



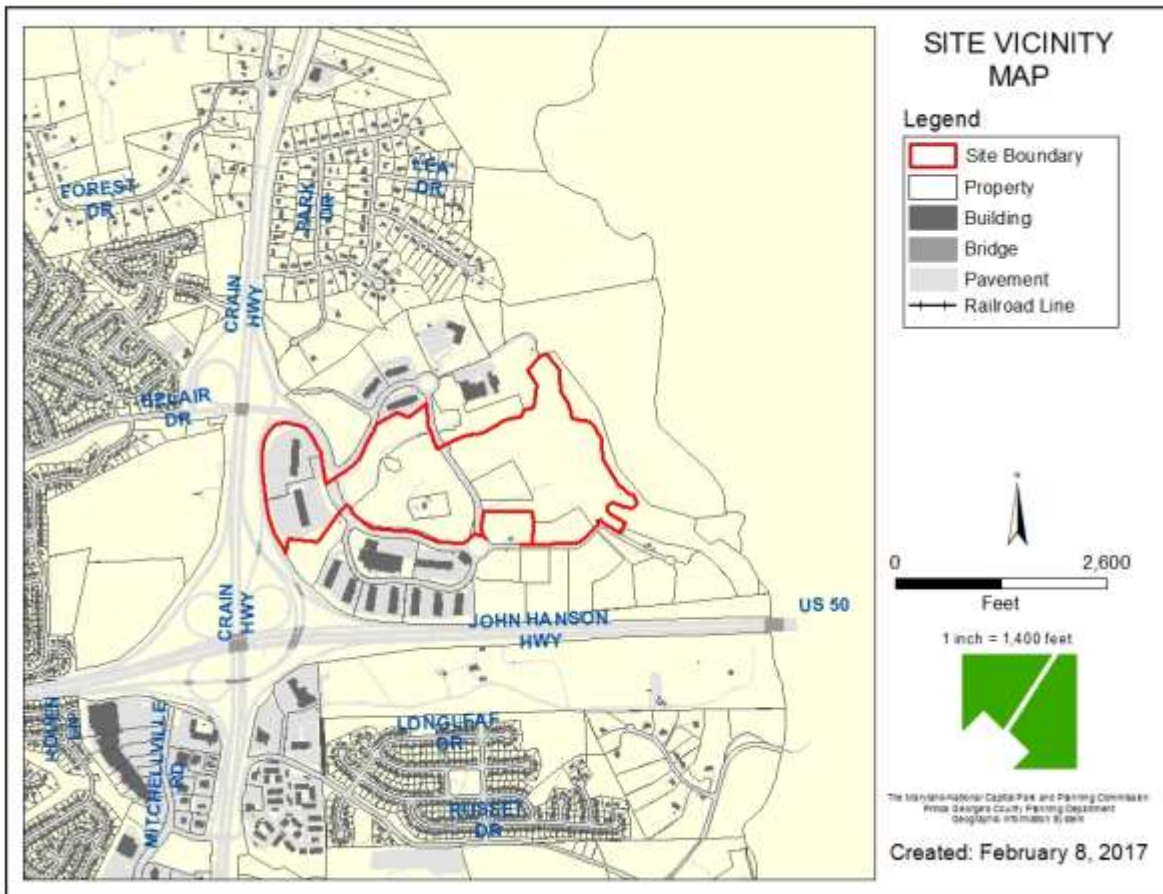
*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Preliminary Plan 4-16006

| Application   | General Data                 |               |
|---|------------------------------|---------------|
| <b>Project Name:</b><br>Melford Village<br><br><b>Location:</b><br>Located at the northeast quadrant of John Hanson Highway (US 50/301) and Robert Crain Highway (MD 3).<br><br><b>Applicant/Address:</b><br>St. John Properties, Inc.<br>2560 Lord Baltimore Drive,<br>Windsor Mill, MD 21244<br><br><b>Property Owner:</b><br>St. John Properties, Inc.<br>2560 Lord Baltimore Drive,<br>Windsor Mill, MD 21244 | Planning Board Hearing Date: | 03/02/17      |
|   | Staff Report Date:           | 02/28/17      |
|   | Date Accepted:               | 10/28/16      |
|   | Planning Board Action Limit: | 03/30/17      |
|   | Mandatory Action Timeframe:  | 140 days      |
|   | Plan Acreage:                | 129.16        |
|   | Zone:                        | M-X-T         |
|   | Dwelling Units/GFA           | 1,793/359,900 |
|   | Lots:                        | 256           |
|   | Parcels:                     | 50            |
|   | Planning Area:               | 71B           |
|   | Council District:            | 04            |
|   | Election District            | 07            |
|   | Municipality:                | Bowie         |
|   | 200-Scale Base Map:          | 207NE15       |

| Purpose of Application  | Notice Dates           |          |
|---|------------------------|----------|
| This case was continued from the Planning Board hearing date of February 2, 2017 to March 2, 2017.<br><br>To Subdivide six parcels to accommodate 1,793 dwelling units into various housing types.<br><br><b>Variation to Section 24-128(b)(7)(A)</b><br><b>Variance from Section 25-119(d)</b> | Informational Mailing  | 09/06/16 |
|   | Acceptance Mailing:    | 10/25/16 |
|   | Sign Posting Deadline: | 01/03/16 |

|                             |                          |  |            |
|-----------------------------|--------------------------|--|------------|
| <b>Staff Recommendation</b> |                          | <b>Staff Reviewer:</b> John Ferrante<br><b>Phone Number:</b> 301-952-3665<br><b>E-mail:</b> John.Ferrante@ppd.mncppc.org |            |
| APPROVAL                    | APPROVAL WITH CONDITIONS | DISAPPROVAL  | DISCUSSION |
|                             | X                        |  |            |



THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-16006  
Melford Village, Lots 1-12, Block A, Lots 1-38, Block B, Lots 1-27, Block C,  
Lots 1-48, Block D, Lots 1-62, Block E, Lots 1-20, Block F, Lots 1-42, Block G

OVERVIEW

The subject property is located on Tax Map 47, Grid F3, and Tax Map 48, Grid A3 and consists of 11 existing parcels totaling 129.156 acres in the M-X-T Zone. Sensitive environmental features exist on the property associated with a stream system that runs along the northern, southern and eastern boundary of the site. The property is currently improved with two existing 150,000-square-foot office buildings (totaling 300,000 square feet), and the Melford and Cemetery Historic Site (71B-016). The Melford House is a 2½-story brick plantation house that was built in the 1840s.

The applicant is proposing the development of 205 townhomes, 88 two-family dwelling units on 44 parcels, 1,500 multifamily units, and 359,500 square feet of commercial uses, (consisting of 124,500 square feet of retail and 235,000 square feet of office/medical office). Of the proposed 1,500 multifamily dwelling units, approximately 500 of the units will be age-restricted and 1,000 units will be market rate units. All of the residential lots meet or exceed the 1,800 square feet minimum net lot area required in the M-X-T Zone.

“Melford Village” is the center of the overall Melford Property surrounding the Historic Melford House and cemetery, north of Melford Boulevard and includes both sides of existing Curie Drive. Vehicular access to the property is through an existing public road, Melford Boulevard, that intersects with MD 3 north of US 50/301. The development will be served by existing public rights-of-way, such as Melford Boulevard, which has an east-west vehicular flow, and Curie Drive which runs north and south. New Public Roads A through E will provide east/west and north/south connections to Melford Boulevard and Curie Drive and to the private alleys serving the attached residential dwellings. Twenty-six-foot-wide private alleys will provide vehicular driveway access to the townhouses and two-family dwellings, all of which are rear loaded. Several of the townhouse lots will have detached garages, also accessed via the private alleys.

Four (4) neighborhoods will be created by the two main boulevards, New Road “A” and Curie Drive: the northwest neighborhood, southwest neighborhood, southeast neighborhood, and northeast neighborhood, along with the commercial district at the intersection of Melford Boulevard and the future east-west boulevard (New Road “A”). A village plaza is proposed at the intersection of the future east-west boulevard and Curie Drive and will be a focal point of the project. The east-west boulevard will terminate on the eastern end of the site at a proposed amphitheater adjacent to the existing stormwater management pond that will become an amenity feature. A linear lakeside park is also proposed on the north side of the future east-west-boulevard at the entrance to the commercial district.

The proposed 500 senior age restricted units will be integrated within the multi-family buildings containing market-rate units. Specifics regarding the exact location of the senior units will be determined at time of Detailed Site Plan (DSP). Additionally, the southeast neighborhood will be largely developed with fee simple townhouse lots primarily served by private streets. Each of the neighborhoods will have a variety of recreational amenities that will be determined more fully at the time of DSP. The PPS has been reviewed for conformance with the CSP, as discussed further.

### **Previous Approvals**

On January 25, 1982, the Prince George's County District Council approved Zoning Map Amendment (Basic Plan) A-9401 for the subject property, with ten conditions (Zoning Ordinance 2-1982). The zoning map amendment rezoned the property from the R-A and O-S Zones to the Employment and Institutional Area (E-I-A) Zone. On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Prince George's County Planning Board decision (PGCPB Resolution No. 86-107), for the Maryland Science and Technology Center, with 27 conditions and two considerations.

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

On May 6, 2014, the Prince George's County Council approved the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035), which created new center designations to replace those found in the 2002 Prince George's County Approved General Plan, and classified the Bowie Town Center, including the subject site, as a "Town Center." The subject site retained its status as an "Employment Area" in the plan. CSP-06002-01 was filed by the Applicant on June 9, 2014. At its meeting on April 21, 2014, the Bowie City Council conducted a public hearing on CSP-06002-01 for the Melford property. As originally proposed to the City, the CSP revision included up to 100,000 square feet of retail; up to 260,000 square feet of employment; 126,520 square feet of research space; and up to 2,500 dwelling units (including up to 500 senior adult multifamily units, 1,500 non-senior multifamily units, and 500 townhome units). The City Council voted to approve CSP-06002-01 for Melford Village, but determined that the residential component should be revised to include up to 1,000 senior multifamily units (which may include assisted living facility units), up to 1,000 non-senior multifamily units, and up to 500 townhome units.

The Planning Board held its public hearing on CSP-06002-01 on November 13, 2014. The Planning Board issued Resolution 14-128 approving CSP-06002-01. On February 23, 2015, the District Council held Oral Argument based on an appeal filed by local citizen opponents and took the case under advisement. On March 23, 2015, the District Council issued a Notice of Final Decision and Order of Approval with Conditions affirming the Planning Board's decision in CSP-06002-01.

In addition, several prior PPS applications have been approved over the years for various portions of the overall Melford Property, (4-98706, 4-07055, 4-88030 and 4-02093).

## SETTING

The subject property is located in the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301), in Planning Area 71B and Council District 4. This application consists of 129.16 acres that is located in the center portion of the overall 431-acre Melford development.

The site is bounded to the north by office and medical office uses in the Mixed-Use Transportation-Oriented (M-X-T) Zone, and beyond Sherwood Manor, an existing subdivision of single-family detached dwelling units in the Residential-Agricultural (R-A) Zone, and a vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the Reserved-Open Space (R-O-S) Zone; to the east by vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the Mixed-Use Transportation-Oriented (M-X-T) Zone, and beyond, the Patuxent River and the U.S. Air Force transmitter station located in Anne Arundel County; to the south by office, medical office, warehouse and institutional uses in the Mixed Use - Transportation Oriented (M-X-T) Zone, and beyond by the John Hanson Highway (US 50/301) right-of-way and a small vacant property in the Open Space (O-S) Zone; and to the west by the Crain Highway (MD 3) right-of-way. The property is located within the City of Bowie.

## FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

|                     | <b>EXISTING</b> | <b>PROPOSED</b>  |
|---------------------|-----------------|--|
| Zone                | M-X-T           | M-X-T  |
| Use(s)              |                 | Mixed-Use Development  |
| Acreage             | 129.16          | 129.16   |
| Gross Floor Area    |                 | 359,500 sq. ft. (124,500 sq. ft. commercial/retail, & 235,000 office/medical office) |
| Parcels             | 11              | 50   |
| Outlots             | 0               | 0  |
| Dwelling Units:     | Total           | Total  |
| Attached (TH)       | 0               | 293 (88 of which are two-over-two units)   |
| Two-family attached |                 |  |
| Multifamily         | 0               | 1,500 (500 of which are senior age restricted)                                       |
| Variance            | No              | Yes<br>Section 25-119(d)   |
| Variation           | No              | Yes<br>24-128(b)(7)(A)   |

Pursuant to Section 24-113 of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on November 18, 2016. The requested variation to Section 24-128(b)(7)(A) for private roads and easements for approximately 68 townhomes that will be located on lots served by private alleys without frontage on a public street was also heard at the SDRC meeting on November 18, 2016 as required by Section 24-113(b) of the Subdivision Regulations, and recommended for approval.

2. **Environmental**—The Environmental Planning Section has reviewed the revised PPS and Type I Tree Conservation Plan, TCPI-044-98-05, for Melford Village, stamped as received by the Countywide Planning Division on December 29, 2017. The Environmental Planning Section recommends approval of PPS-416006 and revised Type I Tree Conservation Plan TCPI-044-98-05, subject to conditions.

### Background

| Development Review Case | Tree Conservation Plan | Approval Authority | Status   | Action Date | Approval Document |
|-------------------------|------------------------|--------------------|----------|-------------|-------------------|
| A-9401                  | N/A                    | District Council   | Approved | 10/10/2001  | PGCPB No. 02-43   |
| A-9401-02               | N/A                    | N/A                | Dormant  | N/A         | N/A               |
| CSP-06002               | TCPI-044-98-02         | District Council   | Approved | 5/11/2009   | Order of Approval |
| CSP-06002-01            | TCPI-044-98-04         | District Council   | Approved | 3/23/2015   | Order of Approval |
| 4-16006                 | TCPI-044-98-05         | Planning Board     | Pending  | 3/2/2017    | Pending           |

The Environmental Planning Section previously reviewed plans for the site when it was zoned E-I-A and known as the University of Maryland Science and Technology Center. The site was rezoned M-X-T in the Bowie and Vicinity Planning Area Sectional Map Amendment (SMA). The District Council's action in the SMA for this site is found in County Council Resolution CR-11-2006.

Type I and Type II Tree Conservation Plans, (TCPI-044-98 with revisions and TCPII-036-99 with revisions, respectively) are associated with the site based on previous approvals by the Planning Board of a PPS (4-98076), Comprehensive Design Plan (CDP-8601) and several Specific Design Plans (SDP-0201, SDP-0203, SDP-0301 and SDP-0405) when the site was zoned E-I-A, a comprehensive design zone.

Development of a site under the M-X-T requirements includes approval of a Conceptual Site Plan (CSP) and Detailed Site Plan (DSP). The subject property was first reviewed under the M-X-T zoning requirements with Conceptual Site Plan CSP-06002 and TCP1-044-98-02. A Natural Resources Inventory, NRI-054-06, was approved for the site on February 21, 2008, which was valid for five years; it was reapproved in March of 2016 under the requirements of the Subdivision Regulations that came into effect in 2010.

