

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

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

WHEREAS, in consideration of evidence presented at a public hearing on January 17, 2019, regarding Detailed Site Plan DSP-18034 for Townhouse Infrastructure at Melford Town Center, the Planning Board finds:

1. **Request:** The subject application is a detailed site plan (DSP) for approval of infrastructure for 205 single-family attached (townhouses) and 44 two-family attached dwelling units in the Mixed Use-Transportation Oriented (M-X-T) Zone. The infrastructure DSP includes the location and design of the public roadways and private alleys, the lot and parcel layout, on-street parking, landscaping, utility location, fencing, and sidewalks.

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	M-X-T	M-X-T
Use	Vacant	Residential
Total Acreage	93.18	28.38*
Total Lots	0	205
Total Parcels	0	56

\*The limits and acreage of the DSP is inconsistent on the plans. Therefore, a condition has been included in this approval requiring that the boundary be revised to clearly show the limits of the DSP on individual sheets, as appropriate, and the acreage be consistent.

3. **Location:** The entire Melford property is located in the northeastern quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/US 301 (John Hanson Highway), in Planning Area 71B and Council District 4, within the City of Bowie. The specific limits of this DSP are located on the northern side of Melford Boulevard, in the northeastern and northwestern quadrants of its intersection with Curie Drive.
4. **Surrounding Uses:** The overall Melford site is bounded to the north by Sherwood Manor, an existing subdivision of single-family detached dwelling units in the Residential-Agricultural (R-A) Zone, and a vacant property, known as the Patuxent River Park, owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the Reserved Open Space (R-O-S) Zone; to the east by the Patuxent River and beyond by the Globecom Wildlife Management Area located in Anne Arundel County; to the south by the John Hanson Highway/Robert Crain Highway (US 50/301) right-of-way and a small vacant property in the

Open Space (O-S) Zone; and to the west by the MD 3 (Robert Crain Highway) right-of-way. The specific area of this DSP is central within the Melford development, on both sides of Curie Drive, north of Melford Boulevard and south of the future public right-of-way of East West Boulevard, approved in Detailed Site Plan DSP-17020.

5. **Previous Approvals:** On January 25, 1982, the Prince George's County District Council approved Zoning Map Amendment (Basic Plan) A-9401 for the overall Melford development (formerly known as the Maryland Science and Technology Center), with 10 conditions (Zoning Ordinance No. 2-1982). The zoning map amendment rezoned the property from the R-A and O-S Zones to the Employment and Institutional Area (E-I-A) Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Prince George's County Planning Board decision (PGCPB Resolution No. 86-107) for the Maryland Science and Technology Center, with 27 conditions and 2 considerations. Between 1986 and 2005, several specific design plans (SDPs) and preliminary plans of subdivision (PPS) were approved for the development.

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

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

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

Preliminary Plan of Subdivision 4-16006 was approved by the Planning Board on March 9, 2017 for 256 lots and 50 parcels, to accommodate 359,500 square feet of commercial uses (124,500 square feet of commercial retail and 235,000 square feet of office and medical offices) and 1,793 residential units (283 attached units and 1,500 multifamily units). The Planning Board

adopted PGCPB Resolution No. 17-45 on April 6, 2017. A request for reconsideration was granted on May 18, 2017. However, on June 29, 2017, the case was appealed to the Circuit Court for Prince George's County and the reconsideration request was dismissed, without prejudice, on July 20, 2017.

Detailed Site Plan DSP-18026 for the development of 57,845 square feet of commercial retail space and the associated infrastructure is being reviewed concurrently with the subject DSP.

The site also has an approved City of Bowie Stormwater Management (SWM) Concept Plan, 01-0317-207NE15, which is valid until March 20, 2020.

6. **Design Features:** The subject application proposes the development of 93.18 acres of land within the overall Melford Town Center development. The DSP for infrastructure proposes to include all site design elements, such as the location and design of the public and private roadways and alleys, lot and parcel layout, on-street parking, landscaping, utility locations, fencing, and sidewalks, except buildings. This infrastructure plan also provides for the balancing of the earthwork on this site, including grading on the proposed Parcel 1 for the future development. Stormwater is being accommodated in an existing pond within the overall CSP boundary, and by additional on-site infiltration, including bioretention facilities and submerged gravel wetlands.

The submitted site plan shows the proposed alley rights-of-way at 26 feet wide and the public rights-of-way at 62 feet wide; however, the pavement widths are not clearly labeled on the site plans. A condition has been included in the approval requiring the pavement widths to be clearly labeled for clarification, which should include a minimum of 18 feet of pavement in all alleys.

#### **Recreational Facilities**

No recreational facilities are included in the subject application. The PPS requirement for mandatory parkland dedication is being met through land that was previously dedicated to M-NCPPC, east of the subject property, and private recreational facilities on homeowners association (HOA) parcels that will be evaluated at the time of future DSPs. At this time, no passive or active recreational facilities are proposed with this DSP.

#### **Architecture**

No architecture is included in the subject application. Architecture will need to be reviewed in a future DSP.

#### **Lighting**

The photometric plan indicates the use of a decorative light-emitting diode (LED) fixture on a 15.5-foot-high black pole. Details of the proposed lighting fixture and photometrics are provided on the DSP. However, no lighting is provided in the proposed alleys, which should be lit to provide for safe passage. Therefore, a condition is included in this approval requiring this to be provided.

