

PGCPB No. 2024-117

File No. 4-24007

R E S O L U T I O N

WHEREAS, Maryland Science and Technology Center II, LLC and Melford Town Center Homeowners Association, Inc. are the owners of a 1.86-acre tract of land known as Part of Parcel 4, Parcel D8, and Lot 48, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Town Activity Center-Edge (TAC-E); and

WHEREAS, on June 28, 2024, St. John Properties, Inc. filed an application for approval of a Preliminary Plan of Subdivision for 29 lots and four parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-24007 for Melford Towns 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 at a public hearing on November 14, 2024; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid conceptual site plan, approved under the prior Zoning Ordinance, and still valid pursuant to the time limit specified under Section 27-1704(a), may be reviewed and decided in accordance with the Subdivision Regulations in existence at the time of the approval of the conceptual site plan; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

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

WHEREAS, at the November 14, 2024 public hearing, 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 Type 1 Tree Conservation Plan TCPI-044-98-06 and APPROVED Preliminary Plan of Subdivision 4-24007, including Variations from Section 24-122(a) and Section 24-128(b)(7)(A), for 29 lots and 4 parcels, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
 - a. Have all sheets of the PPS certified by either a professional land surveyor or a professional engineer.

- b. Add a general note indicating approval of a variation from Section 24-122(a) of the prior Prince George's County Subdivision Regulations, along Lake Melford Avenue, Rosie Oliver Steet, and Hardisty Way.
 - c. Add a general note indicating approval of a variation from Section 24-128(b)(7)(A) of the prior Subdivision Regulations, for Lots 55–66, Block D.
 - d. Revise General Note 20 to provide the correct number of the approved Stormwater Management Concept Plan 02-0523-207NE15 and provide the approval date for the plan.
2. Prior to approval, the final plat of subdivision shall include:
 - a. Right-of-way dedication along the property's street frontage of Rosie Oliver Street, in accordance with the approved preliminary plan of subdivision.
 - b. A note indicating the Prince George's County Planning Board's approval of a variation from Section 24-122(a) of the prior Prince George's County Subdivision Regulations, in accordance with the approving resolution for Preliminary Plan of Subdivision 4-24007, for the location of the public utility easement along Lake Melford Avenue, Rosie Oliver Street, and Hardisty Way.
 - c. A note indicating the Prince George's County Planning Board's approval of a variation from Section 24-128(b)(7)(A) of the prior Prince George's County Subdivision Regulations, in accordance with the approving resolution for Preliminary Plan of Subdivision 4-24007, for lots not having frontage on a public right-of-way.
3. Development of this site shall be in conformance with Stormwater Management Concept Plan 02-0523-207NE15, and any subsequent revisions.
4. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established for the subdivision. The draft covenants shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department, to ensure that the rights of The Maryland-National Capital Park and Planning Commission, Prince George's County Planning Board are included. The Book/page of the declaration of covenants shall be noted on the final plat, prior to recordation.
5. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey land to the homeowners association, as identified on the approved preliminary plan of subdivision and detailed site plan. Land to be conveyed shall be subject to the following:
 - a. A copy of the recorded deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department.

- b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operations 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 the association shall be in accordance with an approved site plan and tree conservation plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division of the Prince George's County Planning Department.
 - f. Covenants recorded against the conveyed property ensuring retention, and future maintenance, of the property by the homeowners association including the reservation of the right of approval by the Prince George's County Planning Director.
6. In conformance with the recommendations of the 2022 *Approved Bowie-Mitchellville and Vicinity Plan Master Plan*, and Condition 17 of Conceptual Site Plan CSP-06002-01, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following facilities, and shall show these improvements on the detailed site plan, prior to its acceptance, unless modified by the City of Bowie:
- a. A minimum 5-foot-wide sidewalk along the frontage of Rosie Oliver Street, including a striped crosswalk and Americans with Disabilities Act compliant curb ramps.
7. At the time of acceptance, the detailed site plan shall include an exhibit demonstrating that continuous pedestrian routes will exist, to connect to facilities along adjacent public roads.
8. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCPI-044-98-06. 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 TCPI-044-98-06, or most recent revision, 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 (WCO). 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, the following design issues shall be addressed:
 - a. The proposed lighting system shall use full cut-off lighting systems, with limited light spill-over.
10. Prior to approval, the detailed site plan shall:
 - a. Demonstrate that any portion of a proposed building, either partially or fully within the designated view corridors of the Melford and Cemetery Historic Site 71B-016, established in Conceptual Site Plan CSP-06002-01, complies with the height requirements for buildings within the view corridors set forth in the Melford Village Design Guidelines.
 - b. Demonstrate that the scale, mass, proportion, materials, and architecture for proposed buildings appropriately relate to the character of the Melford and Cemetery Historic Site 71B-016.
 - c. Delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016.
11. Prior to approval of the detailed site plan, the Historic Preservation Section shall certify that all quarterly reports for Melford and Cemetery, Historic Site 71B-016 have been received in a timely manner and that the Melford site is being properly maintained.

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 applicable 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 includes a 1.86-acre tract of land, described as Part of Parcel 4, recorded by deed in the Prince George's County Land Records in Book 17411 page 710, Parcel D8 recorded in Plat Book ME 280 Plat No. 94, and Lot 48 recorded in Plat Book ME 262 Plat No. 10. The property is in the Town Activity Center-Edge (TAC-E) Zone. However, this preliminary plan of subdivision (PPS) was reviewed in accordance with the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations, in effect on March 31, 2022 (the "prior Zoning Ordinance" and "prior Subdivision Regulations") pursuant to Section 27-1704 of the current Zoning Ordinance.

The subject property was included in Conceptual Site Plan CSP-06002-01, which was approved by the Prince George's County District Council on March 23, 2015, pursuant to the prior Zoning Ordinance. Pursuant to Section 27-1704(a) of the Zoning Ordinance, CSP-06002-01 remains

valid for a period of 20 years from April 1, 2022. Pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid CSP, approved under the prior Zoning Ordinance and still valid pursuant to the time limit specified under Section 27-1704(a), may be reviewed, and decided in accordance with the prior Subdivision Regulations. This PPS was therefore reviewed pursuant to the standards of the prior Mixed Use-Transportation Oriented (M-X-T) Zone for the property, which was in effect on March 31, 2022. The site is subject to the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (master plan). The property is also located within the municipal limits of the City of Bowie (“City”).

The property is currently undeveloped and cleared. The subject PPS enables subdivision of the property into 29 lots and four parcels for development of 29 single-family attached dwellings. As the development is part of the overall Melford Village project and covers land previously approved for development, the four parcels and 29 townhouse lots approved herein will replace the previously approved 50 multifamily and 1 townhouse units on the subject property. The four parcels will be conveyed to the homeowners association (HOA) for the overall Melford Village development. The proposed development results in a net reduction in the number of dwelling units in Melford Village, but an increase in the number of lots and parcels. Therefore, the subject PPS is required for the division of the land into additional lots.

The subject PPS has an accompanying Type 1 Tree Conservation Plan, TCPI-044-98-06. The PPS was accepted for review prior to July 1, 2024, and therefore, the TCPI was reviewed in accordance with the version of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) in effect on June 30, 2024.