A revision to a conceptual site plan, as required for the M-X-T Zone, and a revised TCP1, for the purpose of developing the center of the overall Melford development to include a mix of residential and office uses, with supporting retail and community amenities to be called "Melford Village" was approved by the District Council on March 23, 2015 subject to an Order of Approval with Conditions. The current application is a new PPS and revised TCPI necessary to implement the conceptual site plan design for the development consisting of single-family attached dwellings, multifamily residential, age-restricted multifamily as well as commercial and office/retail on a 129.16 gross tract area.

### **Grandfathering**

The site is grandfathered from the requirements of Subtitle 25, Division 2 that became effective on September 1, 2010 and February 1, 2012 because the site has an approved TCPI and TCPII. A revision to the TCPI is proposed with the current application. The site is not grandfathered from the requirements of Subtitle 24, which became effective on September 1, 2010 and February 1, 2012 by approval of a PPS. The current application is a new PPS, which will be subject to current subdivision requirements, including a revised NRI.

### **Site Description**

The overall Melford development of which this application is a part, is in the northeast quadrant of the intersection of US 50 and MD 3/US 301, and contains 431.55 acres in the M-X-T Zone. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on this property. According to the "Soil Web Survey" the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and then other pose no special development challenges. Marlboro and Christiana clays are not located on or in the vicinity of the property. According to available information, Marlboro clay is not found to occur in the vicinity of this property. Based on information obtained from the Maryland Department of Natural Resources Wildlife and Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property; however, there are records of 'species of concern' known to occur within the vicinity of the site. There are no designated scenic and historic roads in the vicinity of this property. According to the 2005 *Approved Countywide Green Infrastructure Plan*, all three network features (Regulated Areas, Evaluation Areas and Network Gaps) are present on the Melford site. This property drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River.

### **Conformance with Plan Prince George's 2035 Approved General Plan**

According to the approved General Plan, the site is located within an Employment Center, and designated Bowie Town Center as shown on the Growth Policy Map. It is also located in Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by the General Plan. The mix of uses proposed is consistent with the vision, policies and strategies of the Prince George's 2035 General Plan.

*Plan Prince George's 2035 Approved General Plan* supersedes and amends the February 2006 *Approved Bowie and Vicinity Master Plan and Sectional Map Amendment* pursuant to language contained in County Council Resolution CR-39-2016, and authorizing PPS to be designed "to conform with the land use policy recommendations for centers, as approved within the current County General Plan."

The Plan Prince Georges 2035 General Plan amended the previous Bowie Town Center boundary to include the 430 + acre Melford development as one of the five "local town centers." The Bowie Town Center boundary as amended is extensive in area, and includes Melford and the southeast quadrant formed by the interchanges of MD 197, US 50 and US 301/50, including the Bowie Town Center. The term Town Centers (Local) is described as:

"A range of auto-accessible centers that anchor larger areas of suburban subdivision. Overall the centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. The centers typically have a walkable "core" or town center. Often the mix of uses is horizontal across the centers rather than vertical within individual buildings. While master plans may call for future

heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction.”

The Melford Village proposal approved in Conceptual Site Plan CSP-06002-01 and carried forward with the current PPS is in general conformance with the description of the Town Center (local) found in *Plan Prince George’s 2035*, and generally consistent with the policies and strategies of the Plan Prince George’s 2035 General Plan as related to a local Town Center.

#### **Master Plan Conformance**

The Master Plan for this area is the 2006 *Approved Bowie and Vicinity Master Plan and Sectional Map Amendment* (Bowie and Vicinity Master Plan and SMA). In the Bowie Approved Master Plan and Sectional Map Amendment, the Environmental Infrastructure Section contains goals, policies and strategies.

The following master plan guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

#### **Policy 1: Protect, preserve and enhance the identified green infrastructure network within the master plan area.**

##### **Strategies:**

1. **Use designated green infrastructure network to identify opportunities for environmental preservation and restoration during the development review process.**
2. **Protect primary corridors (Patuxent River and Collington Branch) during the development review process to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements. Protect secondary corridors (Horsepen Branch, Northeast Branch, Black Branch, Mill Branch, and District Branch) to restore and enhance environmental features and habitat.**
3. **Carefully evaluate land development proposals in the vicinity of identified Special Conservation Areas (SCA) (the Beltsville Agricultural Research Center to the north, along with the Patuxent Research Refuge; Belt Woods in the western portion of the master plan area; and the Patuxent River) to ensure that the SCAs are not impacted and that connections are either maintained or restored.**

This development fronts on the Patuxent River, a Green Infrastructure primary corridor, and a Special Conservation Area (SCA). The PPS conformance with the 2005 *Approved Countywide Green Infrastructure Plan* will be provided further below.

4. **Target public land acquisition programs within the designated green infrastructure network in order to preserve, enhance or restore essential features and special habitat areas.**

Extensive Patuxent River waterfront and wetlands adjacent to this application are already owned by M-NCPPC, consistent with protection policies for the Patuxent River Park.



**Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.**

**Strategies:**

- 1. Ensure the use of low impact-development techniques to the extent possible during the development process.**

The City of Bowie has approval authority over Stormwater Management Concept Plan (01-114-207NE15) for this site, covering Pods 1, 2, 5 and portions of 7 was approved by the city manager on March 10, 2014, with an expiration date of March 10, 2017. The stormwater management concept plan shows stormwater to be treated on-site with numerous micro-bioretenment facilities, in addition to the regional ponds located adjacent to the river frontage.

- 2. During the development review process evaluate streams that are to receive stormwater discharge for water quality and stream stability. Unstable streams and streams with degraded water quality should be restored, and this mitigation should be considered as part of the stormwater management requirements.**

No undisturbed streams will be directly impacted by the current proposal.

- 3. Encourage the use of conservation landscaping techniques that reduce water consumption and the need for fertilizers or chemical applications.**

The use of native species for on-site planting is encouraged and required in the Landscape Manual to reduce water consumption and the need for fertilizers or chemical applications, and will be demonstrated on the Type II Tree Conservation Plan and Landscaping Plan as required.

**Policy 3: Protect and enhance tree cover within the master plan area.**

The Woodland and Wildlife Habitat Conservation Ordinance requires the protection and enhancement of woodlands throughout the County and the state, based on the approved land-use category designated by zoning.

**Strategies**

- 1. Encourage the planting of trees in developed areas and established communities to increase the overall tree cover.**
- 2. Provide a minimum of ten percent tree cover on all development projects. This can be met through the provision of preserved areas or landscape trees.**
- 3. Establish street trees in planting strips designed to promote long-term growth and increase tree cover.**
- 4. Establish tree planting adjacent to and within areas of impervious surfaces. Ensure an even distribution of tree planting to provide shade to the maximum amount of impervious areas possible.**

Street trees will be provided in accordance with Department of Public Works and Transportation standards, and landscaping materials will be required in accordance with the 2010 *Prince George's County Landscape Manual* at time of DSP. The Tree Canopy Coverage requirements of Subtitle 25, Division 3 will also be evaluated at time of DSP.

**Policy 5: Reduce light pollution and intrusion into residential, rural, and environmentally sensitive areas.**

**Strategies:**

- 1. Encourage the use of alternative lighting technologies for athletic fields, shopping centers, gas stations, and car lots so that light intrusion on adjacent properties is minimized. Limit the total amount of light output from these uses.**
- 2. Require the use of full cut-off optic light fixtures for all proposed uses.**
- 3. Discourage the use of streetlights and entrance lighting except where warranted by safety concerns.**

The minimization of light intrusion from this site onto the adjacent river and conservation areas shall be addressed at time of DSP, and the use of alternative lighting technologies and the limiting of total light output should be demonstrated. Full cut-off optic light fixtures should be used.

**Policy 6: Reduce adverse noise impacts to meet State of Maryland noise standards.**

**Strategies:**

- 1. Evaluate development proposals using Phase I noise studies and noise models.**
- 2. Provide adequate setbacks for projects located adjacent to existing and proposed noise generators.**
- 3. Provide the use of approved attenuation measures when noise issues are identified.**

The site fronts on US 50 and US 301, which are Master Plan of Transportation designated freeways which are generally regulated for noise, as discussed further.

The current application can be found consistent with the policies and strategies of the Bowie and Vicinity Master Plan and SMA.

**Conformance with the 2010 Approved Water Resources Functional Master Plan**

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection and preservation of drinking water, stormwater, and wastewater systems within the County, on a countywide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, county ordinances for stormwater management, floodplain and woodland conservation, and programs implemented by the Prince George's County Department of Permitting, Inspections & Enforcement, Prince George's County Department of Health, Prince George's County Department of the Environment, Prince George's Soil Conservation District, Maryland-National Capital Park and Planning Commission and Washington Suburban and Sanitary Commission are also deemed to be consistent with this master plan.

The current application can be found consistent with the policies and strategies of the 2010 *Approved Water Resources Functional Master Plan*.

**Conformance with the 2005 Approved Countywide Green Infrastructure Plan**

The development site contains areas delineated as Regulated Areas, Evaluation Areas and Network Gap on the 2005 *Approved Countywide Green Infrastructure Plan*. The adjacent Patuxent River is a designated 'Primary Corridor' in the master plan's green infrastructure network. All wetland, stream and floodplain areas and buffers are preserved and maintained to protect sensitive environmental features and enhance water quality to the fullest extent practicable. In addition, the applicant has donated approximately 100 acres of parkland adjacent to the Patuxent River to M-NCPPC for incorporation into the Patuxent River Park, which will serve as a significant buffer between the project and the Patuxent River.

The current application can be found consistent with the policies and strategies contained in the 2005 Approved Countywide Green Infrastructure Plan.

**Conditions of Previous Approvals: CSP-06002 and TCP1-044-98-02**

An Amended Order Modifying and affirming in Part a Planning Board Decision with Conditions found in PGCPB Resolution 07-09(C) was approved on October 9, 2009. The Planning Board's decision (PGCPB Resolution No. 07-09(C)) was subject to the following conditions which are environmental in nature, and shown in **bold**. Responses are provided below.

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

The impact review area relates to the Melford Historic site and its environmental setting, which will be reviewed by the Urban Design Section and the Historic Preservation Section, and does not impact the regulated environmental features of the site.

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

- g. **Revise the table on Sheet 1 to fill in all the boxes;**
- h. **Add the following note: “This TCPI is associated with the approval of CSP-06002; it is conceptual in nature, and is subject to further revisions with the preliminary plan of subdivision application”;**
- i. **Revise the plans to address all other staff comments of record; and**
- j. **Have the revised plans signed and dated by the qualified professional who prepared them.**

The revisions were made and the certificate was issued.

- 15. Prior to signature approval of the CSP, and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCP I shall be revised to remove all buildings, roads, trails, and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain.**

The revisions were made for all listed features, except for the master- planned trail proposed on Parkland, and two connections from the internal trail system to the master planned system, which was allowed per Condition 29(b) of Conceptual Site Plan CSP-06002, and the certificate was issued.

The required 100-foot natural buffer and the 150-foot-wide buffer on the 100-year floodplain have been shown correctly on the TCP1 revision currently under review. During the review of any further application, this guideline will further be evaluated, and if any clearing is proposed within these buffers it must either be removed or the “natural buffer alternative” shall be provided.

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

This condition will be addressed with the current PPS review, along with restoration of natural buffers in the Environmental Review Section below.

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

The portions of the linear wetland located in the southeast corner of this site which are located on the subject property, along with a block of wetlands and wetlands buffers located on Lots 4 and 6 have been totally protected under the current development plan.

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

- a. **Development plans shall show minimization of impervious surfaces, through all phases of the project, with the use of permeable paving surfaces where soil conditions provide for the use of permeable paving materials. Structured parking should be used to the maximum extent possible.**

Minimization of impervious surfaces is a zoning concern with regards to required green space requirements consistent with the M-X-T Zone, which will be further reviewed with the DSP; and a SWM management concern to be addressed by the City of Bowie under its stormwater management authority, and the review of on-site soil conditions. Structured parking is subject to review at the time of DSP.

- b. **Streams shall have a 100-foot natural buffer and a 150-foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on community property.**
- c. **Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.**
- d. **The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and shall link the different uses. Portions of the open space system shall be visible to and accessible from public streets.**

The plans correctly delineated the 100-foot-wide “natural buffer and 150-foot-wide building and parking setbacks. The open space network, and impacts to environmentally sensitive areas are evaluated in the Environmental Review Section below.

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

The width of stream buffers shown on the current plan are consistent with the approved NRI for the site and the condition. A revised NRI applying current stream buffer requirements was approved on March 1, 2016 at staff level, and these buffer requirements were used in delineating the primary management area (PMA) for the site.

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

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

The technical design of stormwater management facilities and associated landscaping is subject to approval by the City of Bowie. Coordination of the stormwater management landscape plans with the overall landscape plan for the site will occur with the review of the detailed site plan.

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

Lighting systems will be reviewed at time of detailed site plan for conformance to this condition of approval.

**Conditions of Previous Approvals: CSP-06002-01 and TCP1-044-98-04**

An Order of Approval for CSP-06002-01 by the District Council was approved on March 23, 2015, subject to the following conditions which are environmental in nature, and are shown in **bold** font. Staff comments are provided in regular font.

- 1. **Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:**

- g. **Revise CSP Sheets 4, 5, 6, 7, 8, and 9 of 13 to show the 150-foot-wide floodplain buffer correctly.**
- h. **Indicate the location of a “conservation easement” that is required for the 150-foot-wide floodplain buffer on Sheet 13 of 13.**

The revisions were made and the certificate was issued.

- 4. **At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:**

- b. **Provide an updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, concerning the presence of rare, threatened, and/or endangered species on the site as an amendment to the updated natural resources inventory (NRI) prior to approval.**

An updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, concerning the presence of rare, threatened, and/or endangered species on the site was submitted during the revision to the natural resources inventory (NRI-154-06-01), as discussed further.

- c. **If impacts to regulated environmental features are proposed at the time of preliminary plan, over and above those previously approved by the Planning Board, a statement of justification shall be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification shall address how each impact has been avoided and/or minimized and shall include 8.5 by 11 exhibits of the proposed disturbance.**

There are no anticipated nor identified new impacts to regulated environmental features proposed with the current application.

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

The application package does contain a copy of the erosion and sediment control concept plan for the project, which will be further reviewed with the DSP.

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

There are no anticipated nor identified new impacts to regulated environmental features proposed with the current application.

6. **During the review of the Type I tree conservation plan associated with the preliminary plan of subdivision, the linear wetland in the middle of the southeastern portion of the site shall be evaluated to ensure its protection in a manner consistent with previous approvals.**

The portions of the linear wetland located in the southeast corner of this site, which are located on the subject property, along with a block of wetlands and wetlands buffers located on Lots 4 and 6 have been totally protected under the current development plan.