**Signage**

No signage is included in the subject application. Any proposed signage will need to be reviewed with a future DSP.

COMPLIANCE WITH EVALUATION CRITERIA

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

- a. The subject application is in conformance with the requirements of the following sections of the Zoning Ordinance:

- (1) Section 27-547, Uses Permitted, as the future single-family attached and two-family attached dwelling units are permitted. In regard to Section 27-547(d), which governs the required mix of uses, the overall Melford Town Center development, which includes the subject site, was approved for a mix of uses including retail, office, hotel, and residential.
- (2) Section 27-574, Number of spaces required in the M-X-T Zone and in a Metro Planned Community, as no use that requires parking is proposed.

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

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

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

The instant DSP is for infrastructure only and does not propose any buildings at this time. The floor area ratio regulation will be evaluated in future DSPs that propose buildings.

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

The proposed future residential uses will be located on more than one parcel or lot, as allowed.

**(c) Except as provided for in this Division, the dimensions for the location,**

**coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

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

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

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

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

The DSP is for infrastructure only and does not propose any buildings at this time.

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

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

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

Each lot has frontage on and direct access to a public street, or other access rights-of-way, as approved in PPS 4-16006.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one**

thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half ( $\frac{1}{2}$ ) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees ( $45^\circ$ ). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an

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

The townhouse lots shown in this DSP are in conformance with these requirements. This will be reviewed further at the time of a DSP that includes proposed uses.

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

The DSP is for infrastructure and no multifamily buildings are proposed at this time; therefore, this application meets this requirement.

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

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

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

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

Conformance to the purposes of the M-X-T Zone was found with the CSP approval and is adopted herein by reference (PGCPB Resolution No. 14-128). The proposed grading, road construction, utilities, lots, parcels, and landscaping do not change that finding. Compliance with this requirement will have to be further reviewed at the time of a full DSP.

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

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

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

The subject DSP is for infrastructure only; however, the lot, parcel, and roadway layout shown have an outward orientation that is integrated with adjacent existing and proposed development by facing roadways and providing connections. Any future development on the site will be reviewed for conformance with this requirement.

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

The subject DSP allows for future townhouse and two-family attached dwelling units, which is consistent with the previous approvals on the property that were found to be in conformance with this requirement.

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

The subject DSP allows for future townhouse and two-family attached dwelling units, in



an arrangement consistent with the previous approvals on the property that were found to be in conformance with this requirement.

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

The subject DSP is for infrastructure only, with no buildings, and is not proposed to be staged. Any future development on the site will be reviewed for conformance with this requirement.

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

The subject DSP is for infrastructure only and does not show the details of any other development on the site. The sidewalks proposed with the public roadways are convenient and comprehensive. Any future development on the site will be reviewed for conformance with this requirement.

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

The subject DSP is for infrastructure only and does not show the details of any other development on the site. Any future development on the site will be reviewed for conformance with this requirement.

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

This requirement is not applicable to this infrastructure DSP.

- (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a**

**finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.**

The subject DSP is for infrastructure only and does not show the details of the final development on the site. The proposed infrastructure development will not require service by public facilities. However, the transportation adequacy finding was made for the subject property with the approval of PPS 4-16006.

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

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

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

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

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

- (i) Parking lots should generally be provided to the rear or sides of structures;**
- (ii) Parking spaces should be located as near as possible to the uses they serve;**
- (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;**

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

The subject DSP does not propose any surface parking lots, only parallel spaces along public roadways.

- (B) **Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:**
  - (i) **Loading docks should be oriented toward service roads and away from major streets or public view; and**
  - (ii) **Loading areas should be clearly marked and should be separated from parking areas to the extent possible.**

The subject DSP does not propose any loading areas.

- (C) **Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:**
  - (i) **The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;**
  - (ii) **Entrance drives should provide adequate space for queuing;**
  - (iii) **Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;**
  - (iv) **Parking areas should be designed to discourage their use as through-access drives;**

- (v) **Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;**
- (vi) **Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;**
- (vii) **Parcel pick-up areas should be coordinated with other on-site traffic flows;**
- (viii) **Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;**
- (ix) **Pedestrian and vehicular circulation routes should generally be separated and clearly marked;**
- (x) **Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and**
- (xi) **Barrier-free pathways to accommodate the handicapped should be provided.**

This proposed infrastructure DSP includes streets and alleys that are consistent with PPS 4-16006 and were evaluated at that time. The proposed driveway entrances for the future residential units will be proposed along private alleys, and both pedestrian and vehicular circulation routes have been proposed to avoid conflicts. Additionally, it is noted that crosswalks along most pedestrian routes have been designed and marked, to comply with all Americans with Disabilities Act (ADA) regulations. However, it is noted that some areas where crossings will occur do not show a crosswalk, and it is recommended that they be provided to avoid potential conflicts, and is conditioned herein.

**(3) Lighting.**

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

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

The lighting proposed in this DSP meets all of the above requirements. However, no lighting fixtures are proposed in the alleys and should be, to enhance user safety and minimize pedestrian/vehicular conflicts. Therefore, a condition is provided in this approval requiring these to be added.

