioretenention and ESD elements.

The City of Bowie will review for conformance to the SWM concept plan and technical approval at the time of grading permit to ensure that development does not result in any on-site or downstream flooding. Development must be in conformance with that approved plan and subsequent approvals.

17. **Historic**—The Prince George's County Historic Preservation Commission reviewed the PPS application at its December 20, 2016 meeting. The Historic Preservation Commission voted 6-0-1 (the Chairman voted "present") in favor of the recommendation.

#### **Findings**

The subject property includes the Melford Historic Site (71B-016). The associated cemetery is shown on the PPS but is not included. Built in the 1840s, Melford is a 2½-story brick plantation house of side-hall-and-double-parlor plan. The house is distinguished by a two-story, semicircular bay and a parapetted, double chimney at the south gable end. Attached to the north gable end is a lower kitchen wing built of brick and stone. The interior exhibits fine Greek Revival-style trim. The house was built by Richard Duckett and later was home to three generations of the Hardisty family. The bay and chimney configuration makes Melford House unique in Prince George's County. The associated grounds include several early outbuildings and terraced gardens, and there is a Duckett family burial ground on a nearby knoll to the northwest. The property is also listed in the National Register of Historic Places.

The Melford and Cemetery Historic Site Environmental Setting is comprised of two parcels under different ownership. The house and associated outbuildings and gardens are owned by the applicant for PPS 4-16006, St. John Properties, and the cemetery parcel is owned by Marlborough CL Inc., a defunct corporation.



Approved by the District Council on March 25, 2015, Conceptual Site Plan CSP-06002-01 proposed four-story multifamily buildings to the east and south of the Melford Historic Site. The subject PPS proposes townhouses to the east and south of the Melford Historic Site that will have a front or side facing the historic site. Compared to CSP-06002-01, the current PPS proposes to site the townhouses further from the Melford House Environmental Setting to provide additional green space and buffering opportunities between the Historic Site and the proposed development to the south and east.

Townhouse units are proposed to the east of the Melford House in the viewshed area from the house to the Patuxent River. The substitution of the townhouse units will provide for a more open view to the east from the Melford House as the topography and housing units will step down from west to east. A road along the east side of the Melford House Environmental Setting shown on CSP-06002-01 has been removed and additional green space is proposed in that area. The Melford Village Plaza has been moved to the west so that it will be located adjacent to the northeast corner of the Melford House Environmental Setting. This will create more open space next to the Historic Site in that area and encourage pedestrian traffic around the historic site. Currie Drive has also been slightly reconfigured to accommodate the Village Plaza.

Conceptual Site Plan CSP-06002-01 proposed a senior living facility to the north of the Melford historic site. The site of that facility has been moved to the southeast of the Melford historic site. Detailed Site Plan DSP-11018-02, Thrive at Melford Village, was reviewed by the Planning Board on September 29, 2016 and PGCPB Resolution No. 16-115 was adopted on October 13, 2016. The applicant now proposes a three-and-four-story, multifamily building to the north of Melford House. The bulk of the building will be stepped back to reduce the massing on the south side of the new construction facing the historic site.

Parallel parking will be provided along Melford Boulevard and will allow for parking opportunities for visitors to the Melford Historic Site. Therefore, a large parking lot will not be required within the Melford House Environmental Setting.

One-story retail buildings will be located to the west of the Melford Historic Site. The arrangement of the parking areas will provide a more open view to the west from the historic site.

Among those conditions approved by the District Council in its review of CSP-06002-01, the following are applicable to the subject PPS:

9. **At the time of detailed site plan (DSP), the following design issues shall be addressed:**
  - b. **Prior to the approval of any detailed site plan that includes a portion of the Melford and Cemetery Environmental Setting, in consultation with archeology staff, the applicant shall provide for additional public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of**



on-site signage, a printed brochure, public lectures or a website. The location and wording of any additional signage, brochure text, or website shall be subject to approval by the Prince George's County Planning Department staff archeologist.

- d. Applicable DSPs that may affect the historic vista of the Melford and Cemetery Historic Site (71B-016) shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in Conceptual Site Plan CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.
- e. Prior to approval of any DSPs that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.

Condition 9 will need addressed at the time of DSP.

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

The applicant should correct notations on all plans to include the following text "Melford and Cemetery Environmental Setting (Historic Site 71B-016)." The impact review area is not clearly visible on the PPS or the TCP. A condition has been established to require this revision prior to signature approval of the PPS and TCP1.

14. Prior to Planning Board approval of the first detailed site plan for development in the northwest or southwest neighborhood of Melford Village, the applicant in the historic area work permit process shall submit a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery Historic Site. The Historic Preservation Commission shall review and approve the plan and timetable through the Historic Area Work Permit (HAWP) process.
15. In the detailed site plan for the development of the Melford Historic Site (71B-016), its outbuildings, and its cemetery, the proposed development shall be compatible in scale, design, and character with the existing historical and architectural character of the buildings. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape,



**building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.**

Compliance with Conditions 14 and 15 will need to be demonstrated at the time of DSP.

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

The most recent quarterly report was received by the Historic Preservation Section in October 2016. Compliance with this condition will need to be demonstrated again at the time of DSP.

#### **Conclusions**

The subject application's proposed lotting pattern will provide additional green space and more buffering opportunities around the Melford and Cemetery Historic Site. The proposed reduction in massing on the south and east sides of the Melford House will provide a more open view towards the east and the Patuxent River. The proposed multifamily building to the north of the Melford House will be stepped back to reduce the massing of new construction in this location.

The applicant should clarify the issue of ownership of the cemetery parcel portion of the Melford Historic Site, which is not included in the subject application. A quick-claim deed by the owner of the surrounding property is recommended that could result in the cemetery eventually being conveyed to the homeowners association (HOA).

- 18. Urban Design**—The subject site is mostly vacant and is located in the center of the existing Melford commercial development, which is located in the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301). The entire Melford property is bounded to the north by Sherwood Manor, an existing subdivision of single-family detached dwelling units in the Residential-Agricultural (R-A) Zone, and a vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the Reserved Open Space (R-O-S) Zone, the Patuxent River Park; to the east by the Patuxent River and the U.S. Air Force transmitter station located in Anne Arundel County beyond; to the south by the John Hanson Highway (US 50/301) right-of-way and a small vacant property in the Open Space (O-S) Zone; and to the west by the Crain Highway (MD 3) right-of-way.

