

RESOLUTION

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

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

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

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

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

Parking Data

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

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

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

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

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

COMPLIANCE WITH EVALUATION CRITERIA

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

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

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

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

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

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

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

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

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

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

Comment: The subject project will be built in a single stage.

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

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

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

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

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

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

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

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

c. **Section 27-538**—Section 27-548 includes regulations for the M-X-T Zone. The requirements relevant to the subject project are included in bold faced type below and are followed by staff’s comment:

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

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

(2) **With the use of the optional method of development —0.80 FAR.**

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

SDP/DSP	Development Quantity	Status
Pre-1998	240,000 sq. ft.	Built
SDP-0103	153,250 sq. ft.	Built
SDP-0104	300,000 sq. ft.	Approved
SDP-0201	83,680 sq. ft.	Built
SDP-0203/01	81,600 sq. ft.	Approved
SDP-0405	136,957 sq. ft.	Approved
DSP-07072	24,375 sq. ft.	This Plan
DSP-06096	362 room hotel 253,289 sq. ft.	Pending
Total	1,273,151 sq. ft.	

The floor area ratio, including all approved and pending development on the 334.1-acre Melford site and reflected on the chart above, is .0874, well within the M-X-T Zone 0.40 maximum floor area ratio requirement. Future detailed site plans for the Melford development should include an updated development chart and a recalculation as necessary of the floor area ratio. A condition of approval requiring such information is included in the recommendation section of this report.

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

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

- (c) **Except as provided for in Division 4. Regulations for the M-X-T Zone, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

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

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

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

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

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

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

The conceptual site plan was approved by the District Council on September 11, 2007, with the following conditions applicable to the review of the proposed detailed site plan:

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

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

SDP	Development Quantity	Status	AM Trip Generation	PM Trip Generation
Pre-1998	240,000 sq. ft.	Built	119	112
SDP-0103	153,250 sq. ft.	Built	112	115
SDP-0104	300,000 sq. ft.	Approved	600	555
SDP-0201	83,680 sq. ft.	Built	127	118
SDP-0310	300,980 sq. ft.	Withdrawn	0	0
SDP-0203/01	81,600 sq. ft.	Approved	163	151
SDP-0405	136,957 sq. ft.	Approved	300	284
DSP-07072*	24,375 sq. ft.	Pending	168	122
DSP-06096	362 room hotel 253,289 sq. ft.	Pending	235	290
Total	1,273,151 sq. ft.		1,824	1,747

*The subject case

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

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

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

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

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

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

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

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

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

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

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

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

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

Comment: The subject application does not involve the immediate vicinity of the Melford Historic Site.

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

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

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

- 6. Before M-NCPPC accepts a detailed site plan application for this property, the applicant in the historic area work permit process shall present a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford Historic Site. The Historic Preservation Commission and Planning Board shall review and approve the plan and timetable, in the HAWP process, before approval of the first DSP.**

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

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

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

- 8. Prior to issuance of building permits for any property within CSP-06002, the applicant shall initiate the restoration of the Melford House and outbuildings, through the historic area work permit process. The restoration of Melford and outbuildings shall be completed prior to issuance of use and occupancy permits for any future hotel or office uses.**

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

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

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

- 10. The applicant shall provide standard sidewalks along both sides of all internal roads, in keeping with guideline 3 of CR-11-2006. In areas of high pedestrian activity, wide sidewalks shall be required. The project shall be pedestrian-friendly, with keen detail for a walkable community.**
- 11. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be provided where appropriate, and shall be shown on all affected DSPs.**
- 12. Connector trails shall be provided to complement the sidewalk network and provide access between uses and development pods. Priority shall be given to providing trail and sidewalk access to the existing trail around the Lower Pond. The comprehensive trail network will be evaluated at the time of preliminary plan and should be in conformance with guidelines 29 and 30 of CR-11-2006.**

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

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

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

- 14. Prior to signature approval of the CSP and TCP I, the TCP I shall be revised as follows:**
- a. Revise the shading patterns so that the information underneath is legible;**
 - b. Eliminate the pattern used to depict previously approved limits of disturbance and show only the limit of disturbance needed for the proposed development;**
 - c. Eliminate all clearing not necessary for the conceptual construction of the features shown;**
 - d. Revise the existing tree line per Staff Exhibit A (2006 Aerial);**
 - e. Provide labels on each cleared area, with acreage and land pod identifications; if cleared areas cross pods, divide them up so that the table on Sheet 1 can be checked for correctness;**
 - f. Revise the worksheet to reflect all cleared areas, preservation areas, etc.;**
 - g. Revise the table on Sheet 1 to fill in all the boxes;**
 - h. Add the following note: “This TCP I is associated with the approval of CSP-06002; it is conceptual in nature, and is subject to further revisions with the preliminary plan of subdivision application”;**
 - i. Revise the plans to address all other staff comments of record; and**
 - j. Have the revised plans signed and dated by the qualified professional who prepared them.**

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

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

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

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

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

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

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

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

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

- 18. Prior to approval of any DSP, the applicant shall dedicate to the M-NCPPC 108±, acres including but not limited to 100-year floodplain and floodplain buffer, as shown on the Department of Parks and Recreation (DPR) Exhibit "A."**

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

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

Staff comment: This condition has been carried over as Conditions 3a to 3i below to the approval of the subject DSP.