**(4) Views.**

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

The DSP is for infrastructure only; however, it is noted that the proposed street and alley network is designed to establish residential blocks that will preserve and emphasize scenic views to and from the historic Melford House site.

**(5) Green area.**

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

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

The DSP contains appropriate green areas for the proposed development. Specifically, multiple open space parcels which could be used for future recreational purposes. The specific programming of these areas will be determined as part of a future full-scale DSP.

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

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:**
  - (i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;**
  - (ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;**

- (iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;**
- (iv) Amenities should be functional and should be constructed of durable, low maintenance materials;**
- (v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;**
- (vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and**
- (vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.**

This DSP is for infrastructure only. Site amenities will be examined at the time of a future full-scale DSP.

**(7) Grading.**

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:**
  - (i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;**
  - (ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;**
  - (iii) Grading and other methods should be considered to buffer incompatible land uses from each other;**

- (iv) **Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and**
- (v) **Drainage devices should be located and designed so as to minimize the view from public areas.**

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

**(8) Service areas.**

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

This DSP does not propose any service areas at this time.

**(9) Public spaces.**

- (A) **A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed:**
  - (i) **Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;**
  - (ii) **The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;**



- (iii) **Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;**
- (iv) **Public spaces should be readily accessible to potential users; and**
- (v) **Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.**

The DSP contains parcels where public spaces can be created. The specific programming and details of these areas will be determined as part of a future DSP.

- e. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The DSP is for infrastructure only and does not propose any off-street parking spaces. Further details regarding parking requirements will be provided as part of a future DSP showing proposed uses.
8. **Conceptual Site Plan CSP-06002 and its amendment:** Conceptual Site Plan CSP-06002 was approved by the District Council on May 11, 2009. Conceptual Site Plan CSP-06002-01 to add 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, and 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000 square feet of office space to the previous CSP development was approved by the District Council on March 23, 2015, entirely superseding the original CSP-06002 approval. The conditions of CSP-06002-01, relevant to the subject DSP, are as follows:
- 1. **The proposed development shall be limited to a mix of uses where the trip cap associated with the uses within the boundary of CSP-06002-01 shall not exceed 4,441 AM and 4,424 PM peak hour trips. Any development with an impact beyond that identified hereinabove shall require a revision to the conceptual site plan with a new determination of the adequacy of transportation facilities.**

This condition established a trip cap for development within the subject property; however, no development is proposed by this DSP. Therefore, conformance with this condition will be evaluated with future DSPs.

- 5. **Except for previously approved clearing that directly relates to the construction of the stormwater management ponds, all disturbances to the stream and floodplain buffers shall be eliminated. Where buffers have been disturbed by previous approvals, they shall be reforested wherever possible. The Type I tree conservation plan associated with the preliminary plan of subdivision will be evaluated for**

**impacts to these buffers for the installation of stormwater management outfalls, as necessary. The 150-foot building setback shall be shown on the plans, and the applicant shall adhere to the setback.**

No new impacts to regulated environmental features are proposed with the current application. This condition will be further reviewed at the time of a full-scale DSP when building location is proposed.

- 7. Prior to approval of a preliminary plan of subdivision or detailed site plan, the applicant shall demonstrate:**
  - a. The development plans shall show minimization of impervious surfaces to the maximum extent possible, through all phases of the project, with the use of permeable paving surfaces in accordance with the approved storm water management concept plan for Melford. Structured parking should be used to the maximum extent reasonably practicable.**
  - b. The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.**
  - c. Clearing for utility installation shall be minimized, especially in environmentally-sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**
  - d. The open space system, including but not limited to environmentally-sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.**

This condition will be further reviewed at the time of a full-scale DSP when detailed site improvement information is available. Impervious surfaces proposed are in accordance with the approved SWM concept plan, and proposed clearing is in conformance with previous approvals.

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

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

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

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

No SWM ponds are proposed with this DSP, only bioretention facilities.

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

There is an existing interpretive sign for the Melford Historic Site that is located outside of the limits of this DSP. This sign will be moved to the new entrance road into the Melford Historic Site. The applicant has submitted wording for an interpretive sign that will be located within the parcel containing the Duckett Family Cemetery, which is not within the limits of this DSP, and another interpretive sign on the history of the Duckett family that will be located within the limits of the adjacent DSP-18026.

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

The photometric plan indicates that light values on-site and at the boundaries of the site cause limited light spillover, in accordance with this requirement. Additionally, it is noted that the applicant is proposing the Philips Hadco light fixture, which is consistent with other sections of the overall development, and is acceptable. However, it is noted that the details and specifications do not indicate that the light is full cut-off. Therefore, a condition in this approval requiring that the applicant revise the plans to include a full cut-off light fixture.

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

This condition is applicable to the subject DSP. However, it is noted that the DSP is for infrastructure and the submitted plans do not propose any buildings within the view corridors, therefore, conformance with the height requirements for buildings will be reviewed in a future DSP.

- 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 subject DSP does not include any architecture for new construction. Therefore, conformance with this condition will be required with future DSPs.

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

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

The subject DSP is for infrastructure only and does not propose any recreational facilities. Therefore, this condition is not applicable and will be addressed with future DSPs that include full development of the subject property.