#### **Conformance with the Requirements of the Zoning Ordinance**

- a. The specified residential and commercial uses are permitted in the M-X-T Zone. DSP review is required.



- b. Conformance with the following Zoning Ordinance regulations is required for the proposed development at the time of the required DSP review including, but not limited to, the following:
- Section 27-543(a) regarding the uses allowed in the Mixed Use–Transportation Oriented (M-X-T) Zone;
  - Section 27-544 regarding regulations in the M-X-T Zone;
  - Section 27-547(b) regarding the Table of Uses for the M-X-T Zone;
  - Section 27-548(h) regarding the requirements for townhouses in the M-X-T Zone.
- c. Section 27-548(h) includes some requirements as follows:

**Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width...**

The submitted PPS shows all 205 townhouse lots as greater than 1,800 square feet and arranged in 39 total building groups. Of these 39 groups, a total of ten groups, or 26 percent, have more than six dwelling units. This is more than the 20 percent allowed by this section and the applicant did not apply for a variance from this requirement.

Therefore, prior to signature approval of the PPS, the layout shall be revised to be in conformance with the requirements of zoning.

#### **Conformance with Conditions of Prior Approvals**

**Conceptual Site Plan CSP-06002-01:** CSP-06002-01 was approved by the Planning Board on November 13, 2014 (PGCPB Resolution No. 14-128). Subsequently, on March 23, 2015 the District Council issued an order of approval of the case, subject to 25 conditions. Each applicable condition is included in **boldface** type below, followed by the comments:



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

The Transportation Planning Section should review the proposed development for conformance to this established trip cap.

4. **At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:**
  - a. **Reevaluate the intersection of Melford Boulevard and Science Drive to determine what improvements will be needed at various phases of the proposed development.**

This was evaluated as a part of the transportation analysis contained in the Transportation finding.

- b. **Provide an updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, concerning the presence of rare, threatened, and/or endangered species on the site as an amendment to the updated natural resources inventory (NRI) prior to approval.**

This condition is addressed in the Environmental finding of this resolution.

- c. **If impacts to regulated environmental features are proposed at the time of preliminary plan, over and above those previously approved by the Planning Board, a statement of justification shall be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification shall address how each impact has been avoided and/or minimized and shall include 8.5 by 11 exhibits of the proposed disturbance.**

This condition is addressed in the Environmental finding of this resolution.

- d. **The preliminary plan application package shall contain a copy of the erosion and sediment control concept plan.**

This plan was submitted with this PPS application.

- e. **Evaluate the provision of a circulator shuttle bus service or route throughout Melford, to/from adjacent or nearby employers, commuter bus lots, and future stations and/or mass transit.**



The applicant filed information related to transit service, which will be further evaluated at the time of DSP.

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

This condition is evaluated in the Environmental finding.

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

Environmental impacts are addressed in the Environmental finding of this resolution.

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

Impervious surface locations and amounts will be determined with the required DSP. The proposed multifamily residential parcels are proposed to include some structured parking.

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

This condition is addressed in the Environmental finding of this resolution.



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

This condition is addressed with the review of the tree conservation plans.

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

The applicant submitted an open space network exhibit with the PPS package. This demonstrates spaces throughout the site that link different uses and are accessible from the public streets, including an amphitheater at the terminus of a public road and varying open spaces along the main public road through the townhouse portion of the site.

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

The information is provided on the TCP1 and discussed in the Environmental finding of this resolution.

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

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

This condition is applicable at the time of DSP. However, the applicant submitted exhibits with the PPS package demonstrating that the proposed open space parcels will be able to accommodate appropriate private recreational facilities.

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



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

- f. Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.
- g. Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.
- k. Make retail pad sites compatible with the main retail/office/hotel/residential component. If the retail pad sites are located along the street, all off-street parking shall be located to the rear or side of the pad sites. Parking provided on the side of pad sites shall be buffered with appropriate screening and/or landscape features.
- l. Provide green areas or public plazas between pad sites, to the maximum extent possible.
- m. Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.

These conditions are applicable at the time of DSP. However, the parcels and illustrative layout provided with the PPS should allow for public amenity spaces, sufficient sidewalk areas, room for screening parking and locating it to the rear and side of pad sites, the ability for the commercial uses to share parking, open spaces between pad sites and opportunity for outdoor seating areas. The techniques for creating a sense of place will include details of signage, wayfinding, and a consistent approach to treatment of site plan elements throughout the site.

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

This information has not been provided on all plans and is conditioned.

15. In the detailed site plan for the development of the Melford Historic Site (71B-016), its outbuildings, and its cemetery, the proposed development shall be compatible in scale, design, and character with the existing historical and architectural character of the buildings. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening,



**landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.**

The submitted PPS appears to include a sufficient land area around the historic environmental setting to allow for appropriate buffering. This issue will be examined further at the time of DSP when it will be subject to the requirements of the Landscape Manual.

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

This condition is addressed in the Historic finding of this resolution.

- 19. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the lower pond. The comprehensive trail network will be evaluated at the time of preliminary plan of subdivision and should be in conformance with Guidelines 29 and 30 of Prince George's County Council Resolution CR-11-2006.**

This condition is addressed in the Trails finding of this resolution.

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

The proposed PPS does differ some from the illustrative plan in the CSP as allowed.

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

This is noted. No additional research and development flex space uses are proposed with the subject PPS.

- 22. Recreation Facilities Conditions:**

- a. The applicant shall complete construction of a ten-foot-wide asphalt surface hiker/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.**

The applicant submitted an open space network exhibit with the PPS package. This shows the location for the required DPR facilities, as well as appropriate and developable areas for private recreational facilities on HOA parcels.