The site was subject to previously approved PPS 4-16006, and pursuant to Section 24-4503(a)(1) of the Subdivision Regulations, it has an automatic certificate of adequacy (ADQ) associated with that PPS. However, in accordance with Section 24-4503(a)(4) of the Subdivision Regulations, a new ADQ is required to support the proposed development because a new PPS is required. ADQ-2024-008 was reviewed concurrently with this PPS, and this PPS is supported by and subject to the approved ADQ.

Section 24-122(a) of the prior Subdivision Regulations requires that 10-foot-wide public utility easements (PUE) be provided along both sides of public rights-of-way (ROWs). The property fronts on the public ROW of Lake Melford Avenue, Rosie Oliver Street, and Hardisty Way. The applicant requested approval of a variation from the PUE requirement, which is discussed further in the Public Utility Easement finding of this resolution.

The applicant also requested a variation from Section 24-128(b)(7)(A) of the prior Subdivision Regulations, which states that in the M-X-T Zone, 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 ROW. This PPS includes 12 out of the 29 residential lots to be served by alleys without having frontage on a public ROW. This variation request is discussed further in the Transportation finding of this resolution. References to “detailed site plan” in this resolution refer to detailed site plan applications evaluated under either the prior or current Zoning Ordinances.

3. **Setting**—The subject site is located on Tax Map 47 in Grid F3 and is within Planning Area 71B. The property is located on the south side of Lake Melford Avenue, approximately 400 feet east of its intersection with Curie Drive.

The subject property is entirely encompassed within the overall Melford Village development, approximately half of which currently remains undeveloped. The Melford Village development is in the TAC-E Zone (formerly in the M-X-T Zone). The overall Melford Village site is bounded to the north by single-family detached dwellings in the Agriculture Residential Zone, to the east by vacant land in the Reserved Open Space Zone; to the south by the US 50/301 (John Hanson Highway/Robert Crain Highway) ROW and a small vacant property in the Agriculture and Preservation Zone; and to the west by the MD 3 (Robert Crain Highway) ROW.

4. **Development Data Summary**—The following information relates to the subject PPS and the evaluated development.

	EXISTING	EVALUATED
Zone	TAC-E	M-X-T
Use(s)	Vacant	Single-family Residential
Acreage	1.86	1.86
Lots	1	29
Parcels	2	4
Dwelling Units	0	29
Gross Floor Area	0	0
Subtitle 25 Variance	No	No
Subtitle 24 Variation	Yes, Section 24-122(a)	Yes, Section 24-122(a) and Section 24-128(b)(7)(A)

The subject PPS was accepted for review on June 28, 2024. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, this case was referred to the Subdivision and Development Review Committee (SDRC), which held a meeting on July 19, 2024, where comments were provided to the applicant. Pursuant to Section 24-113(b), the requested variation from Section 24-128(b)(7)(A) was also received on June 28, 2024, and reviewed at the SDRC meeting on July 19, 2024. Pursuant to Section 24-113(b), the requested variation from Section 24-122(a) was received on July 26, 2024, and reviewed at the SDRC meeting on August 2, 2024. Revised plans were received on August 23, 2024, which were used for the analysis contained herein.

5. **Site Layout**—The included lots are organized into three rows, which essentially continue the alignment of abutting townhouse lots previously approved under PPS 4-16006 and Detailed Site Plan DSP-18034. The neighboring network of private alleys is extended to provide vehicular access to the townhouse lots (Alley J and Alley I). Parcel D11 will contain the area of these private alleys. All 29 townhouse lots will be rear loading, facing either the existing public streets (Lake Melford Avenue and Rosie Oliver Street), or open space (existing Parcel D2). The individual townhouse sticks are separated by open space parcels (Parcels D9, D10, and D12). All four parcels will be privately owned and maintained by the HOA.

Additional parking for visitors is conceptually proposed as on-street parking along Lake Melford Avenue, Rosie Olver Street, and Alley H.

6. **Previous Approvals**—The property has been the subject of several prior development approvals. On January 25, 1982, the Prince George’s County District Council approved Zoning Map Amendment (Basic Plan) A-9401, titled Melford, for a 432-acre tract of land, with 10 conditions (Zoning Ordinance 2-1982). The zoning map amendment rezoned the property from the Residential-Agricultural (R-A) and Open Space (O-S) Zones to the prior 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 development titled, Maryland Science and Technology Center, with 27 conditions and 2 considerations.

The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* rezoned the property from the prior E-I-A Zone to the M-X-T Zone. Conceptual Site Plan CSP-06002, titled Melford, 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 over approximately 344.10 acres of land. On May 11, 2009, the District Council approved CSP-06002 with four modifications and 29 conditions, rejecting the residential component of the proposed development.

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

Conceptual Site Plan CSP-06002-01

CSP-06002-01 superseded CSP-06002 and was approved by the Planning Board on December 4, 2014 (PGCPB No. 14-128), and further reviewed and confirmed by the District Council on March 23, 2015, for the addition of 2,500 residential units, 268,500 square feet of retail uses, and 260,000 square feet of office space as amendments to the prior approved CSP. Conditions in CSP-06002-01, which are relevant to the subject PPS, are listed in **bold** text, with analysis of the conditions following, in plain text:

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 proposed development is within the trip cap provided with CSP-06002-01 and is further evaluated with ADQ-2024-008.

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.**

A condition of approval is included in ADQ-2024-008 to address this condition. The intersection of Melford Boulevard and Science Drive will continue to be evaluated with each detailed site plan for the overall Melford Village 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.**

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 with the previously revised Natural Resources Inventory NRI-154-06-01.

- 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.**

No new impacts to regulated environmental features (REF) are approved with this PPS.

- d. The preliminary plan application package shall contain a copy of the erosion and sediment control concept plan.**

The applicant provided a copy of the erosion and sediment control concept plan for the project. The plan will be reviewed at the time of detailed site plan and Type 2 tree conservation plan (TCP2) to confirm that the limits of disturbance are consistent on all required plans.

- 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, in their statement of justification, provided that they have evaluated the provision of a bus service and bus route throughout the overall Melford property. Per the applicant, the proposed design of Melford property will accommodate a future bus route, which will be designed per the Washington Metropolitan Area Transit Authority (WMATA) Station Site and Access Planning Manual. The future bus stops are expected to be located as needed within the overall Melford property, with the buildout of the site to meet demand.

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

No impacts to REF are approved with this PPS.

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 linear wetland referenced in the above condition is not associated with the property subject to the current PPS.

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 development evaluated with this PPS reflects a compact residential development, minimizing impervious surfaces to only those required for access and parking. Stormwater management (SWM) concerns will be addressed by the City under its authority and by the review of on-site soil conditions by Prince George's County's Soil Conservation District (PGSCD). Given the small number of single-family attached residential units on a limited site area (1.86 acres), structured parking is not practical for the development evaluated with the current PPS.

- 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 overall TCP correctly delineates the 100-foot-wide natural buffer and 150-foot-wide building and parking setbacks, which do not impact the current PPS.