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

The environmental setting and impact area for Melford and Cemetery, Historic Site 71B-016, are shown on the plans, in accordance with this requirement.

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

In a memorandum dated December 19, 2018, the Historic Preservation Commission (HPC) stated that this condition has been satisfied with the approval of Historic Area Work Permit HAWP 2017-040. This approval is valid until September 20, 2020.

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

The subject application does not propose any development of the Melford Historic Site.

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

The Planning Board noted that the most recent quarterly report received by the Historic Preservation Section was in June of 2018, in accordance with this requirement. This condition will remain applicable to all future DSPs within CSP-06002-01, until an adaptive reuse can be identified for the Melford House.

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

The applicant is showing appropriate sidewalks along the roadways.

- 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 DSP reflects all proposed curb cuts, crosswalks, pedestrian refuges, and other appropriate curb extensions, with the exception of some crosswalks, which are conditioned to be provided in this approval. Additional features of the Melford Town Center street network will be shown in future DSPs, as appropriate.

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

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

**22. Recreation Facilities Conditions:**

- c. The applicant shall construct at least two eight-foot-wide asphalt trail connectors from the residential neighborhood to the master-planned trail on dedicated parkland. The location of the trail connectors shall be established at the time of detailed site plan review and approval.**

The subject DSP proposes two 10-foot-wide asphalt trail connectors from the future residential neighborhood to the master-planned trail on the dedicated parkland, in conformance with this condition.

- f. The applicant shall allocate appropriate and developable areas for the private recreational facilities on the homeowners association land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.**

The subject DSP proposes HOA parcels that are developable for private recreational facilities. However, no details of the facilities are proposed at this time and will need to be reviewed in future DSPs.

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

This condition will be reviewed with future full-scale DSPs when development is proposed.

- 9. Preliminary Plan of Subdivision 4-16006:** Preliminary Plan of Subdivision 4-16006 was approved by the Planning Board on March 9, 2017, with 24 conditions. The resolution of approval (PGCPB Resolution No. 17-45) was adopted by the Planning Board on April 6, 2017. The conditions of approval, relevant to the review of this DSP, are as follows:

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

The DSP has frontage along Melford Boulevard, Lake Melford Avenue (previously known as New Road A in the PPS), Hardisty Way (previously known as New Road C in the PPS), Curie Drive, New Road D, and New Road E. The DSP shows the required 10-foot-wide public utility easement (PUE) along Curie Drive and Melford Boulevard. However, the DSP does not show the required PUEs along Lake Melford Avenue, Hardisty Way, New Road D, and New Road E, and instead proposes utilities within the public right-of-way. A variation from the normal requirement of Section 24-122(a) of the Subdivision Regulations will be required. Prior to approval of the final plat, the applicant shall submit a justification in accordance with Section 24-113 of the Subdivision Regulations, and obtain approval from the City of Bowie, who has jurisdiction over the public rights-of-way.

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

The DSP proposal regarding land use is consistent with the approved PPS.

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

**and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.**

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

An exhibit was submitted for the off-site improvements, consistent with Condition 10c at the time of DSP-18007. This exhibit was also submitted for the subject application. The applicant, the City of Bowie, and the Maryland State Highway Administration (SHA) have been working on the designs for these improvements, consistent with prior approvals, and nothing further is needed regarding this sidewalk improvement. The applicant has indicated that they will be making physical alterations to the MD 3 off-ramp that will significantly reduce vehicle speeds, subject to approval by SHA.

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

- a. Include a location for a trailhead facility for the master plan trail along the Patuxent River. Details for the trailhead regarding parking, signage, and other facilities can be made at the time of detailed site plan.**

The trail head is beyond the limits of the subject DSP and was addressed in DSP-17020.

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

Road cross sections were approved as part of the PPS. The City of Bowie indicated, in discussions, that the City's Department of Public Works has reviewed and approved the road cross sections included in DSP-17020. However, shared lane markings are provided along a number of the internal roads.

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



As of this writing, and pursuant to PGCPB Resolution No. 18-66 (DSP-18007), two developments have been approved by previous DSP applications, with a collective trip generation of 802 AM and 788 PM peak-hour trips. The subject application represents the construction of 205 townhomes, which are projected to generate 144 AM and 164 PM peak trips.

Additionally, is noted that a concurrent review is pending for DSP-18026, which is for 57,845 square feet of retail. This development will result in a net of 67 AM and 249 PM peak-hour trips. Collectively, all approved DSPs, plus the two pending, will generate a total of 973 AM and 1,201 PM peak-hour trips. Consequently, the trip cap will not be exceeded.

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

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

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

**b. Melford Boulevard and Tesla Drive/site access: Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.**

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

The City of Bowie indicated that signalization is not warranted for the intersections of Melford Boulevard and Science Drive or at Tesla Drive at this time. Condition 17a, subconditions (2) and (3), and Condition 17c are still valid and will be enforced prior to issuance of any residential building permit.

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

The Planning Board noted that the City of Bowie has issued a permit for the installation of traffic-calming devices on Belair Drive, satisfying Condition 19.