- 23. A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the**



**building permit for the 300th dwelling unit, subject to the approval of the Maryland State Highway Administration.**

- 24. The final number of affordable workforce housing units and senior multifamily units shall be submitted by the applicant prior to submittal of an application for preliminary plan of subdivision.**

The applicant has noted on the PPS that five percent of the multifamily residential units will be affordable workforce housing and 33 percent of the multifamily residential units will be senior age-restricted. Given that approximately 1,500 multifamily units are proposed, this equates to approximately 75 affordable workforce housing and 495 senior multifamily units. Final numbers will be determined at the time of DSP; however, the Planning Board found that these numbers are sufficient to meet the intent of the condition.

#### **Conformance with the 2010 Prince George's County Landscape Manual**

Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the requirements of the Landscape Manual should be determined at the time of DSP review when detailed information is submitted. The following discussion of the relevant provisions of the Landscape Manual is provided for informational purposes.

- a. **Section 4.1, Residential Requirements**—Requires a certain number of plants be provided for residential dwellings depending on their size and type.
- b. **Section 4.2, Requirements for Landscape Strips along Streets**—Requires a landscape strip be provided for all nonresidential uses and parking lots abutting all public and private streets, which may occur within the development depending on the final site design.
- c. **Section 4.3, Parking Lot Requirements**—Specifies that parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to provide visual relief from the view of large expanses of pavement.
- d. **Section 4.4, Screening Requirements**—Requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The location of the loading and trash areas for the commercial development, and its relationship with the adjoining residential uses, should be carefully considered at the time of DSP. The submitted PPS appears to provide a layout that will be able to accommodate appropriate relationships, such as separation by a public street or room for buffering.



- e. **Section 4.6, Buffering Development from Streets**—This section's requirements will apply to the proposed development by requiring buffering of rear yards of townhouses from streets. The submitted PPS appears to provide sufficient space for these buffers; however, this will have to be closely examined at the time of DSP when specific house sitings are provided.
- f. **Section 4.7, Buffering Incompatible Uses**—Requires that vegetated buffers be included along shared property lines where the abutting uses are deemed incompatible by the Landscape Manual. A Section 4.7 buffer is not normally required between incompatible uses within the M-X-T Zone such as the residential and commercial portions of the development, as ownership is common between the uses and they are both included on a single DSP. Concerns were noted about the interface between the commercial section and the residential section; however, the proposed layout shows a public road in between the uses in one area and a large HOA parcel in the other area. This layout would allow for an appropriate interface between the incompatible commercial and residential uses through buffering, fencing and/or upgrades to architecture. This issue will be examined more closely at the time of DSP.
- g. **Section 4.9, Sustainable Landscaping Requirements**—Requires that a percentage of the plant materials be native plants, along with other sustainable practices.
- h. **Section 4.10, Street Trees Along Private Streets**—Requires street trees along private streets, which appear to be proposed with this plan.

#### **Conformance with the Tree Canopy Coverage Ordinance**

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet or greater of gross floor area or disturbance and require a grading permit. The subject site is zoned M-X-T and is required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. Conformance with the Tree Canopy Coverage Ordinance will be evaluated at the time of DSP approval.

#### **Other Design Issues**

During plan review, it was noted that in multiple locations, groups of townhouse lots abutted against each other with no gap. This is not an acceptable layout as it does not leave any room for access between lots to the fronts or rears of internal lots and it creates insufficient distance between buildings. After discussion, the applicant produced an exhibit demonstrating an adjusted lot layout showing a minimum of 12 feet between building groups and a minimum of eight-foot-wide homeowner's parcel on at least one end of every building group. This is sufficient to address Urban Design's concerns regarding access and open spaces. However, this exhibit did not demonstrate conformance to all Zoning Ordinance requirements as discussed above. Therefore, a condition requiring these revisions prior to signature approval has been established by the Planning Board.



Some proposed townhouse lots are extra-long at more than 100 feet deep. There are concerns that this could result in excessive driveway lengths and impervious surface on these lots. This issue will have to be carefully considered during the final design stages, once architecture and final building siting are determined.

Concerns were also noted about the large multifamily parcel located along the north side of the main east-west boulevard, across from the historic Melford House. The architecture, massing and siting of the building on this parcel needs to be closely examined at the time of DSP to ensure it maintains an appropriate relationship with the historic house and that it maintains an active main-street character along the primary east-west boulevard.

19. **Conceptual Site Plan CSP-06002-01**—On November 13, 2014, the Planning Board approved Conceptual Site Plan CSP-06002-01 to add 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, 1,000 multifamily dwelling units, 268,500 square feet of retail uses, and 260,000 square feet of office space as amendments to an approved CSP with 1,547,874 square feet of approved office/research and development uses. The resolution of approval for CSP-06002-01, (PGCPB Resolution No. 14-128), was adopted by the Planning Board on December 4, 2014. The application included approximately 276 acres of the central and southern portions of the Melford property. More information concerning Conceptual Site Plan CSP-06002-01 is contained in the Urban Design finding.
20. **City of Bowie**—On February 6, 2017, the Bowie City Council conducted a public hearing on the subject PPS. The proposal includes 1,793 dwelling units, including 293 townhouse units, 1,000 multifamily market rate units, 500 senior age-restricted multifamily units and 359,500 square feet of commercial and office uses, including up to 124,500 square feet of retail uses and 235,000 square feet of office/medical uses.

The subject site is located east of MD 3/Belair Drive/Melford Boulevard interchange, near the intersection of Melford Boulevard and Tesla Drive. The property is zoned M-X-T (Mixed-Use Transportation-Oriented), where the proposed mixed-use development is permitted by right under the Prince George's County Zoning Ordinance. At the conclusion of the public hearing, the City Council voted to recommend **approval** of the PPS with the following conditions:

- "1. Total development within the 129-acre Melford Village property shall be limited to uses that generate no more than 2,353 AM and 2,766 PM peak-hour vehicle trips. Any development with an impact beyond that identified herein above shall require a revision to the Preliminary Plan with a new determination of the adequacy of transportation facilities.
- "2. Prior to the issuance of any building permits for lots within Preliminary Plan 4-16006, the following road improvement(s) shall: (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and, (c) have an agreed-upon timetable for construction with the appropriate operating agency:



“(A) At the US 301/Gov. Bridge Road/Harbour Way intersection

The applicant shall provide an additional right turn lane on eastbound Harbour Way and re-stripe the eastbound approach on Harbour Way to result in two left turn lanes, one shared left turn and thru lane, and one right turn lane.