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

Conditions a,c and d shall be addressed at the time of DSP. Condition b does not apply.

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

All streams and regulated stream buffers were correctly delineated on the revised NRI, which is reflected in the current plans under review.

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

The existing environmental setting for Melford and the Cemetery have been shown on the current plans and labeled, although the graphic pattern is not included in the legend and should be.

20. **The illustrative plan provided with the conceptual site plan (CSP) is for illustrative purposes only and does not reflect the final layout for any purpose, including limits of disturbance. The CSP may be used as a guide for the layout to be reviewed with the preliminary plan of subdivision or detailed site plans, but its proposed development should be modified, where development shown in the CSP is not consistent with environmental or other master plan considerations.**

The current application shows no impacts to regulated environmental features of the site. If impacts are proposed with future application, consistency with environmental or other master plan considerations will be further evaluated.

#### **Environmental Review**

As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

#### **Natural Resource Inventory Plan / Existing Features**

A Natural Resource Inventory, NRI-054-06, was approved for the subject property on February 21, 2008. A revised NRI (NRI-054-06-01) was required for the current application, because the previous NRI had exceeded the validity period, and the stream buffers required for regulated streams effective September 1, 2010 needed to be addressed for approval prior to PPS application in accordance with a Letter of Agreement dated October 10, 2013 from Christopher Rizzi, Greenman-Pedersen, Inc and Katina Shoulars, Supervisor of the Environmental Planning Section, which outlined the amended materials required for submittal with the revised NRI. The revised NRI was approved on March 1, 2016, and was submitted with the current application.

The environmental and cultural features identified on the NRI, and the delineation of the Primary Management Area (PMA) have been correctly transposed onto the TCPI.

#### **Rare, Threatened and Endangered Species**

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



Prior to certification of the PPS, an updated Letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division shall be submitted concerning the presence of rare, threatened and/or endangered species on the site as an amendment to the approved NRI prior to approval.

**Regulated Environmental Features/ Primary Management Area**

The Planning Board may approve a PPS if it finds that the plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include streams, wetlands and buffers, and 100-year floodplain, which are shown on the NRI, and the delineated PMA which includes the contiguous regulated environmental features of the site.

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact.

The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

Impacts to regulated environmental features must first be avoided and then minimized. If impacts to the regulated environmental features are proposed, a statement of justification must be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification must address how each impact has been avoided and/ or minimized and should include 8½ x 11 exhibits of the proposed disturbance.

The current application is a revision to an approved TCP1 found to have satisfied this finding, and no significant change to the limit of disturbance or additional impacts to regulated environmental features is currently proposed. The current TCP1 shows cumulative impacts of 4,358 square feet to the 100-foot-wide “natural stream buffer” for future sewer connections, and 6,394 square feet to the 150-foot-wide “floodplain buffer” for future SWM outfall structures, which were previously approved under an earlier development application for the implementation of the regional stormwater management ponds.

At time of detailed site plan, if amended environmental information is submitted and/or additional impacts are proposed to regulated environmental features, a full review of additional environmental impacts to regulated environmental features will be performed, and justification of requested impacts will be required.

The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on consistency with the limits of disturbance shown on the previously approved Conceptual Site Plan CSP-06002-01 and Type 1 Tree Conservation Plan TCPI-044-98-04.

### **Tree Conservation Plan**

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The site already has an approved Type 1 and Type 2 Tree Conservation Plan. A revised TCP1 (TCP1-044-98-05) was submitted with the PPS.

TCP1-044-98-05 covers a 431.55-acre gross tract area, which is portion area of the Melford development (formerly University of Maryland Science and Tech Center) which is subject to the ordinance, and is larger than the PPS currently under review. The woodland conservation threshold is 44.38 acres, based on the M-X-T zoning and a net tract area of 295.86 acres. The site contains 176.47 acres of upland woodlands and 89.26 acres of wooded floodplain. The revised TCP1 proposes clearing 121.39 acres of the upland woodlands, and 0.30 acres of wooded floodplain. No off-site clearing is proposed. Previously dedicated rights-of-way have been subtracted from the gross tract area consistent with the previous TCPI approval. Based upon the clearing proposed, the total woodland conservation requirement for the development is currently calculated to 45.58 acres.

The revised TCP1 proposes to meet the overall requirement (431.55 acres) with 54.36 acres of on-site preservation, 6.37 acres of on-site afforestation/reforestation, 6.812 acres of afforestation/reforestation in natural regeneration, and 5.50 acres of Specimen/Historic Tree Canopy Credit. The entire requirement is proposed to be met on-site, and no off-site woodland conservation is proposed.

Recently a portion of the Melford site, which is included in the boundaries of the TCP1, was transferred to the federal government for construction of the National Holocaust Museum warehouse facility, and is no longer subject to the local WCO. The area of the transferred property shall be deducted from the net tract area, similarly to the way other federal sites in the Melford development are handled, and no woodland conservation can be credited on property owned by the federal government.

The calculation of net tract area needs to be revised in the woodland conservation worksheet to show that Lot 2, in Pod 7, which is 7.61 acres in area, has been purchase by the U.S. Government, and is no longer subject to local woodland conservation requirements. Federal projects are subject to review by the Maryland State Forest Service for compliance with the Clean Water Act. This acreage should be added to the list of "Previously Dedicated Land" in the Woodland Conservation Summary Table, and woodland preservation should no longer be credited on Lot 2. Affected plan sheets, calculations and tables shall be adjusted to reflect this change.

The TCP1 plan also show preservation and afforestation proposed on the 1.13-acre cemetery and environmental setting, although the ownership of the cemetery has not been determined and the cemetery is not a part of this PPS. Any crediting of woodland conservation area within the cemetery environmental setting can only occur with the consent of the owner. The woodland within the environmental setting shall be indicated as "woodland retained – not credited, and no afforestation should be shown with the approval of the TCP1.

Staff has reviewed the TCP1 and determined that the use of “opportunity areas for regeneration” is not an appropriate methodology in the location proposed on this site. All areas shown as “opportunity areas” shall be eliminated and instead shown as afforestation reforestation areas, and “opportunity areas” shall be eliminated from the legend.

The TCP1 shows woodland conservation being provided on property currently owned by M-NCPPC. Written permission from the Department of Parks and Recreation is required, and the amount of woodland conservation provided on M-NCPPC shall be clearly demonstrated on the plan.

The TCP1 requires technical revisions to be in conformance with the applicable Woodland Conservation Ordinance, Environmental Planning Section policies and the Environmental Technical Manual prior to certification of the PPS.

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

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

After consideration has been given to the preservation of the specimen or historic trees and there remains a need to remove any, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Subtitle 25 provided all the required findings in Section 25-119(d) can be met and the request is not less stringent than the requirements of the applicable provisions of COMAR. An application for a variance must be accompanied by a Letter of Justification stating the reasons for the request and how the request meets each of the required findings.

The NRI and TCPI indicates that there are 44 specimen trees located on the TCP1, all are located outside of the environmental setting of the historic site. A Subtitle 25 variance application for the twelve specimen trees proposed for removal was submitted along with a Statement of Justification, and will be evaluated below.

The TCP1 indicates that there are forty “historic” trees located within the environmental setting for the Melford historic site (#71B-016) listed on a separate “Historic Tree Table.” No historic trees are proposed for removal. The applicant has requested Specimen /Historic Tree Canopy Credits for 2.75 acres of critical root zone (CRZ) area, which is credited at a rate of two square feet of woodland conservation credit for every one-square-foot of the CRZ area, resulting in credits for 5.50 acres of woodland conservation.

The Historic Tree Table does not address individual trees located within the environmental setting of the Cemetery (#71B-016), although the area is proposed to be credited as preservation and afforestation/reforestation. Because the ownership of the cemetery is unknown at this time, and not under the control of the applicant, the cemetery should be shown as “woodland retained - not credited.” The applicant has also credited afforestation/reforestation achieved through natural regeneration on the cemetery environmental setting. The applicant cannot credit woodland conservation on property they don’t control without the consent of the owner, and any planting within an environmental setting is further subject to a Historic Area Work Permit.

The Environmental Planning Section (EPS) and the Historic Preservation Section are concerned that some vegetation removal in the cemetery is appropriate to protect and conserve the existing

gravesites. Under the current situation of unknown ownership, no credit can be given for woodland conservation located within the environmental setting.

#### **Subtitle 25 Variance for the Removal of Specimen, Historic or Champion Trees**

A Subtitle 25 Variance Application and a statement of justification for the removal of twelve specimen trees located in Melford Village was received by the Development Review Division on October 5, 2016. A total of 44 specimen trees have been identified on-site, within the boundary of this PPS, including the Melford Historic Site.

The specimen trees proposed for removal are those indicated in the table below:

| ID | Common Name/<br>Scientific Name                 | DBH<br>(inches) | Condition Score/<br>Condition Rating |           | Comments         | Proposed<br>Disposition |
|----|---|-----------------|--------------------------------------|-----------|------------------|-------------------------|
| O  | Yellow poplar<br><i>Liriodendron tulipifera</i> | 32              | 23                                   | Fair      |                  | Removal                 |
| P  | Pitch pine<br><i>Pinus rigida</i>               | 43              | 26                                   | Good      |                  | Removal                 |
| Q  | Elm sp.<br><i>Ulmus sp.</i>                     | 37              | 20                                   | Poor      |                  | Removal                 |
| R  | Elm sp.<br><i>Ulmus sp.</i>                     | 44              | 21                                   | Poor      |                  | Removal                 |
| S  | Elm sp.<br><i>Ulmus sp.</i>                     | 33              | 20                                   | Poor      |                  | Removal                 |
| T  | Elm sp.<br><i>Ulmus sp.</i>                     | 35              | 12                                   | Very poor | Declining health | Removal                 |
| U  | Elm sp.<br><i>Ulmus sp.</i>                     | 35              | 21                                   | Poor      |                  | Removal                 |
| V  | White ash<br><i>Fraxinus americana</i>          | 30              | 19                                   | Poor      |                  | Removal                 |
| Y  | Elm sp.<br><i>Ulmus sp.</i>                     | 32              | 18                                   | Poor      |                  | Removal                 |
| Z  | Black Walnut<br><i>Juglans nigra</i>            | 36              | 23                                   | Fair      |                  | Removal                 |
| AA | Yellow poplar<br><i>Liriodendron tulipifera</i> | 32              | 27                                   | Good      |                  | Removal                 |
| BB | Sycamore<br><i>Platanus occidentalis</i>        | 41              | 27                                   | Good      |                  | Removal                 |

The statement of justification submitted describes the need for a developable area to meet the anticipated development pattern of the M-X-T Zone, and the condition of many of the trees as the main reasons for their removal. Nine of the trees identified are in very poor to fair health, with three being in good health. The trees are basically in two geographical areas of the property.

Nine of the trees are located in close proximity (less than 200 feet) to the Melford historic site, although none are located within the environmental setting. Three of the trees are located within the required Type “E” bufferyard (minimum building setback of 60 feet in width, with a minimum landscaped yard of 50 feet, and in poor to very poor condition. Five of the trees located outside the bufferyard are in very poor to fair health. Due to the stress of construction and the development density proposed would be unlikely to thrive. The remaining specimen tree located approximate 200 feet west of the Melford environmental setting is a 43-inch DBH pitch pine in an area proposed for commercial/retail development. While its construction tolerance is moderate to good, the mass grading and fill proposed for development of the site would significantly

change the elevation of the area, and its retention is not compatible within the desired pattern of development.

The remaining three specimen trees proposed for removal are located near to a riparian buffer in the northeast section of the development, where large multifamily development is proposed. One of the trees, a 36-inch DBH black walnut is in poor condition and not good candidate for retention. One tree is a 32-inch tulip poplar in good condition, but is a species that is known to have poor construction tolerance due to its tuberous roots, and is also not a good candidate for retention. The remaining tree is a 41-inch DBH sycamore in good condition, which is generally tolerant to construction. Retention of this tree is not feasible in its current location because of the large footprints and mass grading required for the scale of building proposed, which requires a grading cuts of ten to fifteen feet within the vicinity of the tree.

Section 25-119(d) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the removal of on-site specimen trees.

**(A) Special conditions peculiar to the property have caused the unwarranted hardship**

The statement of justification indicates that the preservation of the twelve identified specimen trees for which this variance is requested is not feasible due to mass grading necessary to fulfill the desired development pattern of the M-X-T Zone. Nine of the trees are in declining health (O, Q, R, S, T, U, V, Y, and Z) or construction intolerant and would be unlikely to survive construction activities. The retention of the three other specimen trees (P, AA and BB) is not feasible due to their location where extensive cut or fill is required for development of the site. Staff finds that the redesign of the site to retain two specimen trees would pose an unwarranted hardship on the development of the site.

**(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas**

The statement of justification states that the expectation to retain all specimen trees on the site would prevent the applicant from utilizing the developable area of the proposed in accordance with M-X-T zoning granted to the project, and with the expectations of the General Plan and applicable Master Plan. Staff agrees that strict enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

**(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants**

The statement of justification states that the applicable Zoning Ordinance development requirements are in effect for M-X-T property, and that no special privilege would be conferred by granting the variance. All applicants have the right to request a variance to remove specimen trees should they prove special circumstances exist that merit their removal.

Staff agrees that the requested variance for the removal of specimen trees does not confer any special privilege beyond that granted by the zoning of the property, and the development proposed is in accordance with all other development requirements.

**(D) The request is not based on conditions or circumstances which are the result of actions by the applicant**

The statement of justification indicates that the presence and location of specimen trees is the result of actions by the applicant, and that the existing conditions and circumstances on the site are also not the result of actions by the applicant. Staff finds that the need for the variance is largely based on the existing conditions of the site and the health of trees, and is not the result of actions by the applicant.

**(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property**

The statement of justification indicates that the request to remove the specimen trees is not related to a land or building use on a neighboring property. Staff agrees that the request to remove the trees does not arise from any condition on a neighboring property.

**(F) Granting of the variance will not adversely affect water quality**

The statement of justification states that stormwater management will be provided and water quality will be addressed in accordance with County guidelines. Staff agrees that water quality will not be adversely impacted if the site is developed in accordance with county water quality regulations.

Staff recommends approval of the Section 25-122(b)(1)(G) variance request for twelve specimen trees (O, P, Q, R, S, T, U, V, Y, Z, AA and BB) based on the above discussion.

**Noise Impacts and Mitigation**

Policies contained in the General Plan call for the reduction of adverse transportation noise impacts to meet State of Maryland noise standards. Noise is generally regulated along roads with a classification of arterial or higher, where residential uses are proposed because these roadways carry traffic that results in noise levels above 65 dBA Ldn. The Melford Villages development is located in the northeast quadrant of the intersection of two roadways classified as freeways.

Robert Crain Highway (US 301) is an existing source of traffic-generated noise, and a master planned freeway (F-10). Using the EPS Noise Model and applying a traffic count at build-out of 72,949 and a traffic speed of 55 mph, the anticipated ground floor 65 dBA Ldn noise contour would lie approximately 470 feet from the center line of US 301.