- 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.**

No additional clearing is proposed for utility installation. The utilities are to be located within existing public ROWs.

- 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.**

Existing green spaces have been preserved to the maximum extent practicable, to emphasize scenic views from public spaces and enhance the physical characteristics 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.**

All streams and regulated stream buffers are correctly delineated on the revised NRI, which is reflected in the revised TCPI submitted with the current PPS. The subject property contains no streams.

- 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 SWM ponds are shown on the subject property.

- b. Prior to the approval of any detailed site plan that includes a portion of the Melford and Cemetery Environmental Setting, in consultation with archeology staff, the applicant shall provide for additional public**

interpretation of the significance of archeological findings within the property. That public interpretation may take the form of on-site signage, a printed brochure, public lectures or a website. The location and wording of any additional signage, brochure text, or website shall be subject to approval by the Prince George's County Planning Department staff archeologist.

The subject property does not include a portion of the Melford and Cemetery Environmental Setting.

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

To ensure that this requirement applies to future detailed site plans submitted for the subject property, regardless of which Zoning Ordinance is utilized, this condition is carried forward in modified form to the subject PPS.

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

The subject property is approximately 1,055 feet east of the Melford and Cemetery Historic Site (71B-016). To ensure that this requirement applies to future detailed site plans submitted for the subject property, regardless of which Zoning Ordinance is utilized, this condition is carried forward in modified form to the subject PPS.

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

The environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016, should continue to be shown on a future detailed site plan submitted for the subject property, regardless of which Zoning Ordinance is utilized. This condition is, therefore, carried forward in modified form to the subject PPS.

- 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 the impact area for Melford and Cemetery, Historic Site 71B-016, has been shown on the TCPI and the PPS. To ensure that this requirement applies to future detailed site plans submitted for the subject property, regardless of which Zoning Ordinance is utilized, this condition is carried forward, in modified form, to the subject PPS.

- 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 applicant has submitted all required quarterly reports to the Historic Preservation Section. To ensure that this requirement applies to future detailed site plans submitted for the subject property, regardless of which Zoning Ordinance is utilized, this condition is carried forward, in modified form, to the subject PPS.

- 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.**

The subject property abuts existing roads (Lake Melford Avenue, Rosie Oliver Street, and Hardisty Way), along which standard sidewalks are required in accordance with prior DSP-18034 and DSP-22043. Approximately 123 linear feet of ROW is shown on this PPS to be dedicated along Rosie Oliver Street. A condition is included with this PPS, to provide standard sidewalks along this length of the property fronting Rosie Oliver Drive, per Conditions 17 and 18. Details of the sidewalk and the sidewalk network for the subject site shall be shown on a detailed site plan and further reviewed at that time.

- 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 connection is shown on prior development approvals for the Melford Village, to the east of the subject site at the terminus of Lake Melford Avenue. This trail is located outside of the bounds of this subject PPS. However, a sidewalk along Lake Melford Avenue will provide the required pedestrian connection to access the trail.

- 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.**

CSPs are conceptual and illustrative plans, subject to refinement with future development review applications. CSP-06002-01 provides a guide for reviewing the development layout at the time of PPS and detailed site plan. The PPS and revised TCPI can be found 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.**

The development evaluated with this PPS does not include any research and development flex space.

- 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.**

Recreational facilities were established with the previously approved detailed site plans for the subject property, including DSP-18034, DSP-18034-01, and DSP-18034-02. Development of townhouses will require detailed site plan approval, at which time recreational facilities will be reviewed.

- 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 condition is tied to residential building permits within the bounds of the CSP, applied as a cumulative total. The pedestrian connection required under this condition was carried forward as a condition of approval of PPS 4-16006 (Condition 10a of PGCPB Resolution No. 17-45) to ensure that the project met the pedestrian and bicycle adequacy requirements of Section 24-124.01 of the prior Subdivision Regulations. Condition 10a of 4-16006 requires the above improvement to be ensured prior to the approval of any building permit. Prior building permits have been approved for the larger Melford development pursuant to 4-16006. The applicant has submitted, with prior approvals, that they will be making physical alterations to the MD 3 off-ramp to facilitate this pedestrian connection, subject to the approval of SHA.

The current PPS is subject to public facility adequacy standards of the current Subdivision Regulations. ADQ-2024-008, which was reviewed concurrently with this PPS, evaluates the proposed development for pedestrian and bicycle adequacy and transportation adequacy.

- 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's statement of justification (SOJ) proposes to earmark 5 percent of the total multifamily units within Melford development to be affordable workforce housing and 20 percent of all multifamily units to be senior housing. The current PPS does not include any multifamily dwelling units. General notes have been added to the PPS to reflect the applicant's proposal.

PPS 4-16006

PPS 4-16006 for Melford Village (111.43 acres) was approved on March 9, 2017 (PGCPB Resolution No. 17-45) for mixed-use development and includes the 1.86-acre area of the subject property. The PPS approved 205 townhouse lots and 111 parcels for the development of 359,500 square feet of commercial use and 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 7 multifamily residential parcels, 44 two-family dwelling parcels, 25 commercial parcels, and 2 residue parcels. The remaining 33 parcels were approved for open space including HOA and business owners administration (BOA) parcels, and a parcel for conveyance to the City. The PPS also included a private road and alleys, which were not given parcel designations.

DSP-18034-01 approved the removal of the 44 two-family dwelling parcels (88 units) and replaced them with 44 townhouse lots (44 units). for a reduced total of 249 single-family attached units.

The subject PPS will result in the total number of dwelling units in the development being reduced from 1,793 (293 single-family attached and 1,500 multifamily units) to 1,777 (277 single-family attached and 1,500 multifamily units). The current PPS is for an area which was previously approved for 50 multifamily and 1 townhouse dwelling units and replaces them with 29 townhouse dwelling units. PPS 4-24007 supersedes 4-16006 for the subject property.

PPS 4-16006 was approved with 24 conditions. The subject PPS 4-24007 supersedes 4-16006 within its boundaries; however, conditions that are relevant to this development are carried forward (with any necessary modifications) to the current PPS. The conditions of 4-16006 which are relevant to the current PPS (4-24007) are in **bold** text with analysis following, in plain text.

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.**
- 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.**

Conditions 10, 11, 16, and 17 are related to public facility adequacy (specifically, transportation and pedestrian and bikeway) for the proposed development. The current PPS is subject to public facility adequacy standards of the current Subdivision Regulations. ADQ-2024-008, which was reviewed concurrently with this PPS, evaluates the proposed development for pedestrian and bicycle adequacy and transportation adequacy. The above conditions were carried forward with modifications, if necessary, as conditions of approval of ADQ-2024-008.

7. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the master plan are evaluated, as follows:

Plan 2035

Plan 2035 places this subject site in a Local Center. Bowie Local Town Center is identified as one of 26 Local Centers on the Prince George's County Growth Policy Map (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). Plan 2035 Center Classification System (Table 16) further describes Bowie Town Center (Local) as one of five Town Centers (Local) as “A range of auto-accessible centers that anchor larger areas of suburban subdivisions. Overall, the Centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. These centers typically have a walkable core or town center.” (page 108).