- 20. Prior to the approval of a preliminary plan or detailed site plan, the applicant shall demonstrate:**
- a. Development plans shall show minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.**

Comment: The submitted TCPII and DSP propose surface parking throughout the site within this application. No structured parking is shown on the plans. The design as shown on the TCPII, DSP, and landscape plans does not allow for the micromanagement of stormwater through natural infiltration. The construction of the parking spaces above the maximum requirement should be designed with permeable paving or other applicable design method that will allow natural infiltration on the site. The number of required spaces is 834 and the number of proposed spaces is 1,321, leaving 487 spaces requested to be permeable paving. (For more discussion on this issue, see Finding 12 under Sherwood Manor Civic Association.)

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

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

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

Comment: There are no disturbances to the stream or floodplain buffers associated with this application.

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

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

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

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

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

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

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

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

- 22. If a site has been identified as significant and potentially eligible to be listed as a Historic Site or determined eligible for the National Register of Historic Places, the applicant shall provide a plan for:**
 - a. Avoiding and preserving the resource in place; or**
 - b. Phase III Data Recovery investigations and interpretation.**

Phase III Data Recovery investigations shall not begin until Historic Preservation staff approves the research design. The Phase III (Treatment/Data Recovery) final report shall be reviewed for compliance with the *Guidelines for Archeological Review*, before approval of any grading permits within 50 feet of the perimeter of the site.

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

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

- a. **Create a sense of place by, among other techniques, creating a design focused upon a village or main street theme; providing amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining; and providing attractive gateways/entries and public spaces.**
- b. **Create outdoor amenities to include, at a minimum, such amenities as brick pavers, tree grates, decorative lighting, signs, banners, high-quality street furniture, and extensive landscaping, including mature trees.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 24. Detailed site plans for new research and development "flex space" shall not exceed 10 percent of total space (excluding existing research and development) within the M-X-T Zone. Generally this flex space is intended as an interim use, which shall be redeveloped predominantly with office use, as market conditions permit. When an area is initially developed as research/development, flex space or warehouses, that area should be the first considered for redevelopment, when market conditions permit new office development. The applicant shall demonstrate that its long-term goal is to have all flex space uses converted to commercial office, with supporting retail (including a main street) and hotel uses, within a reasonable time period.**

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

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

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

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

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

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

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

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

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

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

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

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

29. Recreation Facilities Conditions:

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

Staff Comment: This condition appears to be a carry over from the original CSP that included a residential component. That plan was approved with a condition to remove the residential component from the plans; however, it appears that the condition relating to the development of residential units still remains on the plans.

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

Staff Comment: This condition only applied to the CSP.

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

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

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

Staff Comment: Currently there are no roads extending to the future parkland. The applicant is planning to submit a preliminary plan of subdivision for the eastern portion of the larger Melford property which will provide public access to the parkland. Since the applicant is required to dedicate 108 acres to M-NCPPC prior to approval of any DSP, the public access to the parkland will not be available at this time. However, DPR staff recommends that temporary public access should be provided from the public street to the parkland at the location agreeable to DPR and applicant.

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

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

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

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

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

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

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

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

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

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

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

The second archeological site on the property site, 18PR164, consists of archeological deposits and features associated with the Melford Historic Site (71B-016), and artifacts recovered from it date from the late 18th century to the present. Four cultural features and a sheet midden were identified around the house. Some of the artifacts may reflect the activities of African-American slaves. The study recommended Phase II investigations for site 18PR184 to assess its eligibility for inclusion in the National Register of Historic Places.

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

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

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

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

Community Planning: In a memorandum dated November 5, 2007, the Community Planning North Division stated that the application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and conforms to the 2006 Bowie and Vicinity Master Plan's recommendation for mixed-use development. They also pointed out, however, that the application does not meet certain guidelines of the master plan. More specifically:

- The application fails to identify linkages to an open space network consisting of the Melford house and its historic vista, and other public spaces. There is no greenway provided to link all activities and the proposed design does not function as or contribute to shared community space.

Comment: The Melford house and its historic vista and linkages to an open space network are not part of the subject detailed site plan.

- The application does not provide for linked open spaces. In this regard, the Community Planning North Division suggested that the applicant make an effort to delineate an open space system linking all open spaces and integrate them with the historic Melford house and other activities throughout the larger site.

Comment: The enhanced pedestrian network (including sidewalks, landscaped walkways through the parking lots, and a decorative crosswalk across Melford Boulevard), recommended in conditions below, would provide linkage of the open space afforded by the lower and upper ponds, the green space adjacent to the ponds, and green landscaping of the pedestrian allees through the parking lots.

- The application does not provide a sense of place; there is no attempt to create a design focused upon a village or main street theme; amenities as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining, and there is a lack of public space and attractive gateway/entry features.

Comment: A main street theme would be implemented by the enhanced streetscape along Melford Avenue suggested in a recommended condition below.

- There is no indication that outdoor amenities, such as benches, brick pavers, casabas, and other pedestrian amenities have been provided.

Comment: Benches, specialized paving, an observation deck on the upper pond, and other pedestrian amenities have been included in the design largely by recommended condition below.

- The location of loading, services, trash receptacles, and HVAC systems are not clearly depicted for the retail commercial pad structures.

Comment: The location of loading, services, trash receptacles and HVAC systems are required to be clearly shown on the site plan prior to signature approval and their location approved by the Urban Design Section as designee of the Planning Board.

- The crosswalks are not readily visible and it is not clear whether the proposed sidewalks are sufficient in size to contribute to a comfortable pedestrian environment. Logical and safe pedestrian crossings are not readily apparent, particularly on the western entry approach to the proposed office building.