- “3. Traffic signal warrant studies of the intersections of Melford Boulevard/Tesla Drive and the entrance to the commercial mixed-use area (Road A) and Melford Boulevard/Science Drive shall be provided during review of each Detailed Site Plan. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at Detailed Site Plan.
- “4. Prior to the issuance of a building permit for the 300th dwelling unit or more than 100,000 square feet of new, non-residential development within the boundaries of the Preliminary Plan, whichever comes first, the following specific pedestrian improvements shall be completed:
  - “a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane; and
  - “b. Remove the northbound channelized right lane at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn lane shall be reconstructed and relocated to the existing traffic signal, and pedestrian signals shall be included to support the new pedestrian connection.
- “5. A hiker-biker trail connection shall be shown on the Preliminary Plan and constructed along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first Detailed Site Plan for the Northeast Neighborhood.
- “6. A 10-foot-wide hiker-biker trail shall be provided on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This missing segment of the trail system shall be shown on the Preliminary Plan prior to signature approval.
- “7. To help fulfill the purpose of Condition #19 of #CSP-06002-01, “sharrows” shall be installed on Curie Drive (and Science Drive, beyond the Melford Village project limits).



- “8. The developer shall deed Parcel 40 to the City upon completion of all facilities on both Parcel 40 and 41 (the amphitheater parcel).
- “9. The applicant shall execute a maintenance agreement with the City for maintenance of Parcel 40, prior to the issuance of any building permits.”

21. **Variation Request**—The applicant has requested a variation from Section 24-128(b)(7)(A) of the Subdivision Regulations for approximately 68 townhomes that will be located on lots served by private alleys without frontage on a public street. The proposed alleys meet all the dimensional requirements of the Subdivision Regulations and will allow for an efficient and safe circulation pattern for residents of the development.

Section 24-128(b)(7) of the Subdivision Regulations states the following:

**Section. 24-128—Private roads and easements.**

- (b) **The Planning Board may approve preliminary plans of development containing private roads, rights-of-way, alleys, and/or easements under the following conditions:**

- (7) **In Comprehensive Design and Mixed Use Zones:**

- (A) **For land in the V-L, V-M, R-L, R-S, R-M, R-U, M-U-I, L-A-C, M-A-C, M-X-C, M-U-TC, and M-X-T Zones, the Planning Board may approve a subdivision (and all attendant plans of development) with private roads to serve attached single-family dwellings, two-family dwellings, and three-family dwellings, but not single-family detached or multifamily dwellings, in accordance with the requirements of Subsections (e) and (f) of Section 27-433 of the Zoning Ordinance, except as hereinafter provided. In all of the above zones, and in the R-R Zone when developed as a cluster subdivision, the Planning Board may approve a subdivision with alleys to serve any permitted use, provided the lot has frontage on and pedestrian access to a public right-of-way. The District Council may disapprove the inclusion of alleys during the consideration of the detailed site plan for a cluster subdivision. For the purposes of this Section, an “alley” shall mean a road providing vehicular access to the rear or side of abutting lots, and which is not intended for general traffic circulation.**



- (i) The pavement width of private roads may be reduced to not less than a minimum of twenty-two (22) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, hierarchical street system for a development.
- (ii) The pavement width of private alleys shall be not less than eighteen (18) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, vehicular access to individual lots. Since alleys only provide vehicular access to lots with frontage on a public street, alleys shall not be required to be improved with street trees or curb and gutter, unless a drainage problem has been identified by the Department of Permitting, Inspections, and Enforcement or the Department of Public Works and Transportation.

Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of variation request:

**Section 24-113 Variations**

- (a) Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;

The applicant is requesting a variation from the requirements in Section 24-128(b)(7)(A) requiring that townhomes served by alleys have frontage on a public street. The "practical difficulty" in this case results from the site constraints within Melford Village which prohibit the lotting pattern for 68 townhouse units from being served by alleys while maintaining frontage on a public street. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly in the



southeast neighborhood), and the presence of the Melford House environmental setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots).

All of the aforementioned site constraints limit the areas where lots and public streets and alleys can be located. The hardship/practical difficulties related to the aforementioned site constraints would be largely eliminated if the request is granted to utilize alleys to access the rear of 68 townhouse units. If the variation request is not allowed, it is not possible for the applicant to create an efficient subdivision layout with the 68 townhouse units utilizing alleys and having frontage on a public street, and will create practical difficulties for the applicant in its pursuit to develop the site in the manner contemplated in CSP-06002-01. The granting of the variation request is consistent with the relevant purposes of the subdivision regulations and will not harm the public interest as explained herein. Therefore, the granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to any other property.

**(2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The property has several conditions which are unique, and are not applicable generally to other abutting properties. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly in the southeast neighborhood), and the presence of the Melford House environmental setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots).

Beginning from the west, the portion of Melford Village designed for townhouse units contains the environmental setting for the historic Melford House. On the east end of the same area of Melford Village contains sensitive environmental features (such as a stream, wetlands and woodland) which are slated for preservation. Between the historic environmental setting (to the west) and the sensitive environmental features (to the east) contains a sloping topography that falls from west to east. The natural changes in topography limit the placement of where sticks of townhouses (and by association the location of the necessary road/alleys to serve the townhouse units) can be placed. In sum, the



aforementioned site constraints are unique to this portion of Melford Village and are not generally applicable to other properties.

Therefore, for these reasons, the conditions on which the variation is based are unique to this property.

**(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**

Granting the variation will not be in violation of any law, ordinance, or regulation. To the contrary, the granting of the variation request would allow the applicant to create the compact residential density contemplated in CSP-06002-01 without negatively impacting the environmental and historic setbacks required by other County ordinances and/or regulations. The variation to Section 24-128(b)(7) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation.