Master Plan

The master plan recommends mixed land use on the subject property. The evaluated use conforms with the recommended land use because the horizontal mix of uses in the overall Melford community is consistent with the recommended land use. Master plan recommended policies and strategies, to help advance the intent and purpose of the plan, are discussed further below and throughout this resolution:

Policy LU 5 Reinforce Bowie Local Town Center as the focal point of Bowie-Mitchellville and Vicinity by concentrating new development with a mix of uses (page 63).

LU 5.5 Melford should continue to develop pursuant to its approved Conceptual Site Plans (page 63).

The PPS conforms with Strategy LU 5.5, which emphasizes that the overall Melford development should advance in accordance with its approved CSP. The PPS presented is a refinement of the initial CSP, and it is anticipated that minor adjustments may occur throughout the development process. If these modifications remain consistent with the overarching intent and objectives of the original CSP, they are permissible under this strategy. The project maintains adherence to the overall concept, ensuring that it continues to support the established vision for Melford’s development.

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

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

Policy HD 5 Create an inviting, walkable public realm that serves as a framework for a dynamic, mixed-use destination (page 163).

HD 5.4 Locate utility lines underground, whenever feasible (page 163).

The applicant should create a site design using CPTED principles and develop a walkable, well-lit pedestrian streetscape, which uses landscaping and site design elements to promote the safety and livability of the community. This PPS, for subdivision of part of the Melford Village site, includes pedestrian connections and continuity of the framework for the overall Melford Village development.

Zoning

The 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* reclassified the subject property into the M-X-T Zone. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment (CMA), which reclassified the subject property from the M-X-T Zone to the TAC-E Zone, effective April 1, 2022. However, this PPS was reviewed pursuant to the prior M-X-T zoning.

8. **Stormwater Management**—An application for a major subdivision must include an approved SWM concept plan, or indication that an application for such approval has been filed with the appropriate agency or municipality having approval authority. The City’s Public Works Department has approved conceptual and technical design of SWM facilities and associated landscaping corresponding with the area of the subject PPS. The site has a SWM Concept Plan and letter 02-0523-207NE15, approved on June 5, 2023, which is valid until June 5, 2026. Prior to issuance of grading permits for the site, the detailed site plan and TCP2 will be reviewed for conformance with the approved SWM concept plan.

Development of the site, in conformance with SWM concept approval and any subsequent revisions, will ensure that no on-site or downstream flooding occurs. Therefore, this PPS satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

9. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of the master plan, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, the 2022 *Land Preservation, Parks and Recreation Plan for Prince George’s County*, and Sections 24-134 and 24-135 of the prior Subdivision Regulations, as they pertain to public parks and recreation and facilities.

Park and recreation amenities serving the subject property include the Patuxent River Park, located approximately 0.3 miles east of the subject site. The overall Melford community is being developed with trails and private recreational facilities.

The proposed development has no impact on the master plan park and open space recommendations. The master plan prioritizes mixed-use developments to support ongoing economic growth.

Sections 24-134 and 24-135, which relate to mandatory dedication of parkland, provide for the dedication of land, the payment of a fee-in-lieu, and/or the provision of private on-site recreational facilities to serve the active recreational needs of residential development. Based on the permissible 20 dwelling units per acre density of development, 15 percent of the net residential lot area, or 0.3 acres, could be required to be dedicated to The Maryland-National

Capital Park and Planning Commission (M-NCPPC) for public parks. However, because this PPS is part of the overall Melford development, for which mandatory dedication of parkland has already been satisfied, and because this PPS does not increase the overall number of dwelling units within the Melford Village development, dedication of land is not required with this PPS.

Section 24-134(a)(3)(D) of the prior Subdivision Regulations also states that mandatory dedication shall not apply to “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 has been previously met for this property by the dedication of land adjacent to the Melford Village subdivision, which is suitable for active and passive recreation. In addition, conditions of CSP-06002-01 require the applicant to construct 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 property), and provide on-site private recreational amenities, including open plazas, courtyards, pocket parks, three clubhouses with outdoor pools, and an amphitheater.

Based on the preceding findings, the provision of mandatory dedication of parkland has been met through prior parkland dedication, in accordance with Section 24-135(b) of the prior Subdivision Regulations.

10. **Transportation (pedestrian, bicycle, and vehicular)**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the master plan, the prior Zoning Ordinance, and the prior Subdivision Regulations, to provide the appropriate transportation facilities.

Master Plan Right-of-Way

The subject site has frontage on Lake Melford Boulevard and Rosie Oliver Street. Neither the MPOT nor the master plan contain any ROW recommendations for these roadways.

The site is within or adjacent to the following master-planned transportation facilities listed in MPOT:

- MD 3 (F-10) is a master-planned freeway facility.
- US 50/US 301 (F-4) is a master-planned freeway facility.
- Melford Boulevard (C-309) is a master-planned collector facility.

The subject site does not have frontage along these roadways. In addition, a finding was made with the review of PPS 4-16006 that adequate ROW consistent with master plan recommendations exists, and no additional ROW dedication was required for these facilities.

Master Plan Pedestrian and Bike Facilities

There are no recommended master-planned facilities in either the MPOT or the master plan for the subject property. Relevant policies and strategies from the master plan related to transportation are discussed below:

Policy TM 1 All streets serving properties in Plan 2035-designated Centers and/or zoned for commercial, multifamily, or mixed uses should incorporate active transportation and pedestrian/bicycle safety features, attractive streetscaping, and modern stormwater management best practices. (page 112)

TM 1.1 Reconstruct all existing streets in the following locations to the appropriate urban street design standard within the 2017 Prince George's County Urban Street Design Standards or most up-to-date County-approved urban street standards. Roadways maintained by the Maryland Department of Transportation State Highway Administration are to follow context-driven design guidelines for urban areas: Bowie Local Town Center. (page 112)

TM 1.2 Construct all new streets in the following locations to the appropriate urban street design standard within the 2017 Prince George's County Urban Street Design Standards or most up-to-date County-approved urban street standards. Roadways constructed by the Maryland Department of Transportation State Highway Administration are to follow context driven design guidelines for urban areas:

- **Bowie Local Town Center. (page 113)**

Policy TM 2 All streets in Bowie-Mitchellville and Vicinity should accommodate traffic at Plan 2035-recommended levels of service (LOS). (page 113)

TM 2.1 Design all streets in Bowie Local Town Center and the BSU MARC Campus Center to allow operation at LOS E or the appropriate Plan 2035 Center Level of Service. (page 113)

Policy TM 3 Enhance active transportation infrastructure to create greater quality of life and attract businesses and employees. (page 113)

TM 3.1 Ensure all streets in Bowie-Mitchellville and Vicinity's Centers and Established Communities have sidewalks. (page 113)

TM 3.3 Provide marked crosswalks on all legs of all intersections. (page 113)

The applicant is encouraged to create a safe, attractive, walkable pedestrian roadway, which promotes attractive street design, and modern SWM best practices. The subject property abuts three internal roadways, all of which have been previously designed and approved under prior detailed site plans for the Melford Village. A small portion of Rosie Oliver Street is shown to be dedicated with this PPS, and the applicant shall provide a standard sidewalk along this section of the roadway, consistent with prior approvals. The vehicular, pedestrian, and bicycle transportation infrastructure improvements have been reviewed under prior development applications and include sidewalks, crosswalks, and pedestrian refuges throughout the overall Melford site.