- 10. **Detailed Site Plan DSP-17020:** Detailed Site Plan DSP-17020, for rough grading and infrastructure for Melford Town Center, was reviewed and approved by the Planning Board on December 7, 2017, subject to three conditions. The following conditions are relevant to the review of the subject DSP:

- 2. **At time of the first detailed site plan that proposes development of the subject property, the applicant shall:**
  - a. **Provide an exhibit that illustrates the location, limits, specifications and details of all off-site improvements required in Condition 10 of PPS 4-16006 (PGCPB Resolution No. 17-45).**
  - b. **Provide the design and details for the trailhead facility required in Condition 11 of Preliminary Plan of Subdivision 4-16006 (PGCPB Resolution No. 17-45).**

The trails coordinator stated that the required Bicycle and Pedestrian Impact Statement exhibit showing the location, limits, specifications, and details of all off-site improvements had been received, and the location of the trailhead for the trailhead facility is beyond the limits of the subject application and was addressed with DSP-17020.

11. **2010 Prince George's County Landscape Manual:** The proposal is subject to Section 4.1, Residential Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The required plantings and schedules are generally in conformance with these requirements and have been provided on the submitted landscape plan. However, it is noted that the landscape plans require alternative compliance (AC) from Section 4.7, and the applicant filed a request for Alternative Compliance, AC-18018, to seek relief from Section 4.7, as follows:

The applicant requests AC to seek relief from Section 4.7 for a reduction in the building setback and landscape yard required adjacent to the Melford House Historic Site.

REQUIRED: 4.7 Buffering Incompatible Uses, adjacent to the historic site

Length of bufferyard	883 feet
Minimum building setback	60 feet
Landscape yard width	50 feet
Fence or wall	No
Percent of existing trees	86 percent
Plant units	223

PROVIDED: 4.7 Buffering Incompatible Uses, adjacent to the historic site

Length of bufferyard	883 feet
Minimum building setback	30 feet (to wall)
Landscape yard width	40–50 feet
Fence or wall	No
Percent of existing trees	86 percent
Plant units	255

**Justification**

The applicant is requesting AC from Section 4.7, which requires a Type E bufferyard, with a minimum building setback of 60 feet and a minimum landscape yard of 50 feet, adjacent to the designated historic site. The applicant has provided a minimum 30-foot building setback from a masonry retaining wall, over six feet high, and a 40- to 50-foot landscape yard. It is noted that all of the proposed townhomes meet the minimum building setback, only the retaining wall encroaches into it. The applicant provides the majority of the landscape yard width, except where a sidewalk runs within it, and an additional 32 plant units, a 15 percent increase. The maximum 10-foot-high retaining wall within the building setback helps preserve the viewshed of the adjacent Melford House, which sits on the high side of the wall. The wall is proposed to be visually enhanced with evergreen vines to climb upward and spreading shrubs to cascade downward to soften the wall in the area south of the historic site. From functional and aesthetic perspectives, the Planning Board found that the minimal incursions, additional plant units, and wall, with plantings, create an environment in which there will be a visual and physical separation

between the townhome development and the historic site, fulfilling the purposes of Section 4.7. Given the provision of the wall and additional plantings between the proposed use and the historic site, the Planning Board finds the applicant's proposal equally effective as normal compliance with Section 4.7.

The Planning Board approved Alternative Compliance AC-18018, Townhouse Infrastructure at Melford Town Center, from the requirements of Section 4.7, Buffering Incompatible Uses, of the Landscape Manual, adjacent to the Melford House Historic Site.

**12. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):**

This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The site already has approved Type 1 (TCP1) and Type 2 tree conservation plans. A revised Type 2 Tree Conservation Plan (TCP2-036-99-14) was submitted with the DSP application.

Type 2 Tree Conservation Plan TCP2-036-99-05-14 indicates that it covers a gross tract area of 428.15 acres, which is the portion of the Melford development (formerly University of Maryland Science and Tech Center) which is subject to the WCO and is significantly larger than the DSP under review.

The standard woodland conservation worksheet indicates that the woodland conservation threshold for the site is 43.26 acres, based on the M-X-T zoning and a net tract area of 288.38 acres. The worksheet indicates that the site contains 161.86 acres of upland woodlands and 85.73 acres of wooded floodplain. The revised TCP2 proposes clearing 111.66 acres of upland woodlands and 0.23 acre of wooded floodplain. No off-site clearing is proposed. Two federal projects (the Institute for Defense Analysis and the Holocaust Museum Analysis) and previously dedicated rights-of-way have been subtracted from the gross tract area, consistent with the previous TCP1 approval. Based upon the clearing proposed, the applicant has calculated the total woodland conservation requirement for the development as 71.40 acres.

The revised TCP2 proposes to meet the requirement with 51.13 acres of on-site preservation, including 12.02 acres of woodland conservation located on property owned by M-NCPPC; 12.02 acres of on-site afforestation/reforestation; 9.12 acres of specimen/historic tree credit; and 0.42 acre of fee-in-lieu.

The TCP1 plan originally proposed specimen/historic tree credits within the 2.71-acre environmental setting of the Melford historic resource. With this TCP2 revision, the environmental setting is being incorporated into the current DSP.

The TCP2 shows woodland conservation being provided on property currently owned by M-NCPPC, consistent with the most recent revision to the TCP1. At the time of PPS certification, written permission from the Prince George's County Department of Parks and Recreation (DPR) was provided by Helen Asan of the Park Planning and Development Section, agreeing to provide 10.45 acres of preservation on M-NCPPC property. The amount of woodland conservation provided on M-NCPPC parkland has increased from 10.45 acres to 11.51 acres on the -12 TCP2

revision. Written confirmation from DPR is required for this increase in woodland conservation provided on parkland.