Comment: In keeping with referral comments received from the trails coordinator and the Community Planning Section, the proposed pedestrian environment has been greatly improved in these respects by recommended conditions below.

- Although an effort has been made to make use of shared parking and landscaped islands,

the applicant provides far more parking than required by the Zoning Ordinance, creating an expanse of impervious surface on the site.

Comment: The expanse of impervious surface is proposed to be articulated by landscaped pedestrian allees and its overall size is recommended to be reduced by the use of permeable paving for some of the parking as specified in a recommended condition below.

- The plan does not clearly show the required hierarchy of pedestrian scaled, direct and indirect, high quality, energy-efficient lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements. and provides sight lines to other retail uses. Actually, no building or outdoor lighting specifications are shown on the plans.

Comment: A photometric plan has been submitted that is acceptable to staff, though a recommendation for cut-off lighting reducing light pollution is contained in a condition below.

- The plan does not provide green areas or public places that would be provided as per the plan to contribute to a more pedestrian-friendly environment and to help mitigate the amount of impervious surfaces proposed by the development.

Comment: The five pedestrian allees recommended by condition below would provide 13-foot-wide largely green elements in both parking lots and the use of permeable paving would reduce the size of the overall paved area.

- It is unclear from the plan as to whether or not restaurants contemplated as part of the plan have attractive outdoor eating areas with views of the public spaces/lakes or other natural features.

Comment: Extending the plazas and utilizing a main street theme as recommended by condition below would provide attractive outdoor eating areas with pleasant views.

- The initial phases of the project feature large expanses of impervious surfaces consisting of a large number of surface parking spaces and the two proposed buildings. It is unclear whether the plan minimizes impervious surfaces and, in later phases, to replace surface parking by the use of structured parking to the maximum extent possible.

Comment: Replacement of some of the planned asphalt by permeable paving and landscaped pedestrian allees as recommended by condition below would help minimize impervious surfaces, but the use of structured parking has been left to a later phase of the project.

- The plan does not meet the following guideline to any degree: “The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.

Comment: The open space network will be extended through the site by pedestrian allees through the parking lots and the crosswalk to the lower pond and the pedestrian connection to the viewing platform on the upper pond.

In sum, the Community Planning North Division stated: “This application fails to provide elements that would create a sense of integrated place among the three proposed retail sites, office building, and the entire Melford development. It provides no pedestrian linkages nor does it establish any connections to the proposed development and the other section of the development. The three proposed retail sites and office building are separated by an automobile parking lot. Also, there are no pedestrian/trail and open space networks that can link to the rest of the Melford development. The applicant is not meeting the guidelines as stated in the master plan for retail development.

Comment: Recommended conditions below address the Community Planning Section’s concerns.

Transportation: In a memorandum dated January 28, 2008, the Transportation Planning Section stated that they had reviewed the subject plan with respect to the larger Maryland Science and Technology Center development and the requirements of the approvals of A-9401, CDP-8601, and Preliminary Plan of Subdivision 4-88030. Further, they noted that the preliminary plan and the CDP approvals established a square footage cap for the initial phase of 1.95 million square feet, and Preliminary Plan of Subdivision 4-98076 affirmed a trip cap of 2,200 AM and 2,600 PM peak-hour vehicle trips for all remaining development. The Transportation Planning Section then specifically enumerated all the relevant conditions of the previous approvals, noting particularly that the subject plan is in conformance.

Subdivision: In a memorandum dated February 26, 2008, the Subdivision Section offered the following:

The property is the subject of Preliminary Plan 4-98076 and record plat PM 220@61, and is known as Lots 1 and 2A Block 3. The preliminary plan resolution contains 17 conditions. The following conditions are applicable to the review of this DSP:

1. Development of this site shall be in conformance with the approved Basic Plan (A-9401) and the approved Comprehensive Design Plan (CDP-8601), as amended or otherwise provided.

Subdivision Staff Comment: The property has been rezoned pursuant to the *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment*, to the M-X-T Zone. The basic plan, which had previously rezoned the property to the E-I-A Zone, was changed by the 2006 SMA, and previous CDPs no longer apply to this property.

2. Development of this site shall be in conformance with the approved stormwater management concept plan. The approval number and date shall be added to the preliminary plat prior to signature approval.

Urban Design Comment: The City of Bowie has jurisdiction over approving the stormwater management concept plan for the project.

3. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP I/44/98) or as modified by the Type II TCP. The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type I tree conservation plan (TCP I/44/98), or as modified by the Type II tree conservation plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

Urban Design Comment: This requirement has a trigger different than approval of the subject detailed site plan.

4. With the approval of specific design plans, a Type II tree conservation plan shall be approved.

Subdivision Staff Comment: A TCPII should be approved with the DSP.

Urban Design Comment: TCPII/36/99-06 is recommended to be approved subject to conditions together with the detailed site plan.

5. The following note shall be placed on the final plat:

“An automatic fire suppression system shall be provided in all proposed buildings.”

Urban Design Comment: A recommended condition below requires the placement of this note on the subject detailed site plan.

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

Subdivision Staff Comment: Conformance to this condition should be determined by the Transportation Planning Section prior to the approval of the DSP.

Urban Design Comment: Although the Transportation Planning Section stated that the project is in conformance with this requirement, staff has brought the condition forward as a recommended condition of the subject project.