John Hanson Highway (US 50) is an existing source of traffic-generated noise, and a master planned freeway (F-4). Using the EPS Noise Model and applying a traffic count at build-out of 120,680 and a traffic speed of 65 mph, the anticipated ground floor 65 dBA Ldn noise contour would lie approximately 869 feet from the center line of US 301.

The located of these conservative noise contours was plotted on the TCP1 to evaluate potential impacts areas to residential uses, which were not previously evaluated on the development site due to the prior zoning categorization.

The 65 dBA noise contour related to US 50 falls just south of the boundary of the current development proposal, basically running along Melford Boulevard. Just north of Melford Boulevard the plan proposes single-family attached units which are outside of the 65 dBA contour. In conjunction with the lower topography of the adjacent roadway and intervening

buildings providing additional shielding, no noise mitigation measures are recommended.

The 65 dBA noise contour related to US 301 runs parallel to the freeway on the western portion of the property, approximately 1,100 feet from closest residential units in the current development proposal. No noise impacts are indicated, and noise mitigation measures are not recommended.

### **Sediment and Erosion Control**

Prior to grading of the site, the county requires the approval of an Erosion and Sediment Control Plan. The Tree Conservation Plan must reflect the ultimate limits of disturbance not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including Erosion and Sediment Control measures. A Concept Grading, Erosion and Sediment Control Plan (CSC#186-16)F was approved by the Prince George's Soil Conservation District on June 30, 2016 and is valid until June 30, 2019.

An Erosion and Sediment Control Concept Plan must be submitted at time of PPS so that the limits of disturbance for the project can be verified as shown on the TCP. A copy of the approved Erosion and Sediment Control Concept Plan will be required prior to certification of the PPS.

### **Soils**

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

This information is provided for the applicant's benefit, and may affect the architectural design of structures, grading requirements, and stormwater management elements of the site. DPIE may require a soils report in conformance with County Council Bill CB-94-2004 during the permit process review.

### **Summary**

The Environmental Planning Section recommends approval of PPS 4-16006 and revised Type I Tree Conservation Plan, TCPI-044-98-05, subject to conditions.

3. **Community Planning**—As of the writing of this staff report, the final Community Planning memorandum has not yet been received, and will supersede the memorandum of November 22, 2016 (D'Ambrosi to Ferrante).
4. **Parks and Recreation**—The Department of Parks and Recreation (DPR) has reviewed the PPS for conformance with the requirements of the Basic Plan A-9401, Conceptual Site Plan CSP-06002, the 2006 Bowie and Vicinity Master Plan and SMA, the Land Preservation and Recreation Program for Prince George's County, the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space, the "Prince George's County Subdivision Regulations (Subtitle 24)" regulations as they pertain to public parks and recreation and facilities.

### **Findings:**

The applicant is proposing mixed use of residential and commercial uses on the site, including 205 townhouses, 88 two-family attached units and 1,500 multifamily dwelling units. Section 24-134 of the Prince George's County Subdivision Regulations requires the mandatory dedication of 11 acres of land suitable for active and passive recreation to serve

the proposed development. However, Section 24-134(a)(3)(D) of the Subdivision Regulations also states that any resubdivision of property on which land was previously dedicated or fee in lieu paid, the applicant shall be credited to the extent that the land dedication or fee would otherwise be required upon such resubdivision.

The mandatory dedication requirement of Section 24-134 of the Subdivision Regulations has been previously met for this property by the dedication of 96.5 acres of land adjacent to this subdivision. The land that was dedicated is suitable for active and passive recreation.

In addition, Condition 29 of SP-06002 sets up the framework for the applicant to construct the master plan trail and trailhead facilities on dedicated parkland, contribute \$250,000 for the design and construction of the Green Branch Athletic Complex located in close proximity to the subject development, and provide on-site private recreational amenities, including open plazas, courtyards, pocket parks, three clubhouses with outdoor pools, and an amphitheater.

5. **Trails**—The PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements. Because the site is located in the Bowie Gateway Center, it is subject to the requirements of Section 24-124.01 and the “Transportation Review Guidelines, Part 2, 2013” at the time of PPS.

Type of Master Plan Bikeway or Trail

|                   |          |                           |          |
|-------------------|----------|---------------------------|----------|
| Municipal R.O.W.* | <u>X</u> | Public Use Trail Easement | _____    |
| PG Co. R.O.W.*    | _____    | Nature Trails             | _____    |
| SHA R.O.W.*       | _____    | M-NCPPC – Parks           | <u>X</u> |
| HOA               | <u>X</u> | Bicycle Parking           | <u>X</u> |
| Sidewalks         | <u>X</u> | Trail Access              | _____    |

\*If a Master Plan Trail is within a city, county, or state right-of-way, an additional two - four feet of dedication may be required to accommodate construction of the trail.

**Review Comments (Master Plan Compliance and Prior Approvals)**

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the area master plan identify two master plan trail corridors that impact the subject site, as shown on the plan maps for the MPOT and area master plan. A trail is shown along the Patuxent River corridor that will potentially connect to existing and planned parkland both to the north and south, and, a connector trail is shown linking the future development on the Melford site with the stream valley trail along the Patuxent.

The MPOT also includes a complete streets element that contains several policies related to accommodations for bicyclists and pedestrians along new road construction. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

**Policy 1:**

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



**Policy 2:**

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

The area master plan and MPOT recommend two master plan trails that impact the subject property. As noted above, a stream valley trail is recommended along the Patuxent River, and one trail connection is shown linking the Melford site with the trail along the Patuxent River. The submitted PPS includes the M-NCPPC Stream Valley Trail along much of the length of the Patuxent River along the subject site and two trail connections are included that link the proposed development with the master plan trail. The Conceptual Pedestrian Network Plan shows the stream valley trail extending south through the site to Marconi Drive, where it apparently continues as a sidewalk to the southern property edge. The extension of the trail the entire length of the stream valley is recommended.

The previously approved CSP-06002/01 (Declaration of Finality) included the following conditions of approval related to bicycle and pedestrian access:

**2. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:**

- c. Revise the CSP to graphically show the conceptual location of the proposed pedestrian connection between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section of Bowie.**

This sidewalk connection will be the required off-site improvement required pursuant to Section 24.124.01 of the Subdivision Regulations. The off-site improvement was proffered in the bicycle pedestrian impact statement (BPIS) and is currently being coordinated with the City of Bowie and State Highway Administration (SHA). This sidewalk should be consistent with the street sections approved for Melford.

**3. Prior to certificate of approval of the conceptual site plan (CSP), the Melford Village Design Guidelines (Guidelines) shall be revised as follows:**

- f. A note shall be added to the Street Sections section (page 19) indicating that it shows conceptual street sections that are subject to final approval with the preliminary plan of subdivision.**
- g. Provide language at the bottom of the Street Sections section on page 19 to state that the appropriateness of shared lane markings (sharrows) will be evaluated at the time of preliminary plan of subdivision subject to the approval of the City of Bowie.**

Street cross sections and the applicability of sharrows has been evaluated with the City of Bowie and the applicant has made the recommended changes. As shown on the pedestrian exhibit map, Shared-lane Markings are proposed along New Road "A", New Road "C" and a portion of Melford Boulevard.

**4. At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:**

- e. **Evaluate the provision of a circulator shuttle bus service or route throughout Melford, to/from adjacent or nearby employers, commuter bus lots, and future stations and/or mass transit.**

As requested, the applicant has submitted a Pedestrian Network exhibit that shows the proposed sidewalk network, trails, and on-road bicycle facilities. This exhibit also shows proposed public school bus stop locations, as requested by Prince George's County Public Schools staff. The Applicant has also submitted copies of their correspondence with WMATA concerning the feasibility of public bus service within the property.

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

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

Adequate pedestrian scale lighting will be evaluated as part of the DSP.

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

Sidewalks are reflected along both sides of all internal roads. Wide sidewalks are provided along commercial areas and other areas of higher density. Trails and on-road bicycle facilities supplement the sidewalk network. The street sections have been reviewed and approved by the City of Bowie, which will serve as the operating agency for the internal roads.

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

Pedestrian safety features, bicycle parking, and other amenities will be addressed at the time of details site plan.

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

A trail is proposed along the Patuxent River stream valley, including the area of the Lower Pond. Two trail connections are reflected on the submitted plans that connect the development site to the stream valley trail. In addition to the trail connections, a comprehensive network of sidewalks is reflected and a partial grid street network is proposed, further enhancing and promoting pedestrian access. Staff and the City of

Bowie recommended one additional trail connection linking the lower pond with the upper pond, and this has been added by the applicant to the Pedestrian Network exhibit.

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

This connection will be coordinated with the appropriate road agencies and the City of Bowie at the time of PPS, per Section 24-124.01 of the Subdivision Regulations. This off-site improvement has been the subject of discussion between the City of Bowie and SHA and final design drawings are recommended by the time of DSP.

As indicated by the prior conditions of approval, County Council Resolution CR-11-2006 contained a number of design standards and guidelines related to the Melford property. Standards and guidelines pertaining to trail or pedestrian access are provided below:

- (3) **The Conceptual Site Plan shall have an integrated network of streets, sidewalks (on all streets), and open space, public or private, and shall give priority to public space and appropriate placement of uses.**
- (5) **The community shall contain additional linked open space in the form of squares, greens, parks, and trails that are accessible, safe and comfortable. The open space should provide a variety of visual and physical experiences. Some of these open spaces should be bordered by buildings and be visible from streets and buildings.**
- (29) **Community recreational facilities shall take full advantage of environmental features on and adjacent to the property, and shall include extensive trail and boardwalk systems. These recreational facilities may also include educational features for the general public and public schools, such as kiosks along the trails, boardwalks at observation points, and education stations, with curriculum available to schools for use in specific locations.**
- (30) **The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.**

The submitted PPS appears to be consistent with the above referenced standards and guidelines. A comprehensive network of sidewalks is proposed, as is the master plan trail along the Patuxent River and connections to the master plan trail from the proposed development. Additional areas of open space also appear to be provided, as well as various plazas and urban parks, as indicated on the “green network” exhibit. The open space appears to be accessible and visible from adjacent roadways and buildings, and the sidewalk network appears to provide pedestrian access throughout the site and to all appropriate destinations.

The subject application includes sidewalks on both sides of the internal roads and several internal trail/bike connections, in addition to the master plan trail. The trail along the Patuxent River corridor is shown, as two connections from both the north and south ends

of the development. These connections meet the intent of the master plan recommendations. A modified grid road network is being proposed which appears to accommodate relatively small block sizes and include sufficient crossing opportunities for pedestrians. In addition to the proposed network of sidewalks, pedestrian access is further supplemented by the stream valley trail, the trail around the pond, and the proposed trail/bike routes.

**Proposed On-Site Bicycle and Pedestrian Improvements:**

Standard or wide sidewalks are proposed along both sides of all internal roads. Shared-lane markings are proposed along several roads, and a condition of approval has been recommended for the expansion of this bicycle network on the site. Trails supplement the sidewalk network by providing paths in a more park like setting around stormwater management ponds and on dedicated parkland. The street sections have been reviewed and approved by the City of Bowie, which will serve as the operating agency for the internal roads. One additional trail segment between the master plan trail and the existing trail around the “lower” pond has been recommended by staff and the City of Bowie and the applicant has incorporated this connection into the plans.

**Review of the Bicycle and Pedestrian Impact Statement (BPIS) and Proposed Off-Site Improvements:**

Due to the location of the subject site within a designated corridor, the application is subject to CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Section 24-124.01(c) includes the following guidance regarding off-site improvements:

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights-of-way.**

County Council Bill CB-2-2012 also included specific guidance regarding the cost cap for the off-site improvements. The amount of the improvements is calculated according to Section 24-124.01(c):

**The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.**

Based on the proposed 124,500 square feet of retail, 100,000 square feet of office space, 135,000 square feet of medical office space and approximately 1,800 dwelling units, the site has a cost cap of \$665,825.

Section 24-124.01 also provided specific guidance regarding the types of off-site bicycle and pedestrian improvements that may be required, per Section 24-124.01(d):

**(d) Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**

- 1. installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
- 2. installing or improving streetlights;**
- 3. building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**
- 4. providing sidewalks or designated walkways through large expanses of surface parking;**
- 5. installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
- 6. installing street trees.**

A scoping agreement meeting was held with the applicant in March 2016. The requirements of Section 24-124.01, the “Transportation Review Guidelines, Part 2, 2013” and possible off-site improvements were discussed at that time. Sidewalk access along Melford Boulevard/Belair Drive was identified as the primary off-site pedestrian need. This sidewalk will serve as a connection from the existing portion of the City of Bowie to the subject site and will provide pedestrian access under the MD 3 interchange with Belair Drive. The City of Bowie has supported this improvement. A meeting was held with the City of Bowie on August 30, 2016 and it was confirmed at this time that the applicant has been working with both the City of Bowie and SHA on planning for this needed off-site improvement. The necessary BPIS was submitted on June 1, 2016 and the following off-site improvements were proffered:

- a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane.
- b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.
- c. Remove the roundabout at the intersection of Melford Boulevard and Science Drive and construct a signal with signalized pedestrian crossings that meet current standards.

Staff supports the proffered improvements as a way to calm traffic along this segment of road and provide a pedestrian connection between the proposed development and the existing development in the City of Bowie. It was further noted in the BPIS that while a cost estimate has not been finalized for this work, it is estimated to cost approximately \$500,000, which is within the cost cap.

Section 24-121.01(f) of the Subdivision Regulations explains how the improvements can be determined and finalized at the time of detailed site plan.

- (f) **If a conceptual or detailed site plan approval is required for any development within the subdivision, the developer/property owner shall include, in addition to all other required information in the site plan, a pedestrian and bikeway facilities plan showing the exact location, size, dimensions, type, and description of all existing and proposed easements and rights-of-way and the appurtenant existing and proposed pedestrian and bikeway facilities throughout the subdivision and within the designated walking or biking distance of the subdivision specified in Subsection (c) of this Section, along with the location, types, and description of major improvements, property/lot lines, and owners that are within fifty (50) feet of the subject easements and rights-of-way.**

The Transportation Planning Section recommends that at the time of DSP, that an exhibit be provided showing the locations, limits, specifications and details of all off-site improvements.

**Demonstrated nexus between the subject application and the off-site improvements:**

Section 24-124.01(c) requires that a demonstrated nexus be found with the subject application in order for the Planning Board to require the construction of off-site pedestrian and bikeway facilities. This section is copied below, and the demonstrated nexus between each of the proffered off-site improvements and the subject application is summarized below.

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

**Demonstrated Nexus Finding:**

The proffered off-site improvements along Melford Boulevard and Belair Drive will consist of sidewalk construction, traffic calming, and the reconfiguration/elimination of some of the ramps and traffic circles near the MD 3 interchange. These improvements will provide a complete pedestrian connection between the subject site and the existing residential community in the City of Bowie west of MD 3. This sidewalk will serve the future residents and employees by providing one sidewalk connection between the Melford development and the City of Bowie.