**(4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

The site constraints within Melford Village prohibit 68 townhouse units from being served by alleys while maintaining frontage on a public street. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly in the southeast neighborhood), and the presence of the Melford House environmental setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots). All of the aforementioned site constraints limit the areas where lots and streets/alleys can be located. The hardship/practical difficulties related to the aforementioned site constraints would be largely eliminated if the applicant could utilize alleys to access the rear of 68 townhouse units without frontage on a public street. If the instant variation request is not allowed, it is not possible for the applicant to create an efficient subdivision layout with the subject 68 townhouse units utilizing alleys and having frontage on a public street. If the strict letter of these regulations are carried out, it would result in loss of lots



- (5) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.

The subject property is zoned M-X-T; therefore, this provision does not apply.

The site is unique to the surrounding properties and the variation request is supported by the required findings. Approval of the variation will not have the effect of nullifying the intent and purpose of the Subdivision Regulations.

Therefore, the Planning Board approves the variation to Section 24-128(b)(7)(A) of the Subdivision Regulations for approximately 68 townhomes that will be located on lots served by private alleys without frontage on a public street.

22. **At the Public Hearing**—At the public hearing for this application on March 9, 2017, the applicant's legal representative requested that additional findings (Applicant's Exhibit 2) be added addressing the Land Use Policy recommendations in Plan Prince George's 2035.

This PPS conforms to the regulations and required findings of Subtitles 24 and 27 of the County Code as set forth in this resolution, with conditions. Further, the PPS conforms to the specific requirements of Subtitle 24 as follows:

**Section 24-121. Planning and design requirements.**

- (a) **The Planning Board shall require that proposed subdivisions conform to the following:**

- (1) **All lots shall be designed to be located wholly within the County and platted in conformance with all requirements of the Zoning Ordinance applicable to the subject property.**

The proposed parcels and lots are wholly within the County and will be platted in accordance with all applicable requirements. The PPS meets the requirements of the Zoning Ordinance (Subtitle 27), with the conditions of approval.

- (2) **In cases where the proposed subdivision is situated in a portion of the Regional District not planned to be served by public water and/or sewerage facilities, proposed lots shall be designed to meet the minimum lot size**



**requirements for individual systems, as contained in Subtitle 22 of this Code and in the Comprehensive Ten Year Water and Sewerage Plan.**

This standard is not applicable to the instant PPS.

- (3) **When lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. As used in this Section, a planned roadway or transit right-of-way shall mean a road or right-of-way shown in a currently approved State Highway plan, General Plan, or master plan. If a service road is used, it shall connect, where feasible, with a local interior collector street with the point of intersection located at least two hundred (200) feet away from the intersection of any roadway of collector or higher classification.**

The PPS application complies with this standard, no individual lots within the project plan will front or access directly onto nearby arterial roadways.

- (4) **Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.**

The PPS application complies with this standard, no individual lots within the project plan will be adjacent to a roadway of arterial (or higher) classification or a planned transit right-of-way.

- (5) **The preliminary plan and final plat shall conform to the area master plan, including maps and text, unless the Planning Board finds that events have occurred to render the relevant plan recommendations no longer appropriate or the District Council has not imposed the recommended zoning. Notwithstanding any other requirement of this Section, a proposed preliminary plan or final plat of subdivision may be designed to conform with the land use policy recommendations for centers, as approved within the current County general plan, unless the District Council has not imposed the recommended zoning.**

The mixed-use development proposed for Melford Village in this PPS has been designed to conform to the land use policy recommendations contained within Plan Prince George's 2035 for a "Local Town Center." As an additional basis for



its final decision, the Planning Board also adopts and incorporates, by reference, the applicant's analysis set forth in its supplemental statement of justification dated January 9, 2017 regarding the instant application's conformance to the land use policy recommendations for centers in Plan Prince George's 2035. Further, the Planning Board also deems that Melford will also remain a viable "Employment Area" as designated in Plan Prince George's 2035. The Planning Board also adopts and incorporates, by reference, the research memorandum from the M-NCPPC Special Projects Section dated October 10, 2014, and included in the findings of approval in the resolution for CSP-06002/01 (PGCPB No. 14-128) to conclude that approval of the uses in this PPS will allow Melford to remain a viable employment area within the County.

- (6) **When indicated by a master plan or the General Plan or when requested by a public agency, land may be placed in reservation, pursuant to Division 7 of this Subtitle.**

Neither the applicable master plan or General Plan calls for the reservation of any land. Additionally, no public agency has requested the reservation of any land within the boundaries of this PPS.

- (7) **Provision shall be made for the eventual ownership of outlots or residue parcels by incorporating them into platted lots or into adjacent parcels or by other means deemed acceptable by the Planning Board.**

The conditions of approval ensure the eventual ownership of residue lots and/or outlots by the City of Bowie or an HOA, or appropriate community ownership association.

- (8) **Corner lots shall be rounded with a radius of not less than twenty (20) feet or provided with an equivalent truncation.**

Corner lots proposed in the instant PPS meets this requirement.

- (9) **Walkways, with rights-of-way not less than ten (10) feet wide, shall be provided through all blocks over seven hundred fifty (750) feet long, when deemed necessary by the Planning Board.**

Melford Village is designed in compliance with the above standards.

- (10) **Generally, subdivisions shall be designed to avoid unnecessary and costly roads, utility extensions, grading, and energy consumption.**



Melford Village is designed in compliance with the above standards. The project takes advantage of significant infrastructure (including roads, utilities, and stormwater management facilities) already in existence within the greater Melford project.

- (11) **Significant natural features which are impossible or difficult to reproduce, such as waterways, streams, hills, wooded lands, and specimen trees, should be preserved to the degree practicable.**

Significant natural features within Melford Village have been preserved to the maximum degree practicable. The proposed development respects all applicable environmental buffers and setbacks, as discussed more fully in Finding 5.

- (13) **Generally, lots, except at corners, should have access to only one (1) street.**

The PPS is designed in compliance with the above standards.

- (14) **If an entrance feature or gateway sign is proposed in a residential subdivision, it shall be identified on the preliminary plan on a separate Homeowners' Association parcel, or easement located on a homeowner's lot, and be designed in accordance with the standards in Section 27-624 of the Zoning Ordinance. A Homeowners' Association or other entity or person designated in a maintenance arrangement approved by the Department of Environmental Resources, shall be responsible for the maintenance of the entrance feature or gateway sign.**

The overall Melford project currently has approved gateway signage as part of a prior DSP application. Said signage has already been constructed.