As indicated above, the site is the subject of record plat PM 220@61 recorded in 2007, which was

was a resubdivision (24-108(a)(3)) of the original record plat CH 192@8. The record plat contains seven plat notes and a statement regarding the use of common parking and access easements. The statement indicates that the common parking and access to the uses on each lot in this subdivision as shown on the plat (attached) is provided through internal driveways or access easements. The plat notes are consistent with the Planning Board's resolution of approval (PGCPB Resolution No. 99-28A) and have been addressed above.

The record plat does contain a number of easements that should be clearly delineated on the site plan and labeled to ensure that improvements do not interfere with the purposes and requirements of the easement.

Urban Design Comment: Although conformance with stormwater management is, in this case, is under the jurisdiction of the City of Bowie and transportation and environmental issues have been dealt with through separate review, staff has included the Subdivision Section's other suggestions regarding the need for installation of a fire suppression system and to clearly identify all easements on the detailed site plan so that the development thereon does not interfere with their purposes or requirements.

Trails: In a memorandum dated February 27, 2008, the trails coordinator stated that Melford Boulevard is a master plan bikeway and, as such, should be properly signed and bike lanes designated or striped. Further, noting that internal sidewalk connections had been provided, including connections to a small observation platform to be provided on the southern end of the building proximate to the adjacent existing "Upper Pond," he suggested that more pedestrian amenities should be provided in conformance with the Melford illustrative concept and the approved Bowie and Vicinity Master Plan.

More specifically, while the greenway system and open space network envisioned in the Melford illustrative concept (master plan, page 193) is largely west of the subject site and the lower pond across the street for the subject site includes an existing asphalt trail around its perimeter, serving as a recreational and visual attraction for neighboring uses, no significant connection is made to the subject site. He suggested that the best way to connect the subject site with this existing amenity and greenway network would be via the roadway bisecting Block 3 at Science Circle as a sidewalk included along this road, and a pedestrian crosswalk with a pedestrian refuge is indicated at this point across Melford Boulevard to the existing lake and trail. A pedestrian refuge, he noted, is often the single-most important feature in improving the safety of an at-grade pedestrian crossing. Further, he supported decorative treatment of the crosswalk, as did the City of Bowie and Urban Design staff.

Further, the trails coordinator suggested additional pedestrian connections be made and more features added. He suggested that better sidewalk or walkway connections be made within the subject property to better accommodate pedestrian traffic between the office buildings approved on the site, the three retail buildings and Melford Boulevard, without requiring pedestrians to walk in the travel aisles of the parking lot. Citing the *Approved Master Plan for Bowie and Vicinity*, he said the inclusion of linked open space and a focus on an enhanced pedestrian

environment are supported by Master Plan Notes 5 and 6 on page 13. More specifically, he suggested the inclusion of two pedestrian walkways through the parking lot between Building 3B and the retail buildings and three through the parking lot immediately west of Building 3B. In closing, he expressed support of a decorative crosswalk and the suggestion of a main street streetscape along Melford Boulevard. The trails coordinator's recommendations have been included as conditions below.

Parks: In a memorandum dated February 1, 2008, the Department of Parks and Recreation (DPR) offered the following comments regarding the subject application's conformance to the following enumerated parks-related conditions of CSP-06002, District Council Resolution SP-06002.

Condition 18: Prior to the approval of any DSP, the applicant shall dedicate to M-NCPPC approximately 108 acres, including but not limited to 100-year floodplain and the floodplain buffer, as shown on DPR Exhibit "A."

Condition 19: Land to be conveyed is subject to the following Conditions 1-9 in Exhibit "B."

1. An original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of the Development Review Division, M-NCPPC, along with the final plat.
2. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalls, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
3. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits that include such property.
4. The land to be conveyed shall not be disturbed or filled in any way without the **prior written consent** of DPR. If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
5. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement prior to issuance of grading permits.
6. All waste matter of any kind shall be removed from the property to be conveyed.

All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance prior to dedication.

7. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of DPR.
8. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
9. No stormwater management facilities, or tree conservation or utility easements, shall be proposed on land owned by or to be conveyed to M-NCPPC.

Department of Parks and Recreation Comment: The applicant had not conveyed the 100-year floodplain and floodplain buffer to M-NCPPC. DPR staff recommends conveyance of the parkland prior to signature approval of the first of the following detailed site plans: DSP-07072, DSP-06096 or DSP-07031.

Urban Design Comment: A recommended condition below would require such conveyance.

Condition 29: d. If necessary, a public access easement shall be recorded from US 301 to the proposed public parkland over the planned private streets to provide public access to the park.

Department of Parks and Recreation Comment: There are no roads currently extending to the future parkland. The applicant is planning to submit a preliminary plan of subdivision for the eastern portion of the property that will provide public access to the parkland. Since the applicant is required to dedicate approximately 108 acres to M-NCPPC prior to approval of any detailed site plan, the public access to the parkland cannot be planned at this time. However, DPR staff recommends that temporary public access should be provided from the public street to the parkland at a location mutually agreed on by DPR and the applicant.

Urban Design Comment: This access is not relevant to this application.

In addition, DPR recommended additional conditions regarding the property to be conveyed as part of this application that have been included in the recommendation section of this report.