**Finding of Adequate Bicycle and Pedestrian Facilities:**

Section 24-124.01 requires that the Planning Board make a finding of adequate bicycle and pedestrian facilities at the time of PPS. More specifically, Section 24-124.01(b)(1) and (2) includes the following criteria for determining adequacy:

- (b) **Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**

1. **The finding of adequate public pedestrian facilities shall include, at a minimum, the following criteria:**
  - A. **The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area; and**
  - B. **The presence of elements that make is safer, easier and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield lines, “bulb out” curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage. (These elements address many of the design features that make for a safer and more inviting streetscape and pedestrian environment. Typically, these are the types of facilities and amenities covered in overlay zones).**

Currently no sidewalk access exists between Melford and the City of Bowie. The development is separated from the municipality by a high-speed road and an interchange involving ramps and multiple turning movements. Due to the width and design of Melford Boulevard at this location, automobile traffic travels at a high rate of speed, further discouraging bicycle and pedestrian movement. The proffered package of off-site improvements will provide this missing sidewalk connection, as well as incorporate features designed to calm traffic and make the road more accessible and inviting to pedestrians. In addition to the sidewalk, the applicant will be removing one traffic circle, removing the channelized northbound movement, and providing pedestrian signals as needed. These improvements will make it so that Melford will be accessible by pedestrians from the City of Bowie. The proffered off-site improvements meet the intent of Section 24-124.01 and these adequate pedestrian facilities will serve to connect the subject site with the municipality. Internal to the site, standard or wide sidewalks will be provided along both sides of all internal roads. The existing trail around the “lower pond” will be connected to the master plan trail along the Patuxent River with an on-road trail connection, as shown on the Pedestrian Network Exhibit. Staff concludes that the sidewalks and trails provided on-site and the package of off-site improvements will provide adequate pedestrian facilities for the subject site.

2. **The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:**
  - A. **the degree to which bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area;**
  - B. **the presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**

- C. **the degree to which protected bike lanes, on-street vehicle parking, medians or other physical buffers exist to make it safer or more inviting for bicyclists to traverse the area; and**
- D. **the availability of safe, accessible and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.**

A network of on-road bicycle facilities is also proposed for the subject application. Per the direction of the City of Bowie, shared-lane markings are proposed along New Road “A” and New Road “C.” These facilities will connect to the existing signed bicycle routes already implemented by the City of Bowie and will provide access through the site to the master plan trail along the Patuxent River. Shared-lane Markings are also recommended by staff and the City of Bowie along Melford Boulevard, Currie Drive and Science Drive. Supplementing the on-road bike routes will be the trail along the Patuxent River and the existing trail around the “lower pond”. In conjunction with the planned sidewalk network, these facilities will serve to accommodate non-motorized modes and meet the intent of Section 24-124.01 for the provision of adequate bicycle facilities.

6. **Transportation**—The property consists of approximately 129.15 acres of land in the M-X-T Zone (Mixed Use-Transportation) which is a part of a larger Maryland Science and Technology Center (total of 466 acres) in conjunction with Zoning Map Amendment A-9401, Conceptual Design Plan CDP-8601, PPS’s 4-88030, 4-98706, 4-02093 and 4-07055, and Comprehensive Site Plan CSP-06002-01. The submitted traffic study evaluated the impact of up to 1,800 residential units, (300 townhomes and 1,500 multifamily), 125,000 square feet of retail, 135,000 square feet of medical office, and 100,000 square feet of general office space to be located on the proposed parcels and lots.

#### **Growth Policy - Service Level Standards**

The subject property is located within a Local Center in the Transportation Service Area (TSA) 2, as defined in the *Plan Prince George’s 2035 Approved General Plan*. As such, the subject property is evaluated according to the following standards:

**Links and signalized intersections:** Level of Service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.

**Un-signalized intersections:** The procedure for un-signalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, this is deemed to be an unacceptable operating condition at un-signalized intersections. In response to such a finding, the Planning Board has

#### **The Site ‘s Projected AM/PM Peak-Hour Traffic**



The required adequacy findings for transportation facilities for this PPS are based on the projected number of AM and PM weekday peak hour vehicle trips. Using the applicable trip generation rates contained in the Guidelines and the recommended rates contained in the latest edition of the *Trip Generation Manual* (Institute of Transportation Engineers), the net buildout peak hour vehicle trips for each phase are presented in the table below:

| Proposed Use   | AM Peak Hour      |                   | PM Peak Hour      |                    |
|--|-------------------|-------------------|-------------------|--------------------|
|  | IN                | OUT               | IN                | OUT                |
| <b>Residential</b>   |                   |                   |                   |                    |
| 300 townhouse units  | 42                | 168               | 156               | 84                 |
| 1,500 multifamily units  | 156               | 624               | 315               | 900                |
| Less internal capture*   | -9                | -36               | -53               | -30                |
| <b><i>Residential New Trips</i></b>  | <b><i>189</i></b> | <b><i>739</i></b> | <b><i>418</i></b> | <b><i>954</i></b>  |
| <b>Office</b>  |                   |                   |                   |                    |
| 100,000 sq. ft. general office   | 180               | 20                | 35                | 150                |
| 135,000 sq. ft. medical/Professional office  | 311               | 74                | 162               | 351                |
| Less internal capture  | -28               | -8                | -11               | -17                |
| <b><i>Office New Trips</i></b>   | <b><i>463</i></b> | <b><i>86</i></b>  | <b><i>186</i></b> | <b><i>484</i></b>  |
| <b>Retail</b>  |                   |                   |                   |                    |
| 124,500 sq. ft. retail   | 110               | 68                | 333               | 361                |
| Less internal capture  | -17               | -10               | -37               | -91                |
| Less pass-by trips @ 40% **  | -37               | -23               | -116              | -123               |
| <b><i>Retail New Trips</i></b>   | <b><i>56</i></b>  | <b><i>35</i></b>  | <b><i>178</i></b> | <b><i>184</i></b>  |
| <b><i>Total Net New Trips</i></b>  | <b><i>708</i></b> | <b><i>860</i></b> | <b><i>782</i></b> | <b><i>1622</i></b> |
| <b>Notes:</b><br>* Internal Trip Capture refers to reduction from trip generation number to account for capture of peak hour trips that will travel from one land use to another within a mixed-use development without impact the critical intersections.<br>**Pass-by trip reduction refers to credit reduction for trip made to a commercial site, from already “passing by” that site on an adjacent street that contains direct access to the site. |                   |                   |                   |                    |

As indicated, the proposed development at full buildout is projected to generate 1,568 (708 inbound, 860 outbound) and 2,404 (782 inbound, 1,622 outbound) new vehicle trips during the AM and PM Peak hours, respectively.

### **Traffic Study Review and Findings**

The submitted and revised traffic study report (September 27, 2016) includes analysis of all required intersections as outlined on the scoping agreement. Following the staff’s preliminary review for sufficiency, the revised study was referred to the Maryland State Highway Administration(SHA), The County, and the City of Bowie for review and comments.

The findings and recommendations outlined below are based upon a review of the revised study and written comments provided by the reviewing agencies, as well as additional analyses conducted by staff, consistent with the Guidelines.

### Existing Conditions

Pursuant to the scoping agreement, the traffic impact study identified the following intersections as the critical intersections, with existing traffic conditions for each analysis period is summarized within the table below:

| EXISTING CONDITIONS   |             |             |
|---|-------------|-------------|
| Intersection  | AM          | PM          |
|   | (LOS/CLV)   | (LOS/CLV)   |
| MD 3 & MD 450   | F/1713      | E/1593      |
| Belair Drive & Ramp from MD 3 Southbound  | A/438       | A/343       |
| Belair Drive & Ramps to/from MD 3 Northbound  | A/228       | A/454       |
| US 301 & Gov. Bridge Road-Harbor Way  | B/1096      | D/1333      |
| Melford Boulevard & Science Drive (Existing Roundabout) *   | 0.255 (v/c) | 0.219 (v/c) |
| Curie Drive & Science Drive (Existing Roundabout) *   | 0.033 (v/c) | 0.061 (v/c) |
| Melford Boulevard & Curie Dr. (Planned Roundabout) *  | N/A         | N/A         |
| * In analyzing roundabouts, per the "Guidelines" the calculated v/c ratio is considered adequate if it is less than or equal to 0.85. |             |             |

### Background Conditions

As required, the background condition evaluates the anticipated background traffic with existing and programmed transportation infrastructure and improvements that are 100 percent funded, or bonded and permitted for construction. The background traffic combines growth in existing traffic volumes attributable to development outside the study area with traffic that would be generated by approved but not yet built developments within the study area. A review of the historical SHA traffic volume maps indicates that major roadways in the immediate vicinity of the site have experienced less than one percent growth per year over the last nine years.

Therefore, staff concurs with the conservative use of one percent per year growth rate for six years applied to the existing traffic counts along MD 3 and US 50/301.

The traffic study also identified several approved and vested background developments within Melford whose impact would affect some or all of the study intersections. All of these background developments are not completely built, or are at various levels of occupancy. These background developments are approved under the following applications:

- SDP-0104
- SDP-0201
- SDP-0203/01
- SDP-0402
- DSP-06096
- DSP-07072
- DSP-07031
- SDP-0405

The results of background traffic conditions for each analysis period is summarized within the following table:

| <b>BACKGROUND CONDITIONS</b>  |             |             |
|---|-------------|-------------|
| Intersection  | AM          | PM          |
|   | (LOS/CLV)   | (LOS/CLV)   |
| MD 3 & MD 450   | F/1977      | F/1825      |
| Belair Drive & Ramp from MD 3 Southbound  | A/751       | A/504       |
| Belair Drive & Ramps to/from MD 3 Northbound  | A/512       | A/889       |
| US 301 & Gov. Bridge Road-Harbor Way  | C/1293      | E/1507      |
| Melford Boulevard & Science Drive (Existing Roundabout) *   | 1.146 (v/c) | 0.871 (v/c) |
| Curie Drive & Science Drive (Existing Roundabout) *   | 0.322 (v/c) | 0.272 (v/c) |
| Melford Boulevard & Curie Dr. (Planned Roundabout) *  | N/A         | N/A         |
| * In analyzing roundabouts, per the "Guidelines" the calculated v/c ratio is considered adequate if it is less than or equal to 0.85. |             |             |

#### **Future Conditions:**

The total traffic condition represents a combination of background traffic and the projected traffic for proposed development at build out, as presented earlier. Using the site-generated trips, an analysis of total traffic conditions was done, and the following results were determined:

| <b>TOTAL CONDITIONS</b>   |             |             |
|---|-------------|-------------|
| Intersection  | AM          | PM          |
|   | (LOS/CLV)   | (LOS/CLV)   |
| MD 3 & MD 450   | F/2044      | F/1904      |
| Belair Drive & Ramp from MD 3 Southbound  | A/878       | A/667       |
| Belair Drive & Ramps to/from MD 3 Northbound  | A/629       | C/1185      |
| US 301 & Gov. Bridge Road-Harbor Way  | D/1338      | E/1570      |
| Melford Boulevard & Science Drive (Existing Roundabout) *   | 1.498 (v/c) | 1.98 (v/c)  |
| Curie Drive & Science Drive (Existing Roundabout) *   | 0.349 (v/c) | 0.289 (v/c) |
| Melford Boulevard & Curie Dr. (Planned Roundabout) *  | 0.77 (v/c)  | 0.793 (v/c) |
| Science Boulevard & Tesla Drive / Future Access   | A/909       | D/1387      |
| * In analyzing roundabouts, per the "Guidelines" the calculated v/c ratio is considered adequate if it is less than or equal to 0.85. |             |             |

#### **Staff Findings**

The results shown in the table above indicate there are three locations; one signalized intersection (MD 3 & MD 450), one existing unsignalized intersection (Science Boulevard & Tesla Drive), and one existing roundabout (Melford Boulevard & Science Drive), that would operate unacceptably under total traffic conditions.

The intersection of MD 3 & MD 450 is located within the MD 3-US 301 corridor where the use of mitigation (CR-29-1994) was allowed with prior adequacy findings. To that end, the traffic study evaluation includes several improvements including two specific improvements that were allowed and tested for approved mitigation in support of the CSP-06002 and subsequently for

CSP-06002-01. The carried forward improvements used in the proposed adequacy evaluation for the submitted PPS that have already been constructed by applicant as part of an approved mitigation package for the CSP 06002 and CSP-06002-01 are:

**MD 3 & MD 450 intersection**

Provision of a fourth northbound and southbound through lane.

**US 301 & Gov. Bridge Road / Harbor Way**

Provision of an exclusive left and right turn lanes and a shared through-left lane on westbound approach (Governor Bridge Road) along with needed modifications to the traffic signal.

These improvements that were already constructed by the applicant are projected to mitigate the site impact by more than 150 percent as required by the “Guidelines” at both locations.

In addition to the above noted improvements, the following improvements have been included in the evaluation calculations:

**Belair Drive:**

Provision of at least four traffic calming measures /devices per the City of Bowie standards and specification to mitigate the operational impact of projected additional 1,387 vehicle trips assigned to this roadway. While the project daily traffic volumes on this roadway are still well below the adequate range, this operational mitigation has been proffered to the City by the applicant.

**Melford Boulevard & Science Drive**

Convert the existing roundabout to a traditional four-legged signalized intersection, with the following lane configuration:

1. Provision of four travel-lanes on northbound approach (two lefts, a through, and a shared through-right) and on southbound approach (a left, two throughs, and a shared through-right), and
2. Provision of two travel-lanes on eastbound approach (a left and a shared left-through-right) and on westbound approach (a right, and a shared through-left).

In conjunction with this conversion and to mitigate any potential traffic operation deficiencies (inadequate weaving) it is necessary to reconfigure and signalize with a pedestrian crossing phase the US 50/301 eastbound exit ramp at its approach to Melford Boulevard such that all traffic, including the existing free right, are controlled by the proposed signal.

**Melford Boulevard & Tesla Dr. / Future Access Road**

Conversion from a stop-controlled to a full signal-controlled intersection.

**On-Site Circulation and Referral Agencies ‘Review Comments’**

Upon review of the applicant’s traffic study, staff agrees with its overall conclusion regarding the on-site road system being acceptable and able to accommodate the proposed development.

In addition to the planning staff, the study was reviewed by two other agencies, the State Highway Administration (SHA) and the Department of Public and Transportation (DPW&T) as well as the City of Bowie. Since most of the transportation facilities being impacted are under the jurisdiction of SHA, the DPW&T did defer to SHA on many of the operational issues associated with those intersections. All appropriate agencies’ review comments have been fully incorporated in staff findings and recommendations.