- (15) **The Planning Board shall not approve a preliminary plan of subdivision until evidence is submitted that a stormwater management concept plan has been approved by the Department of Environmental Resources or the municipality having approval authority, unless the Planning Board finds that such approval will not affect the subdivision.**

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

- (16) **Except as indicated in Section 24-132, the subdivision shall be designed and platted in accordance with the provisions for woodland conservation and tree preservation contained in Subtitle 25.**



A revised TCP1 has been submitted with this application in conformance with requirements in Subtitle 25 of the County Code. The PPS has been designed in accordance with the County's woodland conservation requirements, as more fully discussed in Finding 5.

**(17) Historic resources should be preserved.**

All historic resources within the PPS have been preserved, as discussed more fully in Finding 17. Further details regarding historic preservation will be determined at the time of DSP.

**(18) Significant archeological sites identified in accordance with the Planning Board Guidelines for Archeological Review should be preserved in place, to the extent practicable and should be interpreted as appropriate.**

A Phase I archeological survey was conducted on the property in February 2005. Three archeological sites were identified on the property. Site 18PR30 is a late Archaic through Woodland period short-term base camp located adjacent to the Patuxent River floodplain. The portion of the site within the subject property had been extensively disturbed by tree removal and grading. Based on the above site conditions, the M-NCPPC's Historic Preservation Section determined that the site did not retain its integrity and no further work was recommended.

**(19) Condominium townhouse dwelling units approved after September 1, 2012 shall conform to the lot standards of this Subtitle and Subtitle 27 for possible future conversion to fee simple lots.**

The proposed townhouse lots are intended to be fee-simple ownership.

**Section 24-123. General requirements.**

**(a) The Planning Board shall require that preliminary plan conform to the following:**

**(1) The rights-of-way of all highways, streets, and transit facilities shown on the General Plan, functional master plans, and area master plans shall be shown on the preliminary plan and, when reserved or dedicated, shown on the final plat.**

The master plan rights-of-way have been previously dedicated and are shown on the PPS.



- (2) **All proposed streets shall be continuous and in alignment with existing or platted streets in adjoining subdivisions so as to create a street network that is functional and easily understandable. Generally, streets should cross other streets at right angles.**

All streets proposed in this application have been designed in an organized and hierarchical manner to facilitate safe and efficient movement of vehicular and pedestrian traffic.

- (3) **All internal subdivision streets shall be wholly within the County and shall not be designed to directly connect to an adjacent county unless the applicant has obtained the prior written approval of the District Council and the appropriate land use authority of the adjacent County.**

(A) **An applicant must file a written request for said approval. The request shall be filed with the Clerk of the District Council. The District Council must either approve or disapprove said request within forty-five (45) days from the date of filing. Failure of the District Council to act within said forty-five (45) day period shall constitute an approval of the request. For purposes of this provision an internal subdivision street shall be deemed to be a public roadway having a right-of-way width of eighty (80) feet or less.**

(B) **After public hearing before the District Council, the Council shall not allow the proposed bi-county subdivision unless it finds that delivery of public safety services, utility services, and tax collection will be timely and adequate for the lots in Prince George's County.**

All proposed streets are located within the County.

- (4) **All streets proposed for dedication to public use shall be designed to the standards of the County road ordinance and street standards for width and minimum curve radii or to the standards of municipalities having jurisdiction. Variations from these standards may be granted by the Planning Board upon the recommendation of the Department of Permitting, Inspections, and Enforcement or upon the recommendation of the municipality or other governmental authority having jurisdiction.**

All proposed public streets within Melford Village are within the jurisdiction of the City of Bowie. As such, all roadways either meet the required street sections standards, or will have obtained the necessary waivers/exceptions from the City of Bowie.



- (5) **Arterial highways shall have a minimum right-of-way width of one hundred and twenty (120) feet; collector streets, a minimum right-of-way width of eighty (80) feet; and parkways, such right-of-way width as may be designated by the Planning Board. The width of secondary subdivision streets shall be not less than fifty (50) feet and the width of primary subdivision streets not less than sixty (60) feet.**

Melford Boulevard is a collector road (C-309) in the Bowie and Vicinity Master Plan and SMA (between MD 3 and Curie/Tesla Drive) with a recommended right-of-way of 80 to 140 feet. The actual right-of-way ranges along Melford Boulevard from approximately 100 to 160 feet in width.

- (6) **Land for bike trails and pedestrian circulation systems shall be shown on the preliminary plan and, where dedicated or reserved, shown on the final plat when the trails are indicated on a master plan, the County Trails Plan, or where the property abuts an existing or dedicated trail, unless the Board finds that previously proposed trails are no longer warranted. Land for bike trails and pedestrian circulation have been provided in this PPS application.**

Land for bike trails and pedestrian circulation has been provided in this PPS application, as discussed more fully in Finding 8.

**Section 24-124. Adequate roads required.**

- (a) **Before any preliminary plan may be approved, the Planning Board shall find that:**

- (1) **There will be adequate access roads available to serve traffic which would be generated by the proposed subdivision, or there is a proposal for such roads on an adopted and approved master plan and construction scheduled with one hundred percent (100%) of the construction funds allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, and/or such roads are incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1);**

The applicant prepared a traffic impact study dated July 23, 2016 and updated on September 27, 2016, in accordance with the methodologies in the "Transportation Review Guidelines, Part 1" (Guidelines). Furthermore, the applicant prepared a supplement to the September 27, 2016 traffic study dated January 19, 2017 for SHA's review in evaluating the proposed mitigation plan for US 301 at Governor Bridge Road/Harbour Way.



Based on the analyses contained in the above referenced reports and the findings and conclusions in Finding 9, this PPS satisfies the requirements of Section 24-124 of the Subdivision Regulations.

