

R E S O L U T I O N

WHEREAS, St. John Properties, Inc. is the owner of a 129.16-acre property consisting of 11 parcels, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Mixed Use–Transportation Oriented (M-X-T); and

WHEREAS, on October 28, 2016, St. John Properties, Inc. filed an application for approval of a Preliminary Plan of Subdivision for 256 lots and 50 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-16006 for Melford Village was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on March 9, 2017, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on March 9, 2017, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type 1 Tree Conservation Plan (TCP1-044-98-05), and APPROVED a Variance from Section 25-119(d), and further APPROVED Preliminary Plan of Subdivision 4-16006, including a Variation from Section 24-128(b)(7)(A) for 256 lots and 50 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:
 - a. Provide a table or general note that demonstrates the disposition of each commercial parcel by number and each residential homeowners association (HOA) parcel by letter, and indicate if the parcels will be dedicated to the HOA, business owners administration, or other entity. The parcels (including existing tax parcels) should be renumbered or re-lettered in ascending order. Final determination of which entity will receive each parcel will be determined at the time of detailed site plan.
 - b. Provide a table on the cover sheet or update the title block to list all of the lot numbers in each block.

- c. Label Parcel 40 as to be conveyed to the City of Bowie and update the homeowners association dedication notes on Sheet 1 accordingly.
 - d. Correct General Note 13 to provide the correct number of parcels proposed for commercial and multifamily uses, TH, and two-family.
 - e. Remove the lot designations for the two over two units and relabel them as numbered parcels.
 - f. Show the required 10-foot-wide public utility easements (PUEs) along both sides of New Public Roads 'A' through 'E.' Any deviation from the 10-foot wide PUE shall only be allowed upon demonstration of approval by the appropriate public utility. A variation must be approved prior to detailed site plan for any deviation from the 10-foot-wide PUE requirement.
 - g. Include a location for a trailhead facility for the master plan trail along the Patuxent River.
 - h. The pedestrian network exhibits shall be revised to include the trailhead location and the additional shared-lane marking.
 - i. The applicant shall provide written documentation that the City of Bowie has approved a waiver of the street standards for the project.
2. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement (PUE) along all public rights-of-way, and one side of all private streets, not including alleys. Any deviation from the 10-foot-wide PUE shall only be allowed upon demonstration of approval by the appropriate public utility. A variation must be approved prior to detailed site plan for any deviation from the 10-foot-wide PUE requirement.
 3. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval and on the approved plan, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
 4. Prior to certification of the preliminary plan, an updated Letter from the Maryland Department of Natural Resources, Wildlife and Heritage Division, shall be submitted concerning the presence of rare, threatened and/or endangered species on the site.
 5. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

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

6. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall provide the Environmental Planning Section with copies of all Federal and State wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
7. Prior to certification of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as applicable:
 - a. The current Environmental Planning Section approval block shall be used and all prior approval typed in.
 - b. A legend shall be provided on each sheet which shall identify all the graphic elements used on the sheet.
 - c. A woodland conservation sheet summary table shall be provided.
 - d. The term “woodland preserved-not credited” shall be replaced by “woodland retained-not credited” in the legend.
 - e. All areas shown as “opportunity areas” shall be eliminated and instead shown as afforestation/ reforestation areas. “Opportunity Areas” shall be removed from the legend.
 - f. All identification information shall be provided in the woodland conservation worksheet.
 - g. Metes and bounds shall be provided for all property lines.
 - h. A scale shall be provided for the cover sheet key map.
 - i. Woodland conservation areas shall be clearly bordered.
 - j. All existing and proposed utility easements shall be shown, and no woodland conservation shall be credited in a utility easement.
 - k. Afforestation/ reforestation shall not be credited for landscaping in parking lot islands.
 - l. Crediting of woodland conservation shown on property owned by M-NCPPC is subject to the written approval of the Department of Parks and Recreation, and M-NCPPC signature of an owner’s awareness block on the plan.