**Conformity to Approved Overall Trip Caps for Melford (CSP-06002 & CSP-06002-01)**

The overall approved trip caps for CSP-06002 are 4,498 AM peak hour vehicle trips and 4,475 PM peak hour trips. These trip caps include trips associated with development proposed for the Melford land area that were included by CSP-06002-01, as well as any existing/planned development on POD 6 - Lot 3 that was part of the original CSP-06002 but not CSP-06002-01. Excluding the projected trips for Pod 6 - Lot 3, the overall trips caps for CSP-06002-01 are estimated to be 3,971 AM peak hour trips, and 3,971 PM peak hour trips. The proposed development for this PPS (CSP Pods 1, 2, and 5) is projected to generate no more than 1,585 AM peak hour trips and 2,089 PM peak hour trips, which are well within the caps allowed by the Conceptual Site Plan.

Regarding the sufficiency of parking, this issue will be addressed at the time of DSP.

**Transportation Staff Conclusions**

Based on the required findings, the Transportation Planning Section has determined that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if approved with conditions.

7. **Schools—Residential Uses** -The Special Projects Section has reviewed this PPS for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003 and concluded the following:

**Impact on Affected Public School Clusters  
Multifamily Dwelling Units**

| Affected School Clusters<br># | Elementary School<br>Cluster 4 | Middle School<br>Cluster 4 | High School<br>Cluster 4 |
|-------------------------------|--------------------------------|----------------------------|--------------------------|
| Dwelling Units                | 1,500                          | 1,500                      | 1,500                    |
| Pupil Yield Factor            | 0.119                          | 0.054                      | 0.074                    |
| Subdivision Enrollment        | 178                            | 81                         | 111                      |
| Actual Enrollment             | 11,626                         | 4,454                      | 8,008                    |
| Total Enrollment              | 11,804                         | 4,535                      | 8,119                    |
| State Rated Capacity          | 14,216                         | 5,518                      | 9,389                    |
| Percent Capacity              | 83%                            | 82%                        | 86%                      |

### Single-Family Attached Units

| Affected School Clusters<br># | Elementary School<br>Cluster 4 | Middle School<br>Cluster 4 | High School<br>Cluster 4 |
|-------------------------------|--------------------------------|----------------------------|--------------------------|
| Dwelling Units                | 293 DU                         | 293 DU                     | 293 DU                   |
| Pupil Yield Factor            | 0.145                          | 0.076                      | 0.108                    |
| Subdivision Enrollment        | 42                             | 22                         | 32                       |
| Actual Enrollment             | 11,626                         | 4,454                      | 8,008                    |
| Total Enrollment              | 11,668                         | 4,476                      | 8,040                    |
| State Rated Capacity          | 14,216                         | 5,518                      | 9,389                    |
| Percent Capacity              | 82%                            | 81%                        | 86%                      |

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between Interstate 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$9,017 and \$15,458 to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved transit district overlay zone; or where there is no approved transit district overlay zone within a ¼ mile of a Metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the Approved Bowie State Marc Station Sector Plan and Sectional Map Amendment. The bill also established an exemption for studio or efficiency apartments that are located within the county urban centers and corridors as defined in §27A-106 of the County Code; within an approved transit district overlay zone; or where there is no approved transit district overlay zone then within a ¼ mile of a Metro station. This act is in effect from October 1, 2013 through September 30, 2018. The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

### Schools—Commercial Uses

The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a nonresidential use.

8. **Fire and Rescue**—The Special Projects Section has reviewed this PPS for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e) (1) (E) states that “A statement by the Fire Chief that the response time for the first due station near the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Northview Fire/EMS Co. 816, a first due response station (a maximum of seven (7) minutes travel time), is located at 14901 Health Center Drive.

“In the Fire/EMS Department’s Statement of Adequate Apparatus, as of May 15, 2016, the Department states they have developed an apparatus replacement program to meet all the service delivery needs of the County.”

#### **Capital Improvement Program (CIP)**

There are no CIP projects for public safety facilities proposed near the subject site.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure.”

#### **Fire and Rescue—Commercial Uses**

The Special Projects Section has reviewed this preliminary plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e) (1) (E) states that “A statement by the Fire Chief that the response time for the first due station near the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Northview Fire/EMS Co. 816, a first due response station (a maximum of seven (7) minutes travel time), is located at 14901 Health Center Drive.

“In the Fire/EMS Department’s Statement of Adequate Apparatus, as of May 15, 2016, the Department states they have developed an apparatus replacement program to meet all the service delivery needs of the County.”

9. **Police Facilities—Mixed-Use Residential:** The subject property is in Police District II, Bowie. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The PPS was accepted for processing by the Planning Department on October 28, 2016.

Based on the most recent available information provided by the Police Department as of December 2015, the police response time standards of 10 minutes for emergency calls and the 25 minutes for nonemergency calls are met.

**Commercial Uses:** The proposed development is within the service area of Police District II, Bowie. There is 267,660 square feet of space in all the facilities used by the Prince George’s County Police Department and the July 1, 2015 (U.S. Census Bureau) county population estimate is 909,535. Using the 141 square feet per 1,000 residents, it calculates to 128,244square feet of space for police. The current amount of space 267,660 square feet is within the guideline.

10. **Water and Sewer Categories—**Section 24-122.01(b)(1) states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2008 *Water and Sewer Plan* placed this property in Water and Sewer Categories 3, Community System Adequate for Development Planning, and will therefore be served by public systems. The property is within Tier 1 under the Sustainable Growth Act and will therefore, be served by public systems.

11. **Use Conversion**—The subject application is proposing the development of 205 townhomes, 88 two-over-two units, 1,500 multifamily dwelling units, and 359,500 square feet of commercial uses, (consisting of 124,500 square feet of retail and 235,000 square feet of office/medical office). If a substantial revision to the use on the subject property is proposed that affects Subtitle 24 adequacy and findings as set forth in the resolution of approval and the signature approved plan, a new preliminary plan of subdivision shall be required prior to approval of any building permits.
12. **Public Utility Easement (PUE)**—Section 24-122 of the Subdivision Regulations requires a public utility easement (PUE) along both sides of all public rights-of-way. The property's street frontage is along Melford Boulevard and Currie Drive which are recorded rights-of-way via plats NLP 152-16 and REP 211-66, and 10-foot-wide PUE's are recorded along those streets. These PUE's will be re-established with all new final plats. New Public Roads A through E are also proposed on the PPS, and the required 10-foot-wide PUE's along both sides of the public streets are not labeled on the PPS as required by Section 24-122 of the Subdivision Regulations and should be. The applicant will be required to revise the PPS to show the required 10-foot-wide PUE's along both sides of the public streets prior to signature approval of the PPS.

In accordance with the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the owner's dedication on the final plat:

“Utility easements are granted pursuant to the terms and provisions recorded among the Prince Georges County Land Records of Prince George's County in Liber 3703 at Folio 748.”

13. **Stormwater Management**—The City of Bowie has approval authority over Stormwater Management Concept plan for this site. Approval No. 01-114-207NE15, covering Pods 1, 2, 5 and portions of 7, was approved by the city manager on March 10, 2014, with an expiration date of March 10, 2017. In addition to the major “regional” facilities already constructed, the approved stormwater plan proposes stormwater management features such as micro-bioretenion and ESD elements.

The City of Bowie will review for conformance to the SWM concept plan and technical approval at the time of grading permit to ensure that development does not result in any on-site or downstream flooding. Development must be in conformance with that approved plan and subsequent approvals.

14. **Historic**—The Prince George's County Historic Preservation Commission reviewed the PPS application at its December 20, 2016 meeting. The Historic Preservation Commission voted 6-0-1 (the Chairman voted “present) in favor of the recommendation.

### **Findings**

The subject property includes the Melford Historic Site (71B-016). The associated cemetery is shown on the PPS but is not included. Built in the 1840s, Melford is a 2½-story brick plantation house of side-hall-and-double-parlor plan. The house is distinguished by a two-story, semicircular bay and a parapetted, double chimney at the south gable end. Attached to the north gable end is a lower kitchen wing built of brick and stone. The interior exhibits fine Greek Revival-style trim. The house was built by Richard Duckett and later was home to three generations of the Hardisty family. The bay and chimney configuration makes Melford House unique in Prince George's County. The associated grounds include several early outbuildings and terraced gardens, and there is a Duckett family burial ground on a nearby knoll to the northwest. The property is also



listed in the National Register of Historic Places.

The Melford and Cemetery Historic Site Environmental Setting is comprised of two parcels under different ownership. The house and associated outbuildings and gardens are owned by the applicant for PPS 4-16006, St. John Properties, and the cemetery parcel is owned by Marlborough CL Inc., a defunct corporation.

Approved by the District Council on March 25, 2015, Conceptual Site Plan CSP-06002-01 proposed four-story multifamily buildings to the east and south of the Melford Historic Site. The subject PPS proposes townhouses to the east and south of the Melford Historic Site that will have a front or side facing the historic site. Compared to CSP-06002-01, the current PPS proposes to site the townhouses further from the Melford House Environmental Setting to provide additional green space and buffering opportunities between the Historic Site and the proposed development to the south and east.

Townhouse units are proposed to the east of the Melford House in the viewshed area from the house to the Patuxent River. The substitution of the townhouse units will provide for a more open view to the east from the Melford House as the topography and housing units will step down from west to east. A road along the east side of the Melford House Environmental Setting shown on CSP-06002-01 has been removed and additional green space is proposed in that area. The Melford Village Plaza has been moved to the west so that it will be located adjacent to the northeast corner of the Melford House Environmental Setting. This will create more open space next to the Historic Site in that area and encourage pedestrian traffic around the historic site. Currie Drive has also been slightly reconfigured to accommodate the Village Plaza.

Conceptual Site Plan CSP-06002-01 proposed a senior living facility to the north of the Melford Historic Site. The site of that facility has been moved to the southeast of the Melford Historic Site. A detailed site plan, DSP-11018-02, Thrive at Melford Village, was reviewed by the Prince George's County Planning Board on September 29, 2016 and Planning Board Resolution No. 16-115 was adopted on October 13, 2016. The applicant now proposes a three-and-four-story, multifamily building to the north of Melford House. The bulk of the building will be stepped back to reduce the massing on the south side of the new construction facing the historic site.

Parallel parking will be provided along Melford Boulevard and will allow for parking opportunities for visitors to the Melford Historic Site. Therefore, a large parking lot will not be required within the Melford House Environmental Setting.

One-story retail buildings will be located to the west of the Melford Historic Site. The arrangement of the parking areas will provide a more open view to the west from the historic site.

Among those conditions approved by the District Council in its review of CSP-06002-01, the following are applicable to the subject PPS:

- 9. At the time of detailed site plan (DSP), the following design issues shall be addressed:**
  - b. Prior to the approval of any detailed site plan that includes a portion of the Melford and Cemetery Environmental Setting, in consultation with archeology staff, the applicant shall provide for additional public interpretation of the significance of archeological findings within the property. That public interpretation may take the form of**

**on-site signage, a printed brochure, public lectures or a website. The location and wording of any additional signage, brochure text, or website shall be subject to approval by the Prince George's County Planning Department staff archeologist.**

- d. Applicable DSPs that may affect the historic vista of the Melford and Cemetery Historic Site (71B-016) shall demonstrate that any portion of a proposed building either partially or fully within the designated view corridors established in Conceptual Site Plan CSP-06002-01 comply with the height requirements for buildings within the view corridors set forth in the design guidelines.**
- e. Prior to approval of any DSPs that include any portion of the Melford and Cemetery Historic Site (71B-016) environmental setting and impact review area, the applicant shall demonstrate that the scale, mass, proportion, materials, and architecture for new construction in the proposed northwest and southwest neighborhoods appropriately relate to the character of the historic site.**

Condition 9 will need addressed at the time of DSP.

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

The applicant should correct notations on all plans to include the following text "Melford and Cemetery Environmental Setting (Historic Site 71B-016)." The impact review area is not clearly visible on the PPS or the Tree Conservation Plan. A condition has been recommended with the subject application to require this revision prior to signature approval of the PPS and TCPI.

- 14. Prior to Planning Board approval of the first detailed site plan for development in the northwest or southwest neighborhood of Melford Village, the applicant in the historic area work permit process shall submit a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford and Cemetery Historic Site. The Historic Preservation Commission shall review and approve the plan and timetable through the Historic Area Work Permit (HAWP) process.**
- 15. In the detailed site plan for the development of the Melford Historic Site (71B-016), its outbuildings, and its cemetery, the proposed development shall be compatible in scale, design, and character with the existing historical and architectural character of the buildings. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.**

Compliance with Conditions 14 and 15 will need to be demonstrated at the time of DSP.

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

The most recent quarterly report was received by the Historic Preservation Section in October 2016. Compliance with this condition will need to be demonstrated again at the time of DSP.

### **Conclusions**

The subject application's proposed lotting pattern will provide additional green space and more buffering opportunities around the Melford and Cemetery Historic Site. The proposed reduction in massing on the south and east sides of the Melford House will provide a more open view towards the east and the Patuxent River. The proposed multifamily building to the north of the Melford House will be stepped back to reduce the massing of new construction in this location.

The applicant should clarify the issue of ownership of the cemetery parcel portion of the Melford Historic Site, which is not included in the subject application. Staff has recommended that a quick-claim deed by the owner of the surrounding property could result in the cemetery eventually being conveyed to the HOA.

The Historic Preservation Commission recommends the approval of PPS 4-16006 with conditions.

- 15. Urban Design**—The subject site is mostly vacant and is located in the center of the existing Melford commercial development, which is located in the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301). The entire Melford property is bounded to the north by Sherwood Manor, an existing subdivision of single-family detached dwelling units in the Residential-Agricultural (R-A) Zone, and a vacant property owned by The Maryland National Capital Park and Planning Commission (M-NCPPC) in the Reserved Open Space (R-O-S) Zone, the Patuxent River Park; to the east by the Patuxent River and the U.S. Air Force transmitter station located in Anne Arundel County beyond; to the south by the John Hanson Highway (US 50/301) right-of-way and a small vacant property in the Open Space (O-S) Zone; and to the west by the Crain Highway (MD 3) right-of-way. Based on the Urban Design Section's review of PPS, we offer the following comments:

### **Conformance with the Requirements of the Zoning Ordinance**

- a. The specified residential and commercial uses are permitted in the M-X-T Zone. A Detailed Site Plan (DSP) review is required.
- b. Conformance with the following Zoning Ordinance regulations is required for the proposed development at time of the required DSP review, including, but not limited to the following:
  - \* Section 27-543(a) regarding the uses allowed in the Mixed Use–Transportation Oriented (M-X-T) Zone;
  - \* Section 27-544 regarding regulations in the M-X-T Zone;
  - \* Section 27-547(b) regarding the Table of Uses for the M-X-T Zone;
  - \* Section 27-548(h) regarding the requirements for townhouses in the M-X-T Zone.

- c. Section 27-548(h) includes some requirements as follows:

**Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width...**

The submitted PPS shows all 205 townhouse lots as greater than 1,800 square feet and arranged in 39 total building groups. Of these 39 groups, a total of ten groups, or 26 percent, have more than six dwelling units. This is more than the 20 percent allowed by this section and the applicant did not apply for a variance from this requirement.