- (6) **Consideration of certain mitigating actions is appropriate as defined in the approved "Guidelines for Mitigation Actions," and as provided below:**
- (A) **Projected traffic service in the study area, which shall be based on existing traffic, traffic generated by other approved development, and growth in through traffic as defined in the "Guidelines," is calculated to be greater than the acceptable level of service; and**
  - (B) **The provisions for adequate roads, as described in Subparagraph (a)(1), above, are not met.**
    - (i) **Where projected traffic service is calculated to be greater than or equal to twenty-five percent (25%) above, the acceptable peak-hour service level threshold as defined in the "Guidelines," the Planning Board may require that any physical improvement or trip reduction programs participated in, or funded by, the subdivider or his heirs, successors, and assigns shall fully abate the impact of all traffic generated by the proposed subdivision in the study area. Following the development of the proposed subdivision and implementation of the approved mitigation action, the total traffic service will be reduced to no higher than twenty-five percent (25%) above the acceptable peak-hour service level threshold as defined in the "Guidelines" (total traffic service shall be based on projected traffic and traffic generated by the proposed development); or**
    - (ii) **Where projected traffic service is calculated to be greater than but less than twenty-five percent (25%) above the acceptable peak-hour service level threshold as defined in the "Guidelines," the Planning Board may require that any physical improvements or trip reduction programs fully funded by the subdivider or his heirs, successors, and assigns shall fully abate the impact of one hundred and fifty percent (150%) of all traffic generated by the proposed subdivision in the study area. Following the development of the proposed subdivision and implementation of the mitigation action, the total traffic service within the study area will be reduced to no lower than the acceptable peak-hour service level threshold defined in the "Guidelines"; or**



- (C) Where existing traffic service in the service area is at the acceptable peak-hour service level threshold or better, as defined in the "Guidelines," and if the total traffic service in the study area is no greater than ten percent (10%) above the acceptable peak-hour service level threshold as defined in the "Guidelines" and the proposed subdivision generates less than twenty-five (25) A.M. or P.M. peak-hour trips, the Planning Board may require that the subdivider or his heirs, successors, and assigns shall be responsible for the pro rata cost of the physical improvements necessary to alleviate the inadequacy as defined in the "Guidelines."
- (D) Planning Board action on a mitigation action may be appealed to the District Council by the applicant or by any party of record. The appeal shall be filed with the Clerk of the Council within thirty (30) days following notice of action on the mitigation proposal by the Planning Board to all parties of record. The Planning Board shall give notice of its action by sending a copy to each party of record by first-class mail, postage prepaid. The appeal shall be based upon the record as made before the Planning Board and shall set forth the reasons for the appeal. In deciding an appeal of a mitigation action, the Council shall exercise original jurisdiction. For any such appeal, the Council may, based on the record, approve, approve with conditions, remand, or deny the mitigation action; or

The applicant's proposed mitigation meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations, as more fully discussed in Finding 9.

**Section 24-130 - Stream, wetland, and water quality protection and stormwater management.**

- (a) Proposed subdivisions shall be designed to minimize the effects of development on land, streams and wetlands, to assist in the attainment and maintenance of water quality standards, and to preserve and enhance the environmental quality of stream valleys.

The PPS meets the above requirements, as more fully discussed in Finding 5.

- (b) The Planning Board shall require that proposed subdivisions conform to the following:
  - (1) The preliminary plan shall demonstrate adequate control of the increased runoff due to the ten (10) year storm or such other standards as State law or the County shall adopt.



- (2) **The stormwater control shall be provided on-site unless the Planning Board, on recommendation from the County, waives this requirement.**

Stormwater and sediment and erosion controls will be provided on-site that are adequate to control the 10-year storm and stormwater impacts as described in the approved stormwater management concept plan and the approved Concept Grading, Erosion And Sediment Control Plan (CSC 186-16), as more fully discussed in Finding 5.

- (3) **The submission of a storm drainage and stormwater management concept plan, and approval thereof by the County, may be required prior to PPS approval.**

The site has an approved City of Bowie Stormwater Management Concept Plan, 01-0114-207NE15, which is valid until March 10, 2017. The applicant provided an exhibit (Applicant's Exhibit #1) at the public hearing on March 9, 2017 indicating that they have received preliminary approval from the City of Bowie for an extension of the current stormwater management concept plan.

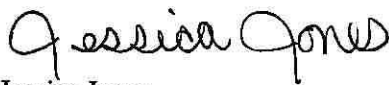
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

\* \* \* \* \*


This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 9, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of April 2017.

Patricia Colihan Barney  
Executive Director

  
By Jessica Jones  
Planning Board Administrator

PCB:JJ:JF:rpg

APPROVED AS TO LEGAL SUFFICIENCY  
  
M-NCPPC Legal Department  
Date 4/7/17



**Additional Back-up**

**For**

**DSP-07072-02**

**Melford, Block 3, Lots 1 And 2**



# Melford – Block 3, Lots 1 and 2

## (DSP-07072-02)

Planning Board Hearing  
December 1, 2022

### Revised Conditions

1. Prior to signature approval of the detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall:
  - a. Revise the DSP to demonstrate conformance to the requirements of the Prince George's County Tree Canopy Coverage Ordinance, as per Section 25-128 of the prior Prince George's County Code, [for Parcels 1, 4, and 5](#).
  - d. ~~Incorporate Attachment A (updated truck-turning plans) as part of the DSP plan set.~~
  - j. ~~Locate landscape plantings outside the proposed 10-foot-wide public utility easement along Melford Boulevard. Provide a Certificate of Landscape Maintenance in accordance with Section 1.7 of the 2010 Prince George's County Landscape Manual.~~
  - k. ~~Revise the planting schedule for Section 4.3-2, Parking Lot Interior Planting Requirements, to provide a minimum 15 percent of interior landscaped area per the 2010 Prince George's County Landscape Manual.~~
  - o. Provide top and bottom elevations for the proposed retaining wall located on Parcel 1. Provide [a detail](#) ~~an architectural elevation~~ for the wall, listing total height and building material.
  - q. ~~To provide continuity along the street façade, provide two additional Miami Crape Myrtles along the front of Building R-B, similar to those in front of Building R-A. Address Section 4.2 Requirements for Landscape Strips Along Streets in accordance with the 2010 Prince George's County Landscape Manual for Parcels 1, 4, and 5, or obtain an Alternative Compliance approval from the requirements.~~
  - r. On Sheet C-4A, provide and label a minimum [3.0](#) ~~3.5~~-foot clearance between the menu/ordering board and the face of Building R-B, for accessibility.