Site Access and On-site Circulation

The subject site has frontage along Lake Melford Avenue to the north, Rosie Oliver Street to the east, and Hardisty Way to the south, all of which are public roads. An additional 2,465 square feet is included in this PPS for dedication along Rosie Oliver Street, to meet the 31-foot from centerline width dedicated previously for this road, and as approved under PPS 4-16006. The ROW dedication is required to be shown on the final plat. Infrastructure improvements have been reviewed under prior development applications and include sidewalks, crosswalks, and pedestrian refuges throughout the overall Melford site.

Variation from Section 24-128(b)(7)(A)

The PPS subdivides an area into 29 townhouse lots, access to which is shown via private alleys. This is permissible under Section 24-128(b)(7)(A) of the prior Subdivision Regulations, which allows the Planning Board to approve private streets and alleys when developing attached single-family residential uses in the prior M-X-T Zone. Section 24-128(b)(7)(A) also requires that the pavement width of private streets not be less than 22 feet, and the pavement width of private alleys shall not be less than 18 feet, provided that the minimum width is consistent with a safe, efficient, vehicular access to individual lots. It is noted that the pavement widths of private streets and alleys shown on the TCPI are in conformance with Section 24-128(b)(7)(A). However, the alleys are to serve 12 townhouse lots without frontage on and direct access to a public street. The applicant requested a variation from Section 24-128(b)(7)(A) to allow the use of alleys to serve the 12 townhouse lots that front on open space, instead of public streets, as follows:

Section 24-128(b)(7)(A) states the following:

- (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.

The applicant sought relief from this requirement, to allow townhouse lots which are served by alleys to have frontage on open space, instead of public ROWs. Seventeen lots front on public ROWs while 12 lots, specifically Lots 55–66, Block D, front on HOA open space.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests as follows:

- (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 further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:**

The granting of the variation request is consistent with the relevant purposes of the prior Subdivision Regulations and will not harm the public interest, as explained herein. Moreover, denial of the variation request will certainly create practical difficulties for the applicant to develop the site in the manner contemplated in CSP-06002-01. The practical difficulty in this case results from the site constraints within the Melford Village, which prohibits the lotting pattern for 12 additional townhouse units from being served by alleys while maintaining frontage on a public street. The Planning Board previously approved a variation to permit 68 townhouse lots to be served by alleys without frontage on a public street in PPS 4-16006 (PGCPB Resolution No. 17-45). The granting of this variation allows the applicant to subdivide three existing lots and parcels into 28 lots and 4 parcels, creating a lotting pattern that is consistent with that previously approved in PPS 4-16006.

- (1) **The granting of the variation will not be detrimental to the public safety, health, welfare, or injurious to other property;**

The approval of this variation will not be injurious or detrimental to other property because it pertains only to the positioning of buildings related to access that will be situated on lots that are internal to the PPS. The alley, by definition, (Section 27-107.01 of the Zoning Ordinance) is intended to serve secondary vehicular traffic and is not intended to serve general circulation. In this case, lots fronting open space instead of public streets

do not alter this arrangement. The alleys are designed to serve a limited number of lots and will not serve general circulation based on the lotting pattern shown with this PPS. Each lot will have vehicular access by alleys which ultimately access a public street. There are no sidewalks included along the private alleys, however, the lots front an open space area that provides a connection to the sidewalks along Hardisty Way. Sidewalk locations and details shall be shown on a subsequent detailed site plan to ensure that a continuous pedestrian network is provided for these lots. The granting of this variation does not alter the intent of the design and use of alleys, is consistent with the surrounding townhouse development, and will not be detrimental to the public safety, health, welfare, or injurious to 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 subject property is zoned M-X-T and has previously approved CSP, PPS, and DSP allowing smaller lots and higher density than generally permitted in residential zones. The size of the development parcel (1.86 acres) limits the implementation of public streets that serve each lot, as they are generally required to be wider than private streets. Further, the lot layout provides orientation, private roads, and alleys in a unified design with the existing surrounding townhouse lots, which are shown on the prior approved plans for the Melford Village development. The PPS does not revise any of the surrounding public roads, excluding areas of dedication. The road network is consistent with the approval of PPS 4-16006, which was impacted by both the Melford historic site to the west and environmental features, particularly to the east. The surrounding development establishes the framework for the design of the lots included in this PPS, which is unique to this development and is not generally applicable to other properties.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and

The only regulation applicable to the variation being reviewed is Section 24-128(b)(7)(A). The approval of a variation is unique to the Subdivision Regulations and under the sole approval authority of the Planning Board. The granting of the variation request allows the Melford Village project to continue to develop with a mix of uses contemplated in the CSP without negatively impacting the environmental and historic setbacks, as contemplated in the prior PPS. Therefore, approval of this variation will 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 strict letter of these regulations is carried out;**

As previously stated, the land within the Melford Village development is zoned M-X-T and has an approved CSP and PPS allowing smaller lots and higher density than generally permitted in residential zones. In addition, the size of the development parcel (1.86 acres) limits the ability to implement public streets that serve each lot, as they are generally required to be wider than private streets. In order to realize the permitted density, alternative layouts have been approved with prior applications and this site is an extension of that established framework. The size and location of the subject site, and the existing conditions of the surrounding development, limit the applicant's ability to adhere to this regulation. This parcel is the remaining undeveloped portion of townhouse development south of Lake Melford Avenue, and adjoining streets and alleys are currently in the construction phase. The lot layout is constrained by the need to provide connectivity to adjoining residential development and present a cohesive design.

Vehicular access has and will continue to be evaluated with subsequent applications, taking into account features specific to this property. The subject property had previously received approval for the construction of a multifamily building and associated parking (DSP-22043). The parking area included elements to make it pedestrian-friendly, however, its primary function was to serve vehicular traffic. Direct pedestrian access from the lots is provided to Hardisty Way via an open space parcel. Further, the lotting pattern is consistent with a similar variation request approved for lots to the west of the subject site under PPS 4-16006 and will further encourage pedestrian movement to the larger facilities of the overall site.

- (5) In the R-30, R-30C, R-18, R-18c, R-10, R-10, and R-H Zones, where multi-family 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 site is not located in any of the listed zones. Therefore, this finding does not apply.

Based on the proceeding findings, variation from Section 24-128(b)(7)(A) for 12 lots, specifically Lots 55–66, Block D is approved.

Based on the preceding findings, the vehicular, pedestrian, and bicycle transportation facilities will serve the subdivision, meet the findings required of Subtitles 24 and 27, and conform to the master plan and MPOT.