Therefore, prior to signature approval of the PPS, the layout shall be revised to be in conformance with the requirements of zoning.

#### **Conformance with Conditions of Prior Approvals**

**Conceptual Site Plan CSP-06002-01:** CSP-06002-01 was approved by the Planning Board on November 13, 2014 (PGCPB Resolution No. 14-128). Subsequently, on March 23, 2015 the District Council issued an order of approval of the case, subject to 25 conditions. Each applicable condition is included in **boldface** type below, followed by Urban Design staff comment:

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

The Transportation Planning Section should review the proposed development for conformance to this established trip cap.

4. **At the time of preliminary plan of subdivision, the following issues shall be addressed, or information shall be provided:**

- a. **Reevaluate the intersection of Melford Boulevard and Science Drive to determine what improvements will be needed at various phases of the proposed development.**

The Transportation Planning Section evaluated this as a part of the transportation analysis contained in the Transportation finding.

- b. **Provide an updated letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, concerning the presence of rare,**

**threatened, and/or endangered species on the site as an amendment to the updated natural resources inventory (NRI) prior to approval.**

This condition is addressed in the Environmental finding of this report.

- c. If impacts to regulated environmental features are proposed at the time of preliminary plan, over and above those previously approved by the Planning Board, a statement of justification shall be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification shall address how each impact has been avoided and/or minimized and shall include 8.5 by 11 exhibits of the proposed disturbance.**

This condition is addressed in the Environmental finding of this report.

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

This plan was submitted with this PPS application.

- e. Evaluate the provision of a circulator shuttle bus service or route throughout Melford, to/from adjacent or nearby employers, commuter bus lots, and future stations and/or mass transit.**

The applicant filed information related to transit service, which will be further evaluated at the time of DSP.

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

This condition is evaluated in the Environmental finding.

- 6. During the review of the Type I tree conservation plan associated with the preliminary plan of subdivision, the linear wetland in the middle of the southeastern portion of the site shall be evaluated to ensure its protection in a manner consistent with previous approvals.**

Environmental impacts are addressed in the Environmental finding of this report.

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

- a. The development plans shall show minimization of impervious surfaces to the maximum extent possible, through all phases of the project, with the use of permeable paving surfaces in accordance with the approved storm water**

**management concept plan for Melford. Structured parking should be used to the maximum extent reasonably practicable.**

Impervious surface locations and amounts will be determined with the required DSP. The proposed multifamily residential parcels are proposed to include some structured parking.

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

This condition is addressed in the Environmental finding of this report.

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

This condition is addressed with the review of the tree conservation plans.

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

The applicant submitted an open space network exhibit with the PPS package. This demonstrates spaces throughout the site that link different uses and are accessible from the public streets, including an amphitheater at the terminus of a public road and varying open spaces along the main public road through the townhouse portion of the site.

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

The information is provided on the TCP1 and discussed in the Environmental finding of this report.

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

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

This condition is applicable at the time of DSP. However, the applicant submitted exhibits with the PPS package demonstrating that the proposed open space

parcels will be able to accommodate appropriate private recreational facilities.

- e. **Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for safe and comfortable travel; pedestrian walkways shall be separated from vehicular circulation by planting beds, raised planters, seating walls, and on-street parallel parking or structures; walking distances through parking lots shall be minimized and located to form logical and safe pedestrian crossings; and walkways shall be made more pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.**
- f. **Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.**
- g. **Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.**
- k. **Make retail pad sites compatible with the main retail/office/hotel/residential component. If the retail pad sites are located along the street, all off-street parking shall be located to the rear or side of the pad sites. Parking provided on the side of pad sites shall be buffered with appropriate screening and/or landscape features.**
- l. **Provide green areas or public plazas between pad sites, to the maximum extent possible.**
- m. **Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.**

These conditions are applicable at the time of DSP. However, the parcels and illustrative layout provided with the PPS should allow for public amenity spaces, sufficient sidewalk areas, room for screening parking and locating it to the rear and side of pad sites, the ability for the commercial uses to share parking, open spaces between pad sites and opportunity for outdoor seating areas. The techniques for creating a sense of place will include details of signage, wayfinding, and a consistent approach to treatment of site plan elements throughout the site.

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

This information has not been provided on all plans and is conditioned.

- 15. In the detailed site plan for the development of the Melford Historic Site (71B-016), its outbuildings, and its cemetery, the proposed development shall be compatible in scale, design, and character with the existing historical and architectural character of the buildings. Sensitive and innovative site design techniques, such as careful**

**siting, variation in orientation, roof shape, building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.**

The submitted PPS appears to include a sufficient land area around the historic environmental setting to allow for appropriate buffering. This issue will be examined further at the time of DSP when it will be subject to the requirements of the Landscape Manual.

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

This condition is addressed in the Historic finding of this report.

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

This condition is addressed in the Trails finding of this report.

- 20. The illustrative plan provided with the conceptual site plan (CSP) is for illustrative purposes only and does not reflect the final layout for any purpose, including limits of disturbance. The CSP may be used as a guide for the layout to be reviewed with the preliminary plan of subdivision or detailed site plans, but its proposed development should be modified, where development shown in the CSP is not consistent with environmental or other master plan considerations.**

The proposed PPS does differ some from the illustrative plan in the CSP as allowed.

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

This is noted. No additional research and development flex space uses are proposed with the subject PPS.

- 22. Recreation Facilities Conditions:**

- a. The applicant shall complete construction of a ten-foot-wide asphalt surface hiker/bicycler/equestrian trail, four boardwalks, a 15-space asphalt parking lot, an asphalt access road, and trailhead facilities on adjacent Patuxent River Park prior to issuance of a building permit for the 500th residential dwelling unit within the Melford development.**
- b. Prior to the first residential building permit, the applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) for review and approval revised construction drawings for public recreational**



facilities. These drawings shall include details for construction of the planned asphalt parking lot and asphalt access road.

- c. **The applicant shall construct at least two eight-foot-wide asphalt trail connectors from the residential neighborhood to the master-planned trail on dedicated parkland. The location of the trail connectors shall be established at the time of detailed site plan review and approval.**
- d. **The applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DPR, at least two weeks prior to issuance of a building permit for the 100th residential dwelling unit within the Melford development.**
- e. **Prior to a submission of any final plat of subdivision for the residential component of Melford, the public Recreational Facilities Agreement (RFA) recorded at Liber 34304, Folio 145 shall be amended to incorporate an asphalt parking lot and asphalt access road to the park, timing of construction, and bonding of the recreational facilities. Upon DPR approval, the RFA shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.**
- f. **The applicant shall allocate appropriate and developable areas for the private recreational facilities on the homeowners association land. The private recreational facilities shall include playgrounds for children of all ages. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.**

The applicant submitted an open space network exhibit with the PPS package. This shows the location for the required DPR facilities, as well as appropriate and developable areas for private recreational facilities on homeowners' association parcels.

- 23. **A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the building permit for the 300th dwelling unit, subject to the approval of the Maryland State Highway Administration.**
- 24. **The final number of affordable workforce housing units and senior multifamily units shall be submitted by the applicant prior to submittal of an application for preliminary plan of subdivision.**

The applicant has noted on the PPS that five percent of the multifamily residential units will be affordable workforce housing and 33 percent of the multifamily residential units will be senior age-restricted. Given that approximately 1,500 multifamily units are proposed, this equates to approximately 75 affordable workforce housing and 495 senior multifamily units. Final numbers will be determined at the time of DSP; however, the

Urban Design Section believes these numbers are sufficient to meet the intent of the condition.

### **Conformance with the 2010 Prince George's County Landscape Manual**

Per Section 27-548 of the Zoning Ordinance, landscaping, screening, and buffering within the M-X-T Zone shall be provided pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the requirements of the Landscape Manual should be determined at the time of DSP review when detailed information is submitted. The following discussion of the relevant provisions of the Landscape Manual is provided for informational purposes.

- a. **Section 4.1, Residential Requirements**—Requires a certain number of plants be provided for residential dwellings depending on their size and type.
- b. **Section 4.2, Requirements for Landscape Strips along Streets**—Requires a landscape strip be provided for all nonresidential uses and parking lots abutting all public and private streets, which may occur within the development depending on the final site design.
- c. **Section 4.3, Parking Lot Requirements**—Specifies that parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to provide visual relief from the view of large expanses of pavement.
- d. **Section 4.4, Screening Requirements**—Requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The location of the loading and trash areas for the commercial development, and its relationship with the adjoining residential uses, should be carefully considered at the time of DSP. The submitted PPS appears to provide a layout that will be able to accommodate appropriate relationships, such as separation by a public street or room for buffering.
- e. **Section 4.6, Buffering Development from Streets**— This section's requirements will apply to the proposed development by requiring buffering of rear yards of townhouses from streets. The submitted PPS appears to provide sufficient space for these buffers; however, this will have to be closely examined at the time of DSP when specific house sitings are provided.
- f. **Section 4.7, Buffering Incompatible Uses**—Requires that vegetated buffers be included along shared property lines where the abutting uses are deemed incompatible by the Landscape Manual. A Section 4.7 buffer is not normally required between incompatible uses within the M-X-T Zone such as the residential and commercial portions of the development, as ownership is common between the uses and they are both included on a single DSP. The Urban Design Section is concerned about the interface between the commercial section and the residential section; however, the proposed layout shows a public road in between the uses in one area and a large homeowners' association parcel in the other area. This layout would allow for an appropriate interface between the incompatible commercial and residential uses through buffering, fencing and/or upgrades to architecture. This issue will be examined more closely at the time of DSP.

- g. **Section 4.9, Sustainable Landscaping Requirements**—Requires that a percentage of the plant materials be native plants, along with other sustainable practices.
- h. **Section 4.10, Street Trees Along Private Streets**—Requires street trees along private streets, which appear to be proposed with this plan.

#### **Conformance with the Tree Canopy Coverage Ordinance**

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet or greater of gross floor area or disturbance and require a grading permit. The subject site is zoned M-X-T and is required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. Conformance with the Tree Canopy Coverage Ordinance will be evaluated at time of DSP approval.

#### **Other Design Issues**

During plan review, the Urban Design Section noted that in multiple locations, groups of townhouse lots abutted against each other with no gap. This is not an acceptable layout as it does not leave any room for access between lots to the fronts or rears of internal lots and it creates insufficient distance between buildings. After discussion, the applicant produced an exhibit demonstrating an adjusted lot layout showing a minimum of 12 feet between building groups and a minimum of eight-foot-wide homeowner's parcel on at least one end of every building group. This is sufficient to address Urban Design's concerns regarding access and open spaces. However, this exhibit did not demonstrate conformance to all Zoning Ordinance requirements as discussed above. Therefore, the Urban Design Section recommends a condition requiring these revisions prior to signature approval.

Some proposed townhouse lots are extra-long at more than 100 feet deep. The Urban Design Section is concerned that this will result in excessive driveway lengths and impervious surface on these lots. This issue will have to be carefully considered during the final design stages, once architecture and final building siting are determined.

The Urban Design Section is concerned about the large multifamily parcel located along the north side of the main east-west boulevard, across from the historic Melford House. The architecture, massing and siting of the building on this parcel needs to be closely examined at the time of DSP to ensure it maintains an appropriate relationship with the historic house and that it maintains an active main-street character along the primary east-west boulevard.

#### **Urban Design Section Recommendations**

Based on the foregoing analysis, the Urban Design Section recommends approval with conditions.

- 16. **Conceptual Site Plan CSP-06002-01**—On November 13, 2014, the Planning Board approved Conceptual Site Plan CSP-06002-01 to add 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, 1,000 multifamily dwelling units, 268,500 square feet of retail uses, and 260,000 square feet of office space as amendments to an approved conceptual site plan (CSP) with 1,547,874 square feet of approved office/research and development uses. The resolution of approval for CSP-06002-01, (PGCPB Resolution No. 14-128), was adopted by the Planning Board on December 4, 2014. The application included approximately 276 acres of the central and southern portions of the Melford property. More information concerning Conceptual Site Plan CSP-06002-01 is contained in the Urban Design finding.

17. **City of Bowie**—On February 6, 2017, the Bowie City Council conducted a public hearing on the subject PPS. The proposal includes 1,793 dwelling units, including 293 townhouse units, 1,000 multifamily market rate units, 500 senior age-restricted multifamily units and 359,500 square feet of commercial and office uses, including up to 124,500 square feet of retail uses and 235,000 square feet of office/medical uses.

The subject site is located east of MD 3/Belair Drive/Melford Boulevard interchange, near the intersection of Melford Boulevard and Tesla Drive. The property is zoned M-X-T (Mixed-Use Transportation-Oriented), where the proposed mixed-use development is permitted by right under the Prince George's County Zoning Ordinance. At the conclusion of the public hearing, the City Council voted to recommend **approval** of the PPS with the following conditions:

- “1. Total development within the 129-acre Melford Village property shall be limited to uses that generate no more than 2,353 AM and 2,766 PM peak-hour vehicle trips. Any development with an impact beyond that identified herein above shall require a revision to the Preliminary Plan with a new determination of the adequacy of transportation facilities.
- “2. Prior to the issuance of any building permits for lots within Preliminary Plan 4-16006, the following road improvement(s) shall: (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and, (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - “(A) At the US 301/Gov. Bridge Road/Harbour Way intersection  
The applicant shall provide an additional right turn lane on eastbound Harbour Way and re-stripe the eastbound approach on Harbour Way to result in two left turn lanes, one shared left turn and thru lane, and one right turn lane.
- “3. Traffic signal warrant studies of the intersections of Melford Boulevard/Tesla Drive and the entrance to the commercial mixed-use area (Road A) and Melford Boulevard/Science Drive shall be provided during review of each Detailed Site Plan. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at Detailed Site Plan.
- “4. Prior to the issuance of a building permit for the 300th dwelling unit or more than 100,000 square feet of new, non-residential development within the boundaries of the Preliminary Plan, whichever comes first, the following specific pedestrian improvements shall be completed:
  - “a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane; and
  - “b. Remove the northbound channelized right lane at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn lane shall be reconstructed and relocated to the existing traffic signal, and pedestrian signals shall be included to support the new pedestrian connection.

- “5. A hiker-biker trail connection shall be shown on the Preliminary Plan and constructed along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first Detailed Site Plan for the Northeast Neighborhood.
- “6. A 10-foot-wide hiker-biker trail shall be provided on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This missing segment of the trail system shall be shown on the Preliminary Plan prior to signature approval.
- “7. To help fulfill the purpose of Condition #19 of #CSP-06002-01, “sharrows” shall be installed on Curie Drive (and Science Drive, beyond the Melford Village project limits).
- “8. The developer shall deed Parcel 40 to the City upon completion of all facilities on both Parcel 40 and 41 (the amphitheater parcel).
- “9. The applicant shall execute a maintenance agreement with the City for maintenance of Parcel 40, prior to the issuance of any building permits.”