- m. The amount of any woodland conservation credited on land donated to M-NCPPC shall be separately identified in the Woodland Conservation Summary Table, and on the individual Woodland Conservation Sheet Tables.
- n. All property owned by M-NCPPC shall be clearly labeled.
- o. Woodland preservation shall not be shown or credited in the 100-year floodplain.
- p. All stormwater management easements shall be shown on the plan.
- q. All woodland conservation areas shall meet required minimum width and size design standards.
- r. SWM micro-retention basins shall not be credited as woodland conservation because the planting proposed are not consistent with the requirements of the Woodland Conservation Ordinance.
- s. The calculation of net tract area needs to be revised in the woodland conservation worksheet to show that Lot 2, in Pod 7, has been purchase by the U.S. Government, and is no longer submit to local woodland conservation requirements. This acreage should be added to the list of “Previously Dedicated Land” in the Woodland Conservation Summary Table, and woodland preservation shall not be credited on Lot 2. Affected plan sheets, calculations and tables shall be adjusted to reflect this change.
- t. All tables and calculations shall be revised as needed to reflect the required revisions.
- u. Woodland conservation credits shall be removed from any property which does not have the consent of the property owner.
- v. The woodland within the cemetery environmental setting shall be indicated as “woodland retained – not credited,” and no afforestation should be shown with the approval of the TCP1.
- w. Have the revised plan signed and dated by the Qualified Professional who prepared it.
- x. Trees to be removed shall be clearly indicated on the affected plan sheets (Sheets 7 and 10), and the graphic element indicating specimen trees to be removed shall be added to the legend.
- y. Add a variance note under the woodland conservation worksheet and complete to reflect the variance approval:

“NOTE: This plan is in accordance with a variance from the strict requirements of Subtitle 25 approved by the Planning Board on March 9, 2017 for the removal of twelve specimen trees (Section 25-122(b)(1)(c)): ST- O, P, Q, R, S, T, U, V, Y, Z, AA and BB.

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

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

9. At the time of detailed site plan and Type 2 tree conservation plan (TCP2) approval, the applicant may credit woodland conservation credit if permission of the cemetery owner is obtained, subject to approval of a historic setting vegetation management plan. The purpose of the plan is to determine where trees need to be removed to conserve the resource and where additional woodlands could be established. Implementation of the Plan would be subject to approval of a historic area work permit (HAWP). Development of a management plan would qualify trees within the environmental setting to be credit as “historic trees” at twice the usual woodland conservation ratio.

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

- a. Permission of the owner or ownership of the property shall be demonstrated.
- b. A historic tree inventory of the environmental setting of the cemetery shall be prepared and included on the TCP2.
- c. A historic setting vegetation management plan for the cemetery shall be prepared for the purpose of identifying vegetation that should be removed to protect the existing graves on-site, to identify recommended maintenance activities, and to propose any additional planting appropriate for the site. The plan shall include a maintenance program for the cemetery to retain an open character over the known gravesites, a cost estimate for implementation of the plan and for a minimum of four years of maintenance, and shall identify the party or parties responsible for the long-term maintenance of the environmental setting.

- d. The quantity of historic tree credits in the environmental setting shall be calculated and added to the woodland conservation worksheet.
 - e. Prior to the issuance of grading permits for Melford Village which credit woodland conservation with the cemetery environmental for historic tree credit, a HAWP for implementation of the historic setting vegetation management plan shall be approved, and a bond for implementation of the plan shall be submitted. Bonding shall be held until the requirements of the plan is fully implemented, and four years of maintenance has been monitored.
10. Prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
- a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane. This sidewalk shall conform to the Street Sections approved as part of the Melford Village Design Guidelines, or as modified by the City of Bowie or the Maryland State Highway Administration.
 - b. Remove the northbound channelized right at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn would be reconstructed and relocated to the existing traffic signal and pedestrian signals (APS/CPS) will be included to support the new pedestrian connection.
 - c. At the time of detailed site plan, provide an exhibit that illustrates the location, limits, specification and details of all off-site improvements proffered in the bicycle pedestrian impact statement, or recommended by staff, for the review of the operating agencies. This exhibit shall show the location of all off-site sidewalk construction, ADA ramps, pedestrian signals, crosswalk treatments, ramp reconfiguration and the removal of the roundabout.
11. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B*, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:
- a. Include a location for a trailhead facility for the master plan trail along the Patuxent River. Details for the trailhead regarding parking, signage, and other facilities can be made at the time of detailed site plan.

14. Prior to signature approval of the preliminary plan of subdivision and the Type 1 tree conservation plan, the plans shall be revised to delineate and note both the environmental setting and the impact area for Melford and Cemetery, Historic Site 71B-016 as required by Condition 13 of PGCPB Resolution No. 14-128 for CSP-06002-01.
15. Prior to signature approval of the preliminary plan of subdivision and Type I tree conservation plan, the applicant and the applicant's heirs, successors, and/or assignees shall clarify the ownership of the cemetery parcel associated with the Melford Historic Site (71B-016).
16. Total development shall be limited to uses which generate no more than 2,353 AM peak-hour trips and 2,766 PM peak-hour trips. Any development generating an impact greater than that identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.
17. Prior to issuance of any residential building permits within the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction through the applicable agency's access and permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency, and per applicable City, County, and/or SHA standards and requirements:
 - a. **Melford Boulevard and Science Drive:** Convert the existing roundabout to a traditional four-legged signalized intersection, as described below:
 - (1) Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required physical and traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.
 - (2) Provide four travel lanes on the northbound approach and on the southbound approach. These shall include two travel lanes in each direction and turning lanes, as determined to be appropriate by the City of Bowie.
 - (3) Provide two travel lanes on the eastbound approach and on the westbound approach. These shall be marked and striped as determined to be appropriate by the City of Bowie.
 - b. **Melford Boulevard and Tesla Drive/site access:** Traffic signal warrant studies for this intersection shall be provided during the review of the first detailed site plan (DSP) for each phase, until such time that the said improvements are completed. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at the time of DSP. This condition does not apply to DSP applications for infrastructure only.