There are differences in quantities between the most current TCP2 approval (-11), the -12 revision which is not yet certified, the -13 revision to the TCP2 for DSP-18026, and the current revision (-14) which require reconciliation. The plan also requires technical revisions to be in conformance with the applicable WCO, Environmental Planning Section policies, and the Environmental Technical Manual prior to certification of the DSP, as listed in this approval.

The Planning Board reviewed TCP2-036-99-05-14 and found it to be in general conformance with the TCP1 and the relevant requirements of the WCO. Therefore, it may be said that the subject project is in conformance with the requirements of the WCO.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area in TCC. The subject property is 93.18 acres in size, resulting in a TCC requirement of 9.32 acres or 405,892 square feet. The subject application provides the required schedule; however, it is noted that the acreage in the schedule is inconsistent with the total acreage for the DSP. Therefore, a condition has been included in this approval requiring the applicant to revise the schedule to reflect the correct acreage and provide the required amount of TCC.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject case was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
  - a. **Historic Preservation**—The Planning Board adopted herein by reference a memorandum dated December 19, 2018 (Stabler to Bishop), which noted that, the Historic Preservation Commission (HPC) reviewed the potential effects of the subject application on the Melford and Cemetery Historic Site (71B-016), as well as the previous conditions of approval, as discussed in Finding 8 above.

HPC reviewed the subject application at its December 18, 2018 meeting, including the retaining wall on the south side of the Melford House, which is within the building restriction line, and the landscape bufferyard for the historic site, as discussed in Finding 11 above.

Additionally, it was noted that the subject application is for infrastructure only and does not include the architecture for the proposed townhouses to the south and east of the Melford and Cemetery Historic Site. Therefore, some of the previous conditions of approval related to architecture should be carried forward with the subject application, until they can be met through relevant DSP applications. In closing, it was noted that HPC recommended that the Planning Board approve DSP-18034 with no conditions.

- b. **Community Planning**—The Planning Board adopted herein by reference a memorandum dated December 10, 2018 (D'Ambrosi to Bishop), which provided an in-depth discussion of the DSP's conformance with Plan 2035 and indicated that master plan conformance is not required for this application.
- c. **Transportation**—The Planning Board adopted herein by reference a memorandum dated December 7, 2018 (Burton to Bishop), which noted that on-site traffic circulation is acceptable and meets the previous conditions of approval, and deemed the DSP to be acceptable.
- d. **Subdivision Review**—The Planning Board adopted herein by reference a memorandum dated December 14, 2018 (Turnquest to Bishop), which provided an analysis of the relative PPS conditions of approval, as discussed in Finding 9 above, and noted minor technical corrections that need to be made to the site plan, which have been incorporated into this approval.
- e. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board adopted herein by reference a memorandum dated November 27, 2018 (Zyla to Bishop), DPR provided an analysis of the DSP's conformance with previous conditions of approval and approved the DSP, subject to conditions that have been incorporated into this approval, as appropriate.
- f. **Trails**—The Planning Board adopted herein by reference a memorandum dated December 7, 2018 (Shaffer to Bishop) and noted that the submitted site plan complies with the previously approved conditions of CSP-06002-01 and PPS 4-16006. The Planning Board noted that the comprehensive trails plan for the overall Melford development should be updated to incorporate changes approved with DSP-18034 and other recent site plans. A condition has been included in this approval to provide an updated Pedestrian Network Plan for the overall Melford development.
- g. **Environmental Planning**—The Planning Board adopted herein by reference a memorandum dated December 14, 2018 (Finch to Bishop), that provided the following comments related to the application:

**Preservation of Specimen, Historic and Champion Trees**

Effective on September 1, 2010, TCP applications are required to meet of the requirements of Subtitle 25, Division 2, of the Prince George's County Code, which includes the preservation of specimen, champion, and historic trees. Every reasonable effort should be made to preserve the trees in place, with consideration of different species' ability to withstand construction disturbance.

After consideration has been given to the preservation of the specimen or historic trees and there remains a need to remove any, a variance to Section 25-122(b)(1)(G) is required. Applicants can request a variance to the provisions of Subtitle 25, provided all

the required findings in Section 25-119(d) can be met and the request is not less stringent than the requirements of the applicable provisions of Code of Maryland Regulations (COMAR). An application for a variance must be accompanied by a letter of justification stating the reasons for the request and how the request meets each of the required findings.

The NRI and TCP1 indicated that 44 specimen trees are located on the TCP2 located outside of the environmental setting of the historic site. A Subtitle 25 Variance application for the removal of 12 specimen trees was submitted and approved with the PPS.

A Historic Tree Table located on Sheet 2 addresses individual trees located within the environmental setting of the Melford Historic Site, none of which are proposed for removal. The applicant is proposing to apply special woodland conservation credits allowed to incentivize the retention of specimen, historic or champion trees. The removal or planting of trees within an environmental setting is subject to an HAWP.