Permits: In a memorandum dated October 12, 2007, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

Environmental Planning: In a memorandum dated February 21, 2008, the Environmental Planning Section offered the following:

Site Description

The 23.49-acre property identified as Lots 1 and 2 of Block 3 is part of the 431.55-acre Melford (Maryland Science and Technology Center) site that is zoned M-X-T. Lot 1 of Block 2 is located in the northwest quadrant of Science Drive and Melford Boulevard. The larger Melford site is located in the northeast quadrant of the intersection of US 50 and US 3/301. A review of the available information indicates that streams, wetlands, 100-year floodplain, and severe slopes are found to occur on the overall property. The predominant soils found to occur, according to the Prince George's County Soil Survey, include Adelphia, Collington, Mixed alluvial land, Ochlockonee and Shrewsbury. The Mixed alluvial land and the Adelphia soils have limitations with respect to high water tables and impeded drainage. The other soil series poses few difficulties to development. According to available information, Marlboro clay is not found to occur in the vicinity of this property. US 50 (John Hanson Highway) and MD 3 are existing freeways and traffic-generated noise impacts are anticipated. Based on information obtained from the Maryland Department of Natural Resources, Wildlife and Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property; however, there are records of 'species of concern' known to occur on the property to the west known as the Nash property. There are no designated scenic and historic roads in the vicinity of this property. According to the approved *Countywide Green Infrastructure Plan*, all three network features (regulated areas, evaluation areas and network gaps) are present on the overall site. This property drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River, and is located in the Developing Tier in the approved General Plan.

Conformance with Conceptual Site Plan CSP-06002

With respect to compliance with the environmentally related conditions of the relevant conceptual site plan, the Environmental Planning Section offered the following. The respective conditions are in bold type face, the associated comments are in standard type face:

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

Comment: The CSP is pending certification; however, the proposed limits of disturbance shown on the revised TCPII are in general conformance with the TCPI approved by the Planning Board with the CSP.

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

- a. **Revise the shading patterns so that the information underneath is legible.**
- b. **Eliminate the pattern used to depict previously approved limits of disturbance and show only that limit of disturbance needed for the proposed development.**
- c. **Eliminate all clearing not necessary for the conceptual construction of the features shown.**
- d. **Revise the existing tree line per staff Exhibit A.**
- e. **Provide labels on each cleared area with the acreage and which land pod it is credited to; if cleared areas cross pods, divide them up so that the table on Sheet 1 can be checked for correctness.**
- f. **Revise the worksheet to reflect all cleared areas, preservation areas, etc.**
- g. **Revise the table on Sheet 1 to fill in all the boxes.**
- h. **Add the following note: "This TCPI is associated with the approval of CSP-06002 and as such is conceptual in nature. It is subject to further revisions with the preliminary plan of subdivision application."**
- i. **Revise the plans to address all other comments.**
- j. **Have the revised plans signed and dated by the qualified professional who prepared the plans.**

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

Recommended Condition: Prior to certification of the DSP, the TCPII shall be revised to include all the necessary sheets included in TCPII/36/99-06 so that the entire Melford site is included and that plan shall be in conformance with the conceptual site plan (CSP-06002) and the associated TCPI (TCPI/36/99-02) and all conditions of approval.

Recommended Condition: Prior to certification of the DSP, the TCPII shall be revised to add the following note: "The -07 revision to this TCPII is associated with the approval of DSP-07072."

15. **Prior to signature approval of the CSP, and at least 30 days prior to any hearing on the preliminary plan, the CSP and TCPI shall be revised to remove all buildings,**

roads, trails and other amenities from the 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain.

Comment: The current DSP does not include portions of the site subject to this condition.

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

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

- 20. Prior to the approval of the Preliminary Plan and Detailed Site Plan, the following shall be demonstrated:**
- a. Development plans shall show the minimization of impervious surfaces, through all phases of the project. Structured parking should be used to the maximum extent possible.**

Comment: The submitted TCPII and DSP propose surface parking throughout the site within this application. No structured parking is shown on the plans. The design as shown on the TCPII, DSP, and landscape plans does not allow for the micromanagement of stormwater through natural infiltration. The construction of the parking spaces above the maximum requirement should be designed with permeable paving or other applicable design method that will allow natural infiltration on the site.

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

Urban Design Comment: In lieu of this condition, staff is suggesting displacing some of the parking with landscaped pedestrian allees and using permeable paving only adjacent to the upper pond.

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

Comment: There are no disturbances to the stream or floodplain buffers associated with this application.

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

Comment: The TCPII proposes to clear the entire 3.33 acres of on-site woodland. This clearing is consistent with the TCPI approved with the CSP.

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

Comment: There are no stream channels on this portion of the site.

In the February 21, 2008, memorandum, the Environmental Planning Section offered the following further review:

1. The site has a natural resource inventory that includes a forest stand delineation (FSD) that is currently under review. The FSD was found to meet the requirements of the technical manual. The overall site contains a total of 175 acres of woodland on the net tract. The current application does not cover the entire Melford site; however, the area of woodland for this application is correctly shown on the plan.

Comment: As discussed in the previous section, the TCPII will be revised prior to certification of the DSP to cover the entire site.

2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it has previously approved tree conservation plans. The most recently approved plan, TCPI/44/98-02, was in conjunction with CSP-06002. The CSP is pending certification and the TCPI is pending signature approval.

Comment: A revised Type II tree conservation plan has been submitted and was found to meet the requirements of the Woodland Conservation Ordinance for the subject site. The TCPII proposes the clearing of the on-site woodland for the area within this application. The plan shows the provision of 0.05 acre of preservation and 2.00 acres of afforestation on this portion of the site to meet the overall requirements. The proposed clearing and woodland conservation for the subject site is in conformance with the approved TCPI.

The plan does not show the required utility easements for the site. This information should be shown on the plan to ensure the proposed woodland conservation will not be placed in public utility easements and storm drain easements.