11. **Public Facilities**—This PPS was reviewed for conformance to the master plan, in accordance with Section 24-121(a)(5) and 24-122(b) of the prior Subdivision Regulations. The master plan includes several recommendations and guidelines for the provision of public facilities (pages 93 through 104). The project will not impede the achievement of these recommendations or specific facility provisions. This PPS is subject to ADQ-2024-008, which established that, pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development. The master plan contains the following public facilities goals (page 176):

1. **All students have quality educational instruction in modern facilities.**
2. **High-quality, well-maintained public facilities catalyze economic development and revitalization, stimulate employment growth, strengthen neighborhoods, and improve quality of life.**
3. **Fire and emergency medical services (EMS) respond areawide in established response times.**

The master plan also includes the following policies related to public facilities:

- Policy PF 1** **Ensure public schools within Bowie-Mitchellville and Vicinity operate at 100 percent or less utilization. (page 178)**
- Policy PF 2** **Increase library services where necessary to meet the needs of residents based on County adopted guidelines for access and location. (page 179)**
- Policy PF 3** **Provide community recreation amenities and services. (page 179)**

The following master plan policies are specific to the Bowie Local Town Center:

- Policy PF 9** **Ensure that Bowie Local Town Center residents are connected to parks, recreation, and open space. (page 182)**

The project will not impede achievement of the public facility goals, policies, and strategies in the master plan. There are no police, fire and emergency medical service facilities, public schools, parks, or libraries proposed on the subject property.

The subject property is located in Planning Area 71B, known as the City of Bowie. The 2024–2029 Fiscal Year Approved Capital Improvement Program (CIP) budget does not identify any new public facilities proposed for the planning area.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades, renovations to existing facilities, and construction of new facilities; however, none of its recommendations affect this site.

Section 24-122.01(b)(1) of the prior Subdivision Regulations 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 PPS or final plat approval. The 2018 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System. Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid preliminary plan approved for public water and sewer. In addition, the property is within Tier 1 of the Sustainable Growth Act. Tier 1 includes those properties served by public sewerage systems. Accordingly, the subject property is in the appropriate service area at this time.

12. **Public Utility Easement**—In accordance with Section 24-122(a) of the prior Subdivision Regulations, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public ROWs. The subject property has frontage on Lake Melford Avenue to the north, Rosie Oliver Street to the east, and Hardisty Way to the south.

Variation from Section 24-122(a)

The PPS does not provide a 10-foot-wide PUE contiguous to the ROWs of the following public streets fronting the subject site, and the applicant requested a variation from this requirement. Instead, utilities are to be provided within the public ROWs.

- Lake Melford Avenue (No PUE along south side)
- Hardisty Way (No PUE along north side)
- Rosie Oliver Street (No PUE along west side)

Section 24-113(a) of the prior Subdivision Regulations sets forth the required findings for approval of variation requests, as follows:

- (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 further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

The variation is necessary to accommodate the compact development required by CSP-06002-01, which was analyzed and approved with prior development approvals for the site. Previously, requests to eliminate the standard 10-foot-wide PUEs along the above-referenced public streets have been favorably reviewed during the prior PPS 4-16006 and final plat process by the City and affected utility companies. This variation was filed to meet the technical submittal requirements, and the applicable findings for approval of the variation are outlined below.

(1) The granting of the variation will not be detrimental to the public safety, health, welfare, or injurious to other property;

Ten-foot-wide easements for public utilities along both sides of all public ROWs ensure that utility access will be able to serve the subject site and surrounding development. However, the utilities are to be located within the ROWs for the above-referenced public streets, in conformance with the approved Design Guidelines for the Melford Village, rather than along the sides of the streets. In addition, the utility infrastructure necessary to serve the development and surrounding properties has been substantially installed pursuant to prior development approvals. Variation was requested for 334 linear feet of the property's frontage along Lake Melford Avenue, 238 linear feet of frontage along Rosie Oliver Street, and 32 linear feet of frontage along Hardisty Way. The area surrounding the subject property has been substantially platted, and the public streets have been conveyed to the City with either no PUEs, or PUEs with reduced width abutting the streets. Granting a variation to the PUE requirement will not be detrimental to public safety, health, or welfare, or injurious to other property. Instead, adequate PUEs are located within the ROWs for the above-mentioned public streets. The location of the PUEs has been approved by the City and all necessary public utility companies.

(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 conditions of the overall Melford Village property are unique, due to existing environmental constraints, compact design guidelines, and the existing Melford historic site. The requirements of the compact design guidelines imposed on this development are elements that are unique.

The property is subject to CSP-06002-01, which approved the Melford Village design guidelines. These guidelines call for the compact design of the subject site, which requires nonstandard design of ROWs including where utilities may be placed within the ROWs. The applicant's request to eliminate or modify the PUE requirement along the referenced public streets is warranted, given the unique nature of the design guidelines imposed on the subject property.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and

The approval of a variation from Section 24-122(a) is unique to the Subdivision Regulations and under the sole approval authority of the Planning Board. Further, this PPS and variation request for the location of PUEs was referred to the affected public utility companies and the City, and none have opposed the variation request. There are no laws, ordinances, or regulations that would be violated by this request.

(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 strict letter of these regulations is carried out;

The existing environmental constraints, compact design guidelines, and the Melford historic site, restrict development of the standard PUEs, as required, and would result in a hardship on the owner. The requirements of the compact design guidelines imposed on this development are features that are arguably unique, and in this particular case, the standard PUE requirement would negatively impact the owner's ability to meet the mixed-use and compact development scheme approved in CSP-06002-01 for the subject site and surrounding properties. As a result, implementing the standard 10-foot-wide PUE requirement would impact the compact design of the prior development approvals and be contrary to the Melford Village design guidelines approved via CSP-06002-01.

(5) In the R-30, R-30C, R-18, R-18c, R-10, R-10, and R-H Zones, where multi-family 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 site is not located in any of the listed zones, and this PPS does not include multifamily dwellings. Therefore, this criterion does not apply.

By virtue of positive findings for each of the criteria for variation approval, variation from Section 24-122(a), for elimination of the standard 10-foot-wide PUE requirement, along the frontage of Lake Melford Avenue, Rosie Oliver Street, and Hardisty Way, is approved; and the purposes of the prior Subdivision Regulations and Section 9-206 of the Environment Article are served to a greater extent by the alternative proposal.

13. **Historic**—The master plan contains goals and policies related to historic preservation (pages 158–165). Although the plan mentions the subject site, the goals and policies are not applicable to the proposed development. The Melford Towns development is approximately 1,055 feet east of Melford, Outbuildings, and the Duckett Family Cemetery Historic Site (71B-016). Built in the 1840s, Melford is a 2.5-story, brick, plantation house, with a side-hall and double-parlor plan. The bay-and-chimney configuration makes Melford House unique in Prince George’s County. The associated grounds include several early outbuildings and terraced gardens; the Duckett family burial ground to the northwest of the house is included in the historic site. The visual impact of the development east of Melford, has been reviewed through previous applications.

The proposed development will have minimal visual impact on Melford, Outbuildings, and the Duckett Family Cemetery Historic Site.

14. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:

Development Review Case Number	Associated Tree Conservation Plan	Authority	Status	Action Date	Approval Document
A-9401	N/A	District Council	Approved	10/10/2001	PGCPB No. 02-43
A-9401-02	N/A	N/A	Dormant	N/A	N/A
CSP-06002	TCPI-044-98-02	District Council	Approved	5/11/2009	Order of Approval
CSP-06002-01	TCPI-044-98-04	District Council	Approved	3/23/ 2015	Order of Approval
4-16006	TCPI-044-98-05	Planning Board	Approved	3/9/2017	PGCPB No. 17-45
4-24007	TCPI-044-98-06	Planning Board	Approved	11/14/2024	PGCPB No. 2024-117

Grandfathering

This site is subject to the provisions of the 2010 Prince George’s County Woodland Conservation Ordinance (Subtitle 25, Division 2) and the 2018 Environmental Technical Manual (ETM) because this is a new PPS and was accepted prior to July 1, 2024. The project is also subject to the environmental regulations contained in prior Subtitles 24 and 27.

Environmental Site Description

Melford Village (PPS 4-16006), part of the overall Melford development, is in the northeast quadrant of the intersection of US 50 and MD 3/US 301 and contains 129.16 acres. The current zoning for the site is TAC-E. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on the property. According to the Soil Web Survey the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and the other pose no special development challenges. According to available information, Marlboro or Christiana clay is not found to occur in the vicinity of this property. US 50 is an existing freeway, and traffic-generated noise impacts are anticipated. Based on information obtained from the Maryland Department of Natural Resources Wildlife and Heritage Program, there are no rare, threatened, or endangered species found to occur on the 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. The property is in the Upper Patuxent River watershed.

The area subject to the current PPS is 1.86 acres located within the larger Melford Village which does not contain REF or primary management area (PMA). The subject site was previously graded in accordance with DSP-18034 and TCP2-036-99-15.

Prince George's Plan 2035

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, and within the Established Communities of the General Plan Growth Policy of Plan 2035.

Environmental Conformance with Applicable Plans

Master Plan

The master plan contains goals, policies, and strategies related to the natural environment. The following policies are applicable to the current project regarding natural resources preservation, protection, and restoration. The text in **bold** is the text from the master plan and the plain text provides comments on plan conformance.

Green Infrastructure

Policy NE 1: Ensure that areas of connectivity and ecological functions are maintained, restored, or established during development or redevelopment.

No REF were found within the limits of PPS 4-24007. The PPS can be found in conformance with the Countywide Green Infrastructure Plan of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (GI Plan).

Policy NE 2: Preserve, in perpetuity, Nontidal Wetlands of Special State Concern (NTWSSC) within Bowie-Mitchellville and Vicinity (see Map 41. Nontidal Wetlands of Special State Concern (NTWSSC)-2017).

There are no nontidal wetlands of special state concern (NTWSSC) within the vicinity of this property as mapped on Map 41 of the master plan.

Stormwater Management

Policy NE 3: Proactively address stormwater management in areas where current facilities are inadequate.

Conceptual and technical design of SWM facilities within Melford Village and associated landscaping are subject to approval by the City's Public Works Department. The site has a SWM Concept Plan approval letter 02-0523-207NE15 subject to conditions approved on June 5, 2023, and set to expire on June 5, 2026. Prior to the issuance of grading permits for the site, the detailed site plan and TCP 2 will be reviewed for conformance with the SWM concept plan approval.

Forest Cover/Tree Canopy Coverage

Policy NE 4: Support street tree plantings along transportation corridors and streets, reforestation programs, and retention of large tracts of woodland to the fullest extent possible to create a pleasant environment for active transportation users including bicyclists and pedestrians.

Development of this project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) requirements, and the 2024 Tree Canopy Coverage Ordinance for the zone. The TCPI submitted with the PPS shows that no woodland will be retained within the boundaries of the PPS, and no afforestation will be provided on-site. The site is also subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Street tree planting requirements will be reviewed by the City's Public Works Department at time of permit review.

Impervious Surfaces

Policy NE 5: Reduce urban heat island effect, thermal heat impacts on receiving streams, and reduce stormwater runoff by increasing the percentage shade and tree canopy over impervious surfaces.

NE 5.1 Retrofit all surface parking lots using ESD and best stormwater management practices when redevelopment occurs. Plant trees wherever possible to increase tree canopy coverage to shade impervious surfaces, to reduce urban heat island effect, limit thermal heat impacts on receiving streams, and slow stormwater runoff (see TM 11.1).

NE 5.2 Retrofit streets pursuant to the 2017 DPW&T Urban Streets Design Standards as recommended in the Transportation and Mobility Element, which include increased tree canopy cover for active transportation comfort and stormwater management practices.

Development of the site is subject to the current SWM regulations, which require that environmental site design (ESD) be implemented to the maximum extent practicable. Development of this site is subject to the 2010 WCO requirements and the 2024 Tree Canopy Coverage Ordinance. Street tree planting requirements will be reviewed by the City at the time of permitting.

Climate Change

Policy NE 6: Support local actions that mitigate the impact of climate change.

Development of this site is subject to the 2010 WCO and the 2024 Tree Canopy Coverage Ordinance for the zone. The presence of woodland and tree canopy, particularly over asphalt and other developed surfaces, are proven elements to lessen climate impacts of development and the associated heat island effect, which are known contributors to climate change.

2017 Green Infrastructure Plan

The Countywide Green Infrastructure Plan (GI Plan) was approved on March 17, 2017, with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017). According to the GI Plan, this site contains regulated and evaluation areas. The following policies and strategies are applicable to the subject PPS. The text in **bold** is the text from the GI Plan and the plain text provides findings on plan conformance:

Policy 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

Strategies

- 1.1 Ensure that areas of connectivity and ecological functions are maintained, restored, and/or established by:**
 - a. Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
 - c. Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these.**
- 1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.**
 - a. Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**

The site is within the Upper Patuxent River watershed but is not within a Tier II catchment area. The PPS site does not contain a stream system, PMA, or elements of the Green Infrastructure network. Sensitive species habitat is not identified on this site, and the area is not in a special conservation area. SWM will be reviewed by the City's Public Works Department and sediment and erosion control measures will be reviewed by PGSCD. The limits of disturbance shown on the SWM plans and the sediment and erosion control plans shall be consistent with the limits of disturbance on the future TCP2. The City's Public Works Department has approved a SWM concept plan for the property.

Policy 2: Support implementation of the 2017 GI Plan throughout the planning process.

Strategies

- 2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping, and/or street trees.**
- 2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**
- 2.6 Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

The PPS site is not encumbered by regulated or evaluation areas. The site has previously been graded and no existing forest area is retained on the PPS site, nor is afforestation shown.

A revised TCPI was provided with this PPS which shows that the 15 percent woodland conservation threshold will be met on-site through woodland preservation and reforestation, and that the woodland conservation requirements will be met on the overall Melford Village site through woodland preservation, afforestation/reforestation, and off-site credits.

Policy 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

- 3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**

- a. Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**

No new transportation related impacts are included with this PPS.

- b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

No new trails are included with this PPS.

Policy 4: Provide the necessary tools for implementation of the 2017 GI Plan.

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

On-site woodland conservation on the overall site shall be placed in a woodland and wildlife habitat conservation easement, prior to the approval of the TCP2. There is no undisturbed PMA within the current PPS that require protection with a conservation easement on the plat.