#### **Sediment and Erosion Control**

A copy of the final erosion and sediment control plan has not been submitted with the current application to verify conformance with the approved limit of disturbance, TCP2, and technical SWM approval.

- h. **Prince George's County Fire/EMS Department**—At the time of this approval, the Fire/EMS Department has not provided comment on the subject application.
- i. **Washington Suburban Sanitary Commission (WSSC)**—The Planning Board adopted herein by reference a memorandum dated October 30, 2018, in which WSSC offered numerous comments regarding the provision of water and sewer to the development. These comments have been provided to the applicant and will be addressed through WSSC's separate permitting process.
- j. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopted herein by reference a memorandum dated November 20, 2018 (Giles to Bishop), where DPIE stated that the City of Bowie should be consulted for issues regarding right-of-way dedication and roadway improvements and that a SWM concept was approved by the City of Bowie on March 20, 2017. In closing, DPIE stated that the proposed development will require a DPIE site development fine grading permit.
- k. **Prince George's County Police Department**—At the time of this approval, the Police Department has not provided comment on the subject application.
- l. **Prince George's County Health Department**—At the time of this approval, the Health Department has not provided comment on the subject application.

- m. **Potomac Electric Power Company (PEPCO)**—At the time of this approval, PEPCO has not provided comment on the subject project.
- n. **City of Bowie**— The Planning Board adopted herein by reference a letter dated June 5, 2018 (Robinson to Hewlett), where the City of Bowie noted that the City has reviewed the proposed DSP and determined that the proposed grading and infrastructure plan are consistent with the review of Preliminary Plan of Subdivision 4-16006, and there are no issues.

Additionally, it was noted that the City's Community Services Department reviewed the landscape plans and recommends replacement of the following:

- (1) Remove and replace Scarlet Oak and Red Oak shown on the landscape plans with a different shade tree.
- (2) Remove and replace all non-native varieties of Linden with a different species of shade tree.
- (3) Remove and replace Eastern White Pines with Red Cedar or American Holly evergreen trees.

In addition, it was noted that St. John Properties must submit detailed SWM, stormdrain, and paving plans to the City for approval at the appropriate time. In closing, the Bowie City Council noted that, because there are no issues, the City has no objection to the approval of this application. The submitted landscape plans demonstrate conformance to the City's requested plant changes.

- 15. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
- 16. The requirement of Section 27-285(b)(4) of the Zoning Ordinance reads as follows:
  - (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The Planning Board noted that the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on consistency with the limits of disturbance shown on the previously approved CSP-06002-01 and Type 1 Tree Conservation Plan TCPI-044-98-04; Preliminary Plan 4-16006 and TCP1-044-98-05; and DSP-17020 and TCP2-036-99-11. There are no new regulated environmental features located on the development site.



NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-036-99-14 and APPROVED Alternative Compliance AC-18018, and further APPROVED Detailed Site Plan DSP-18034 for the above described land, subject to the following conditions:

1. Prior to certification, the applicant shall revise the detailed site plan (DSP), as follows, or provide the specified documentation:
  - a. Clarify the limits and acreage of the DSP and the area of each proposed parcel in the general notes and on the plans.
  - b. Clearly label all proposed pavement widths, which shall be a minimum of 18 feet for alleys. Update the standard street section sheet as needed to accurately reflect the pavement widths and utility locations for all proposed roads/alleys.
  - c. Revise the photometric plan to show adequate lighting in all alleys. Lighting fixtures for alleys should be located off single-family lots where possible. In the event that relocation of lighting fixtures is not possible, the Applicant shall provide an access and maintenance easement for the ownership association to maintain the fixtures.
  - d. Revise the lighting plans to include a full cut-off light fixture.
  - e. Provide crosswalks at all pedestrian crossings.
  - f. Provide the proposed site grading along the proposed trail connectors on the eastern portion of the site, within the limits of disturbance.
  - g. Revise the Tree Canopy Coverage schedule to reflect the correct acreage and required amount of tree canopy coverage for the DSP.
  - h. Revise the plans to show the sidewalks along Lake Melford Avenue and Melford Boulevard.
  - i. Provide an updated Pedestrian Network Plan for the overall Melford development that incorporates changes approved with Detailed Site Plan DSP-18034 and other recent site plans.
2. Prior to certification of the detailed site plan (DSP), the Type 2 tree conservation plan (TCP2) shall be revised, as follows:
  - a. On the cover sheet overall map:
    - (1) Add the correct limits of the current Detailed Site Plan (DSP-18034) and previously approved DSPs approved for the Melford development, including

those that are part of Melford Town Center, delineated based on proposed property lines and labeled with the DSP application number. The limits of the DSPs shall also be shown on individual sheets, as appropriate, and the graphic element delineating the limits of the DSPs shall be included in the legend.