Recommended Condition: Prior to certification of the detailed site plan, the TCPII shall be revised to show all required easements on the site.

3. A copy of the stormwater management concept plan approval letter and plan were not included in the submittal of the DSP. Concept approval is required prior to certification of the DSP.

Recommended Condition: Prior to certification of the detailed site plan, submit copies of the approved stormwater management concept plan and letter. The concept must be correctly reflected on the TCPII.

The Environmental Planning Section's suggestions are incorporated into the recommendation section of this report.

Fire Department: At the time of this writing, staff has not received comment from the Prince George's Fire Department.

Department of Public Works and Transportation (DPW&T): In a memorandum dated February 5, 2008, DPW&T stated that because the project is located within the incorporated limits of the City of Bowie it would not impact any county-maintained roadways and the stormwater management concept plan for the project would be approved by the City of Bowie.

Washington Suburban Sanitary Commission (WSSC): In an e-mail dated October 15, 2007, WSSC stated that they are not allowed to have structures within the public utility easement, but only to cross it with a pipeline. WSSC, in their comments, supported Verizon in stating that a ten-foot public utility easement must be delineated inside of and adjacent to the front property line facing the street. A condition to this effect is included in the recommendation section of this report.

Maryland State Highway Administration (SHA): In a memorandum dated November 13, 2007, a representative of the SHA, mentioning their long-term plan to develop US 301, from US 50 to the interchange at TB, as a six-lane freeway with service roads on one or both sides of the highway in varying locations, impacting uses located within the US 301 right-of-way, noted that the proposed development is not located within in the right-of-way.

Verizon: In e-mails dated October 15, 2007, and October 17, 2007, Verizon indicated that they would need a ten-foot unobstructed (by their definition this may include WSSC pipes crossing in more or less a perpendicular fashion) public utility easement. A recommended condition below would require that such public utility easement be shown.

City of Bowie: In a letter dated December 6, 2007, the City of Bowie stated that the City Council, after conducting a public hearing on the project on December 3, 2007, unanimously recommended approval of the project subject to the following conditions. Staff has included each recommended condition in bold face type and followed it by staff comment:

1. Prior to final signature approval of the project, applicant shall comply with the following:

- a. The *Landscape Manual's* minimum height of 12 to 14 feet for shade trees (8-10 feet for minor shade trees) shall be indicated on the landscape plan for the project.**

Comment: A condition below would require the addition of this information to the landscape plan for the project.

- b. The applicant shall provide continuous sidewalk connectivity between all of the buildings on the site and the adjoining public street sidewalks, especially those leading to the Lower Pond.**

- i. A decorative crosswalk shall be provided across Melford Boulevard to the Lower Pond.**
- ii. A decorative crosswalk shall be provided across the drive aisle south of the circle leading to the parking compound.**
- iii. A decorative pathway shall be provided through the parking lot between the office building and the retail buildings.**

Comment: These requirements are included in the conditions below.

- c. The plans shall be revised such that there are no more than 15 parking spaces without an island along the southern portion of the site.**

Comment: Staff concurs that the addition of landscaping on the southern portion of the site would provide a better transition to the green area adjacent. A condition requiring a 15-parking-space maximum without a landscape island has been included in the recommendation section of this report.

- d. The applicant shall design three public amenity spaces: a 'Viewing Area' adjacent to the Upper Pond along the sidewalk located between the retail buildings and Telsa Drive; a 'Mainstreet' streetscape along Melford Boulevard in front of the retail buildings; and two (2) courtyard areas between the three (3) retail buildings leading from the 'Main Street' areas to the 150,000 square foot office building.**

- i. The scenic 'Viewing Area' shall have decorative paving and interpretative signage describing the native plants and wildlife in the Upper Pond, the reasons for utilizing native plants, and the advantages to the Chesapeake Bay.**

- ii. **The ‘Main Street’ area shall have decorative pavers, tree grates, outdoor seating, decorative lighting and plantings to create a streetlike rhythm between the retail buildings and Melford Boulevard.**
- iii. **The two (2) courtyards shall be gateway areas that are accessible, safe, and comfortable and have decorative paving with potted plants and/or vines, decorative lighting and some benches that create a unique sense of place between the parking area and ‘Main Street.’**

Comment: Staff concurs that these improvements would upgrade the quality of the development to the standards outlined in the relevant conceptual plan. Therefore, staff has incorporated the suggestions as conditions in the recommendation section of this report.

- e. **The square footage of all the signage and the height of the monument sign shall be consistent with other approved signage and monument signs in the Melford development.**

Comment: A condition below would require the applicant to take an inventory of all existing signage on the site.

- f. **The applicant shall submit a separate detailed site plan for signage for the retail site or revise the site plan such that the square footage of all of the signage and the height of the monument sign is consistent with other approved signage and monument signs in the Melford**

Staff Comment: A recommended condition below would require submission of such plan or such revision of the site plan.

- 2. **Prior to issuance of any new sign permits for the Melford development, the developer shall survey the overall development for all existing and approved signage and shall submit a more unified signage program for the entire Melford development that complies with the approved comprehensive design plan and the recently approved conceptual site plan.**

Comment: Such condition is included in the recommendation section of this report.

- 3. **No fast food franchises or drive through facilities shall be located within the proposed retail buildings.**

Comment: The architectural form of the retail should be the focus of the control. If a fast food franchise can fit into the preexisting architectural form without insistence on utilizing its standard

corporate footprint, it should not be ruled out. Staff, however, concurs that drive-through facilities are not fitting in the type retail sought here, i.e., primarily to service the population that works and can walk to the retail buildings. Staff has included a condition in the recommendation section of this report that would prohibit drive-through establishments and minimize the negative impacts of having fast food franchises locate in the subject buildings.