18. **Variation Request**—The applicant has requested a variation from Section 24-128(b)(7)(A) of the Subdivision Regulations for approximately 68 townhomes that will be located on lots served by private alleys without frontage on a public street. The proposed alleys meet all the dimensional requirements of the Subdivision Regulations and will allow for an efficient and safe circulation pattern for residents of the development.

Section 24-128(b)(7) of the Subdivision Regulations states the following:

**Section. 24-128–Private roads and easements.**

- (b) **The Planning Board may approve preliminary plans of development containing private roads, rights-of-way, alleys, and/or easements under the following conditions:**

(7) **In Comprehensive Design and Mixed Use Zones:**

- (A) **For land in the V-L, V-M, R-L, R-S, R-M, R-U, M-U-I, L-A-C, M-A-C, M-X-C, M-U-TC, and M-X-T Zones, the Planning Board may approve a subdivision (and all attendant plans of development) with private roads to serve attached single-family dwellings, two-family dwellings, and three-family dwellings, but not single-family detached or multifamily dwellings, in accordance with the requirements of Subsections (e) and (f) of Section 27-433 of the Zoning Ordinance, except as hereinafter provided. In all of the above zones, and in the R-R Zone when developed as a cluster subdivision, the Planning Board may approve a subdivision with alleys to serve any permitted use, provided the lot has frontage on and pedestrian access to a public right-of-way. The District Council may disapprove the**

**inclusion of alleys during the consideration of the detailed site plan for a cluster subdivision. For the purposes of this Section, an “alley” shall mean a road providing vehicular access to the rear or side of abutting lots, and which is not intended for general traffic circulation.**

- (i) The pavement width of private roads may be reduced to not less than a minimum of twenty-two (22) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, hierarchical street system for a development.**
- (ii) The pavement width of private alleys shall be not less than eighteen (18) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, vehicular access to individual lots. Since alleys only provide vehicular access to lots with frontage on a public street, alleys shall not be required to be improved with street trees or curb and gutter, unless a drainage problem has been identified by the Department of Permitting, Inspections, and Enforcement or the Department of Public Works and Transportation.**

Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of variation request:

#### **Section 24-113 Variations**

- (a) Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:**
  - (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

The applicant is requesting a variation from the requirements in Section 24-128(b)(7)(A) requiring that townhomes served by alleys have frontage on a public street. The “practical difficulty” in this case results from the site constraints within Melford Village which prohibit the lotting pattern for 68 townhouse units from being served by alleys while maintaining frontage on a public street. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly in the southeast neighborhood), and the presence of the Melford House environmental

setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots).

All of the aforementioned site constraints limit the areas where lots and public streets and alleys can be located. The hardship/practical difficulties related to the aforementioned site constraints would be largely eliminated if the request is granted to utilize alleys to access the rear of 68 townhouse units. If the variation request is not allowed, it is not possible for the applicant to create an efficient subdivision layout with the 68 townhouse units utilizing alleys and having frontage on a public street, and will create practical difficulties for the applicant in its pursuit to develop the site in the manner contemplated in CSP-06002-01. The granting of the variation request is consistent with the relevant purposes of the subdivision regulations and will not harm the public interest as explained herein. Therefore, the granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to any other property.

**(2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The property has several conditions which are unique, and are not applicable generally to other abutting properties. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly in the southeast neighborhood), and the presence of the Melford House environmental setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots).

Beginning from the west, the portion of Melford Village designed for townhouse units contains the environmental setting for the historic Melford House. On the east end of the same area of Melford Village contains sensitive environmental features (such as a stream, wetlands and woodland) which are slated for preservation. Between the historic environmental setting (to the west) and the sensitive environmental features (to the east) contains a sloping topography that falls from west to east. The natural changes in topography limit the placement of where sticks of townhouses (and by association the location of the necessary road/alleys to serve the townhouse units) can be placed. In sum, the aforementioned site constraints are unique to this portion of Melford Village and are not generally applicable to other properties.

Therefore, for these reasons, the conditions on which the variation is based are unique to this property.

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

Granting the variation will not be in violation of any law, ordinance, or regulation. To the contrary, the granting of the variation request would allow the applicant to create the compact residential density contemplated in CSP-06002-01 without negatively impacting the environmental and historic setbacks required by other County ordinances and/or regulations. The variation

to Section 24-128(b)(7) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation.

- (4) **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;**

The site constraints within Melford Village which prohibit 68 townhouse units from being served by alleys while maintaining frontage on a public street. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly in the southeast neighborhood), and the presence of the Melford House environmental setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots). All of the aforementioned site constraints limit the areas where lots and streets/alleys can be located. The hardship/practical difficulties related to the aforementioned site constraints would be largely eliminated if the applicant could utilize alleys to access the rear of 68 townhouse units without frontage on a public street. If the instant variation request is not allowed, it is not possible for the applicant to create an efficient subdivision layout with the subject 68 townhouse units utilizing alleys and having frontage on a public street. If the strict letter of these regulations are carried out, it would result in loss of lots

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

The subject property is zoned M-X-T; therefore, this provision does not apply.

The site is unique to the surrounding properties and the variation request is supported by the required findings. Approval of the variation will not have the effect of nullifying the intent and purpose of the Subdivision Regulations.

Therefore, staff recommends **approval** of the variation to Section 24-128(b)(7)(A) of the Subdivision Regulations for approximately 68 townhomes that will be located on lots served by private alleys without frontage on a public street.

19. This PPS conforms to the regulations and required findings of Subtitle 24 and 27 as set forth in this technical staff report with conditions.

## RECOMMENDATION

APPROVAL, subject to the following conditions:



1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:
  - a. Provide a table or general note that demonstrates the disposition of each commercial parcel by number, and each residential HOA parcel by letter and indicate if the parcels will be dedicated to the HOA, BOA, or other entity. The parcels (including existing tax parcels) should be renumbered or re-lettered in ascending order.
  - b. Provide a table on the cover sheet or update the title block to list all of the lot numbers in each block.
  - c. Label Parcel 40 as to be conveyed to the City of Bowie and update the HOA Dedications Notes on Sheet 1 accordingly.
  - d. Correct General Note 13 to provide the correct number of parcels proposed for commercial and multifamily uses, TH, and two-family.
  - e. Remove the lot designations for the two over two units and relabel them as numbered parcels.
  - f. Show the required 10-foot-wide PUE's along both sides of New Public Roads 'A' through 'E.'
  - g. Include a location for a trailhead facility for the master plan trail along the Patuxent River.
  - h. The pedestrian network exhibits shall be revised to include the trailhead location and the additional shared-lane marking.
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.
3. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval and on the approved plan, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
4. Prior to certification of the preliminary plan, an updated Letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division shall be submitted concerning the presence of rare, threatened and/or endangered species on the site.
5. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

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

6. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall provide the Environmental Planning Section with copies of all Federal and State wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
7. Prior to certification of the preliminary plan, the TCPI shall be revised as applicable:
  - a. The current EPS approval block shall be used and all prior approval typed in.
  - b. A legend shall be provided on each sheet which shall identified all the graphic elements used on the sheet.
  - c. A woodland conservation sheet summary table shall be provided.
  - d. The term “woodland preserved-not credited” shall be replaced by “woodland retained-not credited” in the legend.
  - e. All areas shown as “opportunity areas” shall be eliminated and instead shown as afforestation reforestation areas. “Opportunity Areas” shall be removed from the legend.
  - f. All identification information shall be provided in the woodland conservation worksheet.
  - g. Metes and bounds shall be provided for all property lines.
  - h. A scale shall be provided for the cover sheet key map.
  - i. Woodland conservation areas shall be clearly bordered.
  - j. All existing and proposed utility easements shall be shown, and no woodland conservation shall be credited in a utility easement.
  - k. Afforestation/reforestation shall not be credited for landscaping in parking lot islands.
  - l. Crediting of woodland conservation shown on property owned by M-NCPPC is subject to the written approval of the Department of Parks and Recreation, and M-NCPPC signature of an owner’s awareness block on the plan.
  - m. The amount of any woodland conservation credited on land donated to M-NCPPC shall be separately identified in the Woodland Conservation Summary Table, and on the individual Woodland Conservation Sheet Tables.
  - n. All property owned by M-NCPPC shall be clearly labeled.
  - o. Woodland preservation shall not be shown or credited in the 100-year floodplain.
  - p. All stormwater management easements shall be shown on the plan.
  - q. All woodland conservation areas shall meet required minimum width and size design standards.

- r. SWM micro-retention basins shall not be credited as woodland conservation because the planting proposed are not consistent with the requirements of the Woodland Conservation Ordinance.
- s. The calculation of net tract area needs to be revised in the woodland conservation worksheet to show that Lot 2, in Pod 7, has been purchase by the U.S. Government, and is no longer submit to local woodland conservation requirements. This acreage should be added to the list of “Previously Dedicated Land” in the Woodland Conservation Summary Table, and woodland preservation shall not be credited on Lot 2. Affected plan sheets, calculations and tables shall be adjusted to reflect this change.
- t. All tables and calculations shall be revised as needed to reflect the required revisions.
- u. Woodland conservation credits shall be removed from any property which does not have the consent of the property owner.
- v. The woodland within the environmental setting shall be indicated as “woodland retained – not credited, and no afforestation should be shown with the approval of the TCP1.
- w. Have the revised plan signed and dated by the Qualified Professional who prepared it.
- x. Trees to be removed shall be clearly indicated on the affected plan sheets (Sheets 7 and 10), and the graphic element indicating specimen trees to be removed shall be added to the legend.
- y. Add a variance note under the woodland conservation worksheet and complete to reflect the variance approval:

“NOTE: This plan is in accordance with a variance from the strict requirements of Subtitle 25 approved by the Planning Board on (add date):  
for the removal of twelve specimen trees (Section 25-122(b)(1)(c)): ST- O, P, Q, R, S, T, U, V, Y, Z, AA and BB.

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

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

- 9. At time of detailed site plan and TCP2 approval, the applicant may credit woodland conservation credit if permission of the cemetery owner is obtained, subject to approval of a Historic Setting Vegetation Management Plan. The purpose of the plan is to determine where trees need to be removed to conserve the resource and where additional woodlands could be established.

Implementation of the Plan would be subject to approval of a HAWP. Development of a Management Plan would qualify trees within the environmental setting to be credit as “historic trees” at twice the usual woodland conservation ratio.

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

- a. Permission of the owner or ownership of the property shall be demonstrated.
  - b. A historic tree inventory of the environmental setting of the cemetery shall be prepared and included on the TCP2.
  - c. A “Historic Setting Vegetation Management Plan” for the cemetery shall be prepared for the purpose of identifying vegetation that should be removed to protect the existing graves on-site, to identify recommended maintenance activities, and to propose any additional planting appropriate for the site. The plan shall include a maintenance program for the cemetery to retain an open character over the known gravesites, a cost estimate for implementation of the Plan and for a minimum of four years of maintenance, and shall identify the party or parties responsible for the long-term maintenance of the environmental setting.
  - d. The quantity of historic tree credits in the environmental setting shall be calculated and added to the woodland conservation worksheet.
  - e. Prior to the issuance of grading permits for Melford Village which credit woodland conservation with the cemetery environmental for historic tree credit, a HAWP permit for implementation of the Historic Setting Vegetation Management Plan shall be approved, and a bond for implementation of the plan shall be submitted. Bonding shall be held until the requirements of the Plan is fully implemented, and four years of maintenance has been monitored.
10. Prior to the 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.
  - b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.
  - c. Remove the roundabout at the intersection of Melford Boulevard and Science Drive and construct a signal with signalized pedestrian crossings that meet current standards.

- d. 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 BPIS 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*, the applicant and the applicant's heirs, successors and/or assigns shall provide the following:
- a. Include a location for a trailhead facility for the master plan trail along the Patuxent River. Details for the trailhead regarding parking, signage, and other facilities can be made at the time of Detailed Site Plan.
  - b. In addition to New Road "A" and New Road "C," shared-lane Markings shall be provided along Melford Boulevard, Currie Drive and Science Drive, or as modified by the City of Bowie.
12. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowner's association has been established. The draft covenants shall be submitted to the Subdivision Review Section to ensure that the rights of The Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Department are included. The liber/folio of the declaration of covenants shall be noted on the final plat prior to recordation.
13. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowner's association (HOA) land 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 deed for the property to be conveyed shall be submitted to the Subdivision Review Section of the Development Review Division (DRD), Upper Marlboro.
  - b. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
  - c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
  - d. Any disturbance of land to be conveyed to an HOA shall be in accordance with an approved detailed site 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 an HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD in accordance with the approved detailed site plan.

- f. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
14. Prior to signature approval of the PPS and TCPI, the plans shall be revised to delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016 as required by Condition 13 of PGCPB Resolution No. 14-128 for CSP-06002-01.
15. Prior to signature approval of the PPS and TCPI, the applicant and the applicant's heirs, successors, and/or assignees shall clarify the ownership of the cemetery parcel associated with the Melford Historic Site (71B-016).
16. The proposed development shall be limited to a mix of uses that will generate no more than 1,568 AM, and 2,404 PM weekday peak-hour trips at the build out. Any development that is determined to generate more peak hour vehicle-trips than the levels stated above shall require a new preliminary plan of subdivision with a new determination of adequacy for transportation facilities.
17. Prior to the issuance of any residential building permits within subject property the following improvements shall (a) have been constructed, (b) fully bonded and permitted for construction with agreed-upon time table for construction by the applicant, his heirs, successors, assignees and/or others, and per applicable City, County, and /or SHA standards and requirements:
- a. **Belair Drive**  
Provide for at least four traffic calming measures /devices along Belair Drive west of MD 3 interchange 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.
- b. **Melford Boulevard & Science Drive**  
Convert the existing roundabout to a traditional four-legged signalized intersection with the following lane configurations:
- Provide four travel-lanes on northbound approach (two lefts, a through, and a shared through-right) and on southbound approach (a left, two throughs, and a shared through-right)
  - Provide two travel lanes on eastbound approach (a left and a shared left-through-right) and on westbound approach (a right, and a shared through-left).
- c. Reconfigure and signalize with a pedestrian crossing phase the US 50/301 eastbound exit ramp at its approach to Melford Boulevard, such that all traffic, including the existing free right are controlled by the proposed signal.
- d. **Melford Boulevard & Tesla Dr. / Future Access Road**  
Provision and Installation of a traffic signal when warranted and/or deemed needed by the City of Bowie and/or DPW&T.
18. Prior to signature approval of the Preliminary Plan of Subdivision and Type 1 TCP, the applicant and the applicant's heirs, successors, assignees shall revise the plans per the applicant's exhibit and demonstrate conformance to Section 27-548(h) of the Zoning Ordinance for all townhouse lots.

STAFF RECOMMENDS:

- Approval of PPS 4-16006
- Approval of Type 1 Tree Conservation Plan TCPI-044-98-05
- Approval of Variation from Section 24-128(7)(A)
- Approval of Variance from Section 25-119(d)