Policy 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

Strategies

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**
- 5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

Conditional SWM concept approval has been received from the City's Public Works Department dated June 5, 2023 and valid through June 5, 2026. There are no streams or wetlands located on the PPS site that require forested stream buffers.

Policy 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**
- 7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**
- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

Woodland exists on the overall Melford Village site, along the stream systems and riverfront. This PPS will meet the 15 percent woodland conservation threshold on-site by providing preservation and reforestation while allowing the balance of the woodland conservation requirement to be met with the use of off-site credits. Retention of existing woodlands and planting of native species on-site is required by both the ETM, and the Landscape Manual, and can count toward the tree canopy coverage requirement for the development. Tree canopy coverage requirements will be evaluated at the time of detailed site plan review.

Forest Canopy Strategies

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**
- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**

Tree Canopy Strategies

- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

No additional clearing of woodland is proposed with the subject PPS; the woodland conservation threshold of 15 percent is to be met within the limits of TCPI-044-98-06 with on-site woodland preservation, and afforestation/reforestation. The balance of the woodland conservation requirement will be met with the use of off-site woodland credits. Overall woodland conservation is to be designed to minimize fragmentation and reinforce new forest edges.

Environmental Review

Natural Resources Inventory

A revised Natural Resources Inventory NRI-054-06-03 was approved for the overall property on March 12, 2024. The environmental and cultural features identified on the revised NRI, and the delineation of the PMA have been correctly transposed onto the current TCPI. The subject site contains no REF or PMA. No additional information is required for conformance to the NRI.

Woodland Conservation

The overall site is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of woodland. This project is also subject to the ETM. A revised TCPI-044-98-06, was submitted with the current PPS, which covers the entirety of the Melford development.

The woodland conservation threshold is 15 percent or 42.73 acres. The woodland conservation worksheet reflects the removal of 120.11 acres of woodland for a woodland conservation requirement of 72.98 acres. According to the current TCPI worksheet, the requirement is to be met with 46.00 acres of on-site woodland preservation, 12.63 acres of reforestation, 5.50 acres of specimen/historic tree credit and 8.85 acres of off-site woodland mitigation credits, for a total of 72.98 acres of woodland conservation provided. The current revision to TCPI-044-98-06 includes no additional woodland clearing, retention, or afforestation within PPS 4-24007.

Section 25-122(c)(1) prioritizes methods to meet woodland conservation requirements. The woodland conservation worksheet on the submitted TCPI shows 66.13 acres of the woodland conservation requirement being met on-site. After a review of the priorities to meet the woodland conservation requirements, it was concluded that the woodland conservation threshold has been met on-site. Over 90 percent of the woodland conservation requirement has been provided on-site, including the preservation of specimen and historic trees, and preservation of REF to the maximum extent practicable. Because of those factors, the request to use off-site woodland mitigation credits is approved.

Any forest mitigation banks used to satisfy off-site woodland conservation requirements for this project must conform to Subtitle 25 of the Prince George's County Code and Sections 5-1601 through 5-1613 of the Natural Resources Article of the Maryland Code (the Maryland Forest Conservation Act), as amended. In accordance with Subtitle 25, Division 2, Section 25-122(a)(6), Methods for Meeting the Woodland and Wildlife Conservation Requirements,

“If off-site woodland conservation is approved to meet the requirements, then the following locations shall be considered in the order listed: within the same eight-digit sub-watershed, within the same watershed, within the same river basin, within the same growth policy tier, or within Prince George's County. Applicants shall demonstrate to the Planning Director or designee due diligence in seeking out opportunities for off-site woodland conservation locations following these priorities. All woodland conservation is required to be met within Prince George's County.”

Due diligence for the appropriate location of off-site woodland conservation is not reviewed at time of TCPI approval but follows approval of a TCP2 and occurs at time of permitting.

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site, or are associated with a historic structure, shall be preserved. The design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone, in keeping with the tree's condition, and the species' ability to survive construction, as provided in the [Environmental] Technical Manual.” A Subtitle 25 variance

application for the approval of 12 specimen trees was previously submitted and approved with PPS 4-16006 and includes the limits of PPS 4-24007. None of the specimen trees approved for removal with 4-16006 are located within the limits of the current PPS, and there are no specimen trees currently on the subject site.

Regulated Environmental Features/Primary Management Area

The Melford Village site contains REF that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the prior Subdivision Regulations. The on-site REF includes streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and steep slopes.

Section 24-130(b)(5) of the prior Subdivision Regulations states: “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of REF in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

There are no REF located within the limits of PPS 4-24007. The site has already been graded in conformance with DSP-18034-02 and TCP2-036-99-18.

Rare, Threatened and Endangered Species

The Maryland Department of Natural Resources Wildlife and Heritage Division issued a letter dated May 18, 2001, that states that there are no records of rare, threatened, or endangered (RTE) plants or animals within this project site. Their 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 are not likely to support the species listed. An updated letter from the Department of Natural Resources regarding the presence of RTE on-site was previously submitted.

Sediment and Erosion Control

Prior to grading the site, the County requires the approval of an erosion and sediment control plan. The TCP2 must reflect the ultimate limits of disturbance (LOD) not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including erosion and sediment control measures. A copy of the erosion and sediment control plan must be submitted prior to signature approval of the detailed site plan and TCP2 so the LOD for the project can be verified and reconciled.

Soils

Section 24-131 of the prior Subdivision Regulations states “The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes.”

According to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and the others pose no special development challenges. Marlboro and Christiana clays are not located on or in the vicinity of the property.

This information is provided for the applicant's benefit, and may affect the architectural design of structures, grading requirements, and SWM elements of the site. The Prince George's County Department of Permitting, Inspections and Enforcement may require a soils report, in conformance with CB-94-2004, during the permit process review.

15. **Urban Design**—The subject PPS evaluates a 29-lot townhouse development in an area previously approved for multifamily residential development.

A detailed site plan is required for this development in accordance with 27-546(a) of the prior Zoning Ordinance. The use proposed for this property in the prior M-X-T Zone is permitted per Section 27-547 of the prior Zoning Ordinance. Development standards shall be in accordance with the requirements for townhouses in the M-X-T Zone, as provided in Section 27-548(h) of the prior Zoning Ordinance. The lots included with this PPS conform to the minimum lot requirements of the M-X-T Zone. At the time of detailed site plan review, the applicant will be required to demonstrate conformance with the applicable requirements of the prior Zoning Ordinance, the 2010 *Prince George's County Landscape Manual*, and the Tree Canopy Coverage Ordinance.

16. **Citizen Feedback**—The Planning Department did not receive any written correspondence from members of the community regarding this project.
17. **Referral to Municipalities**—The subject property is located within the municipal boundaries of the City of Bowie (City). The PPS was referred to the City for review and comment on July 16, 2024. By letter dated August 8, 2024 (Adams to Shapiro), the City recommended approval of the PPS, with no conditions. In addition, in an email dated July 31, 2024 (Meinert to Gupta), the City supported the applicant's variation request to Section 24-122(a).

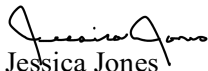
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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, Doerner, and Shapiro voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, November 14, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of December 2024.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:MG:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: December 2, 2024