4. The number of handicapped parking spaces shall be increased by 10 spaces.

Comment: The applicant has complied with the Zoning Ordinance requirement for handicapped spaces. Staff does not recommend increasing the number of handicapped parking spaces as suggested.

5. The applicant shall defer construction of 100 parking spaces until there is a demonstrated need for these spaces.

Comment: Since a recommended condition of this approval requires a redesign of the parking areas to include landscaped pedestrian allees and the construction of some permeable parking, staff does not concur that the applicant be required to defer construction of 100 parking spaces until such time as need is demonstrated.

In addition, the Bowie City Council recommended that, as a consideration, the applicant consider constructing Green Buildings, including such features as a green roof.

Comment: In view of recent interest in and commitment to investigating green building construction and LEED certification, staff supports incorporation of “green” features into the building construction and encourages the applicant to employ such features in these buildings. As the subject application is the last opportunity for Planning Board review, however, staff does not recommend that a formal “consideration” be part of the approval.

Sherwood Manor Civic Association (SMCA): In a letter dated January 28, 2008, SMCA recommended approval of DSP-07072 provided the applicant reduce impervious surfaces in compliance with Condition 20a of Conceptual Site Plan CSP-06002. More specifically, they recommended approval contingent on the following revisions to the plans:

1. That the number of parking spaces be reduced to 447; and
2. Ten percent of the parking spaces or approximately 45 will be paved with permeable materials.

Comment: Staff generally concurs with the intent of SMCA’s recommendations. Condition 20a would be complied with by (1) the addition of several green corridors through the parking lot and a concomitant reduction in the overall number of parking spaces, and (2) the use of some permeable paving. Staff notes that these measures are in lieu of the structured parking recommended by the relevant comprehensive planning document. Staff has incorporated these

suggestions into the recommendation section of this report.

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

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/36/99-06) and further APPROVED Detailed Site Plan DSP-07072 for the above-described land, subject to the following conditions:

1. Prior to signature approval the applicant shall revise the plans or provide documents as follows:
 - a. The "future building pad site" label and the dashed-in building footprint in the same location shall be removed from the plans.
 - b. All required loading spaces shall be clearly identified on the site plan.
 - c. An unobstructed ten-foot public utility easement shall be shown inside of and adjacent to the front property line facing the street, or alternative arrangement shall be made with all affected utilities and written evidence provided to that effect.
 - d. The applicant shall correct Note 6 of the site data for Lot 1 to include retail, restaurant and bank in addition to "office" for the proposed land use to be developed on the site.
 - e. TCPI/44/98-02 and CSP-06002 shall have obtained signature approval.
 - f. The TCPII shall be revised to include all the necessary sheets included in TCPII/36/99-06 so that the entire Melford site is included and that plan shall be in conformance with the conceptual site plan (CSP-06002) and the associated TCPI (TCPI/36/99-02) and all conditions of approval.
 - g. The TCPII shall be revised to add the following note: "The -07 revision to this TCPII is associated with the approval of DSP-07072."
 - h. The detailed site plan and TCPII shall be revised to show and label all required easements on the site.
 - i. The applicant shall submit copies of the approved stormwater management concept plan and letter to staff and shall have it correctly reflected on the TCPII and detailed site plan.
 - j. Curb extensions, curb cuts, crosswalks, pedestrian refuges, and other pedestrian safety features shall be clearly delineated and detailed on the site plan.

- k. Applicant shall add a note to the plans that a fire suppression system shall be provided in all of the proposed buildings.
- l. The “typical pedestrian light” specified in the photometric plan submitted for the project shall be replaced with a similar cut-off light fixture that would minimize light pollution from the site.
- m. Parking schedule shall be revised to delete all reference to a future building to be placed on the pad site.
- n. The applicant shall add the *Landscape Manual’s* minimum height of 12 to 14 feet for shade trees (or 8 to 10 feet for minor shade trees) to the landscape plans for the project.
- o. The number of parking spaces to be provided for the project shall be reduced by the addition of five pedestrian allees and the line of 67 parking spaces most directly adjacent to the upper pond shall be paved with permeable paving materials. Final plans for the pedestrian allees and parking areas shall be approved by the Urban Design Section as designee of the Planning Board.
- p. The applicant shall design three public amenity spaces: a “Viewing Area” adjacent to the Upper Pond along the sidewalk located between the retail buildings and Telsa Drive; a “Mainstreet” streetscape along Melford Boulevard in front of the retail buildings; and two courtyard areas between the three retail buildings leading from the “Main Street” areas to the 150,000-square-foot office building.
 - i. The scenic “Viewing Area” shall have decorative paving, an observation pavilion with benches and interpretative signage describing the native plants and wildlife in the Upper Pond, the reasons for utilizing native plants, and the advantages to the Chesapeake Bay.
 - ii. The “Main Street” area along Melford Boulevard shall have decorative pavers, tree grates, outdoor seating, decorative lighting and plantings to create a street-like rhythm between the retail buildings and Melford Boulevard.
 - iii. The two courtyards shall be gateway areas that are accessible, safe, and comfortable and have decorative paving with potted plants and/or vines, decorative lighting and some benches that create a unique sense of place between the parking area and “Main Street.”