~~Strikethrough~~ represents deleted language    1  
[Underline](#) represents added language



2. Prior to signature approval of the detailed site plan (DSP), the Preliminary Plan to Detailed Site Plan–Comparison Tracking Chart on Sheet C-1A shall be modified as follows:
  - c. ~~Add a column for DSP-07072-01 and ensure the columns for DSP-07072-01 and DSP-07072-02 each list the development approved under that amendment.~~ Add a footnote for the DSP-07072-02 column, stating that the 8,167 square-foot Building R-A was approved and permitted under DSP-07072-01.



### PARCEL 4:

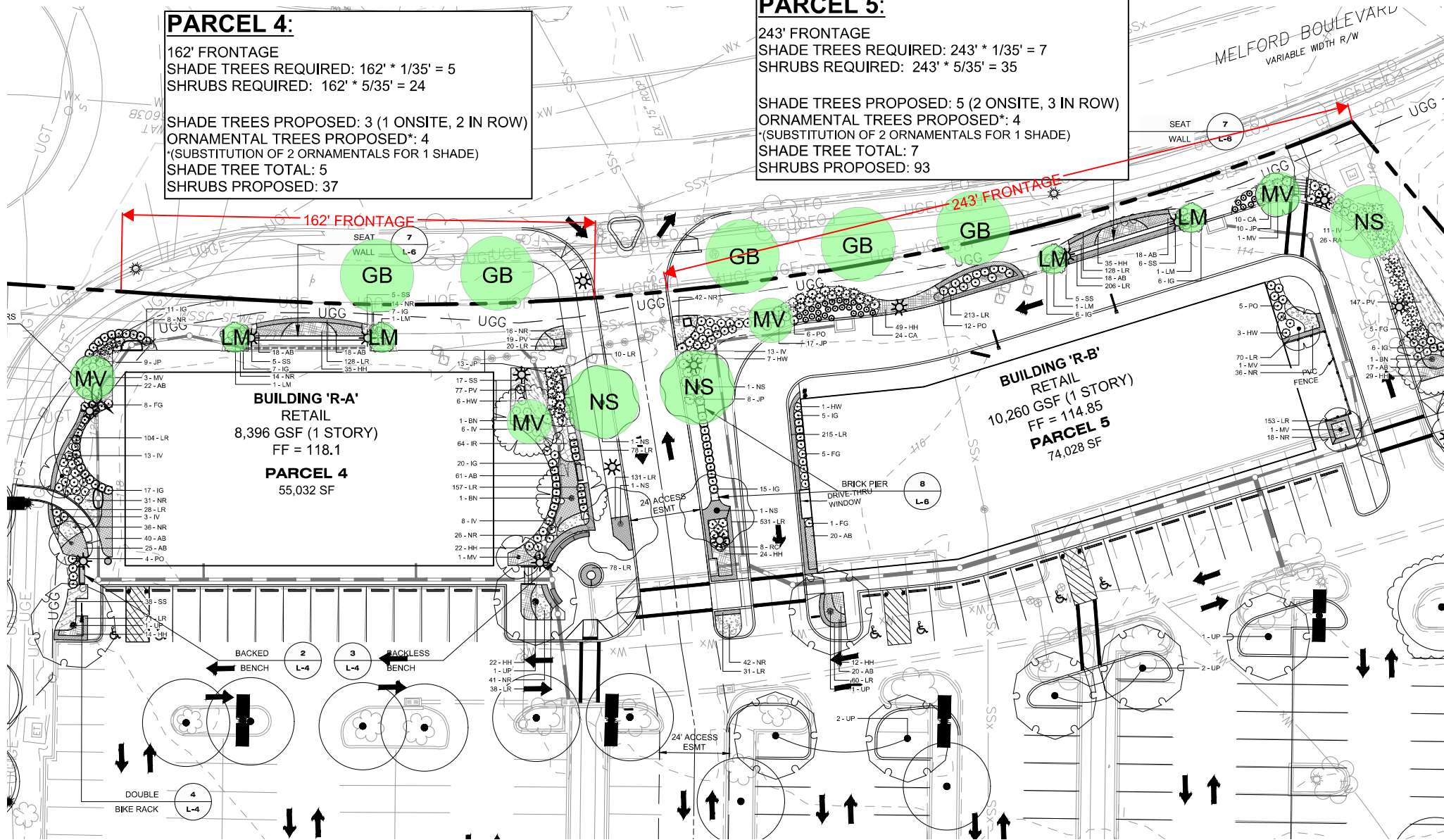
162' FRONTAGE  
SHADE TREES REQUIRED:  $162' \times 1/35' = 5$   
SHRUBS REQUIRED:  $162' \times 5/35' = 24$

SHADE TREES PROPOSED: 3 (1 ONSITE, 2 IN ROW)  
ORNAMENTAL TREES PROPOSED\*: 4  
(SUBSTITUTION OF 2 ORNAMENTALS FOR 1 SHADE)  
SHADE TREE TOTAL: 5  
SHRUBS PROPOSED: 37

### PARCEL 5:

243' FRONTAGE  
SHADE TREES REQUIRED:  $243' \times 1/35' = 7$   
SHRUBS REQUIRED:  $243' \times 5/35' = 35$

SHADE TREES PROPOSED: 5 (2 ONSITE, 3 IN ROW)  
ORNAMENTAL TREES PROPOSED\*: 4  
(SUBSTITUTION OF 2 ORNAMENTALS FOR 1 SHADE)  
SHADE TREE TOTAL: 7  
SHRUBS PROPOSED: 93



## 4.2 Buffer Planting

Scale: 1" = 30'-0"

# MELFORD BLOCK 3 DSP-07072-02 ALTERNATIVE COMPLIANCE EXHIBIT FOR SECTION 4.2 BUFFER

November 28, 2022