- (2) The location of the historic site and cemetery shall be delineated by property lines and labeled on the plan.
  - (3) The historic cemetery shall be shown as included in Detailed Site Plan DSP-18026. The remaining area of the historic resource (not including the cemetery) shall be shown as incorporated into Detailed Site Plan DSP-18034.
  - (4) Remove the label for "Limit of NRI."
  - (5) Label the three federally-developed properties on the site (Holocaust Museum, Census Bureau, and Institute for Defense Analysis) and indicate that they are not included in the gross tract area.
- b. The legends shall be revised to include all graphic elements used on the plans, using the standard symbols and terms shown in the Environmental Technical Manual, and be consistent on all plan sheets, as follows:
- (1) Correctly label "afforestation/reforestation area."
  - (2) A "temporary tree protection fence (TPF)" and "permanent tree protection fence (PPF)" shall be included in the legend. Revise the graphic in the legend and on the plan so the TPF is differentiated from the PPF. On the TCP2 plan, show the use of TPF and PPF appropriately; TPF is temporary fencing to protect existing vegetation during clearing and grading operation and PPF is for the protection of the vulnerable edge of the planted area.
  - (3) The note under the legend on the cover sheet indicating that temporary tree protection fence will not be used shall be removed.
  - (4) Add an additional graphic pattern in the legend and apply the plan to differentiate "Preservation on M-MCPCPC property" from "Preservation on non-MCPCPC property," to match the categories in the Woodland Conservation Summary Sheet.
- c. The Standard Woodland Conservation Worksheet shall be revised, as follows:
- (1) Provide the correct TCP2 number and revision number: TCP2-036-99-14.
  - (2) Correct the name of the project to "Melford – Overall."

- (3) The quantities included in the worksheet shall be reconciled with previous approvals of the TCP2 and revisions proposed on the current plan.
  - (4) Confirm the gross tract area of the Melford site and the gross tract area of Melford Town Center, after the addition of the cemetery.
  - (5) All tables and calculations shall be revised, as needed, to reflect the required revisions and reconcile quantities.
- d. A phased woodland conservation worksheet for the overall Melford development, as of the current application, shall be included on the TCP2 which is reconciled with the Standard Woodland Conservation Worksheet quantities calculated, and add columns for Detailed Site Plans DSP-18007, DSP18026, and DSP-18034.
- e. An individual TCP2 worksheet, for a site with a previous TCP2, shall be added to the plan to clarify the requirements and woodland conservation provided with the current DSP.
- f. Revise the Woodland Conservation Summary Table, as follows:
  - (1) Revise the column titles so that the 100-year floodplain, net tract area, woodland in the 100-year floodplain, and woodland on the net tract are correctly identified.
  - (2) Include clearing in parkland as part of total clearing for the site, or justify why it should be accounted for in a separate column.
  - (3) Change the title of “Donated Parkland Floodplain Clearing” to “100-Year Floodplain Cleared” (acres), or justify the purpose for the current column title.
  - (4) Confirm the correct amount of existing floodplain, “100-year floodplain clearing,” and how it is addressed in the worksheet.
- g. Confirm that all plan sheets have Woodland Conservation Sheet Summary Tables.
- h. Correct Standard TCP2 Note 3 to indicate that the Prince George’s County Department of Permitting, Inspections and Enforcement is the responsible agency for grading permits.
- i. Show the proposed property lines with bearings and distances in tabular format or as appropriate on the respective TCP2 plan sheets. Show the limits of the current DSP and all DSPs approved within Melford on the revised TCP.
- j. On Sheets 6, 9, and 10:
  - (1) Show the proposed property lines with bearings and distances in tabular format or as appropriate on the respective TCP2 plan sheets for the townhouse project.

- (2) Delineate the limits of the Type E bufferyard required for the historic site, showing both the building setback and landscape buffer limits correctly.
    - (3) Clearly label any retaining wall proposed, with associated grading, and provide top-of-wall and bottom-of-wall elevations. Show a limit of disturbance, a minimum of five feet from the top or bottom of any proposed wall.
    - (4) Remove woodland conservation within a 10-foot-wide clear zone at the top or bottom of proposed walls.
    - (5) Show the limits of the critical root zone (CRZ) for the specimen and historic trees within the environmental setting of the historic resource, for which woodland conservation credits are proposed. Label the site as “Specimen, Historic and Champion Tree Credits” and provide the area of the associated unimpacted CRZ.
    - (6) Identify any trees proposed for “Specimen, Historic or Champion Tree Credit,” which suffer critical root zone impacts due to site grading. These trees will be appraised to determine a bonding amount for historic tree credits.
  - k. Show the location of all stormwater management (SWM) features on all plans and the location of any SWM easements consistent with the approved stormwater management concept plan.
  - l. All woodland conservation areas shall meet applicable required minimum width and size design standards.
  - m. All tables and calculations shall be revised, as needed, to reflect the required revisions.
  - n. Add a root pruning detail to the detail sheet.
  - o. Add an aeration detail to the detail sheet.
  - p. Have the revised plan signed and dated by the qualified professional who prepared it.
3. Prior to approval of the final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall submit a variation from Section 24-122(a), in accordance with Section 24-113 of the Subdivision Regulations, for placement of utilities within the right-of-way for Hardisty Way, New Road D, and New Road E, and obtain agreement from the City of Bowie.
  4. Prior to issuance of grading permits for this detailed site plan (DSP):
    - a. Submit a copy of the technical stormwater management plan, to be reviewed for conformance with the DSP and Type 2 tree conservation plan.

- b. Submit a copy of the approved final erosion and sediment control plan, to be reviewed for conformance with the limit of disturbance shown on the DSP and Type 2 tree conservation plan.

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, Bailey, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 17, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24th day of January 2019.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:NAB:gh