Construction details for the above amenities shall be reviewed and approved in accordance with applicant’s exhibits relating to the viewing area, “Main Street” and courtyards by the Urban Design Section as designee of the Planning Board.

- q. A maximum of 15 parking spaces shall be situated between landscape islands on the

southern portion of the site.

- r. A note shall be added to the plans stating that no drive-through facilities will be permitted in the buildings and that any “fast food” tenants be subject to a staff level revision of the detailed site plan if any alterations to signage and or the architectural elevations are anticipated in order to accommodate the fast food tenant.
- s. The applicant shall provide two sidewalk connections or designated pedestrian walkways through the parking lot between Building 3B and the retail component as specified by the trails coordinator in his memorandum dated February 27, 2008. Design of the allees shall include a five-foot paved area flanked on either side by a four-foot landscaped strip. Final design shall be approved by the Urban Design Section as designee of the Planning Board.
- t. The applicant shall provide three sidewalk connections or designated pedestrian walkways through the parking lot on the west side of Building 3B as specified by the trails coordinator in his memorandum dated February 27, 2008. Design of the allees shall include a five-foot paved area flanked on either side by a four-foot landscaped strip. Final design shall be approved by the Urban Design Section as designee of the Planning Board.
- u. All temporary signage shall either be removed from the site or attached to the exterior facades of one of the buildings. Such temporary signage shall be removed from the site within a six-month period after the use and occupancy permit is issued for the project.
- v. Applicant shall utilize decorative paving for all crosswalks to be included in the project which shall match the size, color and materials currently used in the cross walks for the existing office building on Lot 1 and one such decorative crosswalk shall be added across the drive aisle south of the circle leading to the parking compound.
- w. A chart listing all development existing and/or approved by a detailed or specific design plan shall be included in the plans approved for all additional development on the site and its square footage shall be included for the purpose of tracking floor area ratio and permitted residential density.
- x. A note shall be added to the plans stating that any further development of this property that would generate more than 2,200 AM and 2,605 PM peak-hour trips will require a new traffic impact study.
- y. The TCPII shall be revised to correctly show the 150-foot, 100-year floodplain buffer.
- z. Prior to certification of the detailed site plan, the TCPII and detailed site plan shall be revised to show all water, sewer and stormdrain connections and their associated easements. The plan shall also show the ten-foot public utility easement. No woodland conservation shall be shown in any easements.
- aa. The applicant must submit the findings of the Phase II investigations for archeological

sites 18PR164 and 18PR165 in the form of a draft report to be reviewed by staff before a final report for the work can be accepted in compliance with Conditions 21 and 22 of Conceptual Site Plan CSP-06002.

- bb. The number of handicapped parking spaces shall be increased by 10 spaces.
2. Six weeks prior to submission of the plans for certification of any DSP in the land area covered by Detailed Site Plan DSP-07072, an original, special warranty deed along with a metes and bounds description for the 100-year floodplain and floodplain buffer to be conveyed to M-NCPPC (signed by the WSSC Assessment Supervisor), shall be submitted to the Department of Parks and Recreation for their review. Upon approval by the Department of Parks and Recreation, the deed shall be recorded in the land records of Prince George's County.
 3. The following conditions shall apply to the property to be conveyed to M-NCPPC:
 - a. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed including, but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to the approval of a final plat for the property.
 - b. The land to be conveyed shall not be disturbed or filled in any way without prior written consent of the Department of Parks and Recreation. If the land is to be disturbed, the Department of Parks and Recreation shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office of M-NCPPC) shall be submitted to the Department of Parks and Recreation within two weeks prior to applying for grading permits.
 - c. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Department of Parks and Recreation shall review and approve the location and design of these facilities. The Department of Parks and Recreation may require a performance bond and easement agreement prior to issuance of grading permits.
 - d. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The Department of Parks and Recreation shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
 - e. All existing structures shall be removed from the property to be conveyed unless the applicant obtains the written consent of the Department of Parks and Recreation.

- f. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
 - g. The land to be conveyed to the Department of Parks and Recreation shall not be encumbered by prescriptive or descriptive easements that are to the benefit of other properties without the expressed written permission of DPR. If encumbered, DPR shall review the location, the rights and privileges associated with those easements, and their anticipated impact on the future development of the parkland. If appropriate, the Department of Parks and Recreation may require the applicant to relocate said easements.
 - h. No stormwater management facilities or tree conservation or utility easements (other than typical PUEs associated with the edge of public right-of-way) shall be proposed on land owned by or to be conveyed to M-NCPPC without prior written consent of the Department of Parks and Recreation. The Department of Parks and Recreation shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.
 - i. A temporary 20-foot-wide easement shall be recorded along with the parkland dedication deed to provide suitable vehicular access to the parkland until the public roads are extended to the parkland.
4. Restoration of Melford and outbuildings must be completed prior to issuance of use and occupancy permits for any new office use to be included in the three speculative restaurant/retail/office buildings.
 5. At the time of building permit, if expected six-unit per configuration of the proposed building changes, the parking schedule shall be revised and parking on the site modified accordingly.
 6. The applicant shall consider utilizing “green” building construction techniques and attempt to fulfill at least the basic standard for Leadership in Energy and Environmental Design (LEED) certification.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Cavitt, seconded by Commissioner Vaughns, with Commissioners Cavitt, Vaughns and Parker voting in favor of the motion, and with Commissioner Squire and Clark absent at its regular meeting held on Thursday, March 13, 2008, in Upper Marlboro, Maryland.

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Adopted by the Prince George's County Planning Board this 3rd day of April 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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