- c. **US 301 and Governors Bridge Road/Harbour Way:** Provide an additional right-turn lane on eastbound Harbour Way and restripe the eastbound approach on Harbour Way to result in two left-turn lanes, one shared through/left-turn lane, and one right-turn lane.
18. Prior to signature approval of the preliminary plan of subdivision and Type I tree conservation plan, the applicant and the applicant's heirs, successors, and/or assignees shall revise the plans per the applicant's exhibit and demonstrate conformance to Section 27-548(h) of the Prince George's County Zoning Ordinance for all townhouse lots.
19. Pursuant to a proffer made in the traffic impact study and an agreement with the City of Bowie, prior to the first residential building permit, the applicant and the applicant's heirs, successors, and/or assignees shall provide for at least four traffic calming measures or devices along Belair Drive, west of the MD 3 interchange and per the City of Bowie standards and specifications. These measures shall be provided and reviewed with the first detailed site plan for residential development filed pursuant to this preliminary plan of subdivision.
20. A hiker-biker trail connection shall be shown on the preliminary plan of subdivision and constructed by the applicant and the applicant's heirs, successors, and/or assignees along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.
21. A 10-foot-wide hiker-biker trail shall be provided by the applicant and the applicant's heirs, successors, and/or assignees on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This segment of the trail system shall be shown on the preliminary plan of subdivision prior to signature approval. The appropriate triggers for the permitting and construction of the hiker-biker trail on Parcel 40 shall be determined at the time of the first detailed site plan for the Northeast Neighborhood.
22. To help fulfill the purpose of Condition 19 of Conceptual Site Plan CSP-06002-01, "sharrows" shall be installed by the applicant and the applicant's heirs, successors, and/or assignees on Curie Drive (and Science Drive, beyond the Melford Village project limits). The appropriate location(s) and triggers for permitting and construction of the sharrows shall be determined at the time of detailed site plan for each phase of the project.
23. The applicant and the applicant's heirs, successors, and/or assignees shall deed Parcel 40 to the City of Bowie upon completion of all facilities on Parcels 40 and 41 (the amphitheater parcel).
24. The applicant and the applicant's heirs, successors, and/or assignees shall execute a maintenance agreement with the City of Bowie for maintenance of Parcel 40 prior to issuance of any building permits.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 47, Grid F3, and Tax Map 48, Grid A3 and consists of 11 existing parcels totaling 129.156 acres in the M-X-T Zone. Sensitive environmental features exist on the property associated with a stream system that runs along the northern, southern and eastern boundary of the site. The property is currently improved with two existing 150,000-square-foot office buildings (totaling 300,000 square feet), and the Melford and Cemetery Historic Site (71B-016). The Melford House is a 2½-story brick plantation house that was built in the 1840s.

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

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

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

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

Previous Approvals

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

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

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

The Planning Board held its public hearing on CSP-06002-01 on November 13, 2014. The Planning Board issued Resolution No. 14-128 approving CSP-06002-01. On February 23, 2015, the District Council held Oral Argument based on an appeal filed by local citizen opponents and took the case under advisement. On March 23, 2015, the District Council issued a Notice of Final Decision and Order of Approval with Conditions affirming the Planning Board's decision in CSP-06002-01.

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

3. **Setting**—The subject property is located in the northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301), in Planning Area 71B and Council District 4.

This application consists of 129.16 acres that is located in the center portion of the overall 431-acre Melford development.

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

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

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

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

5. **Environmental**—The revised PPS and Type 1 Tree Conservation Plan, TCP1-044-98-05, has been reviewed for Melford Village, stamped as received by the Countywide Planning Division on December 29, 2017.

Background

Development Review Case	Tree Conservation Plan	Approval Authority	Status	Action Date	Approval Document
A-9401	N/A	District Council	Approved	10/10/2001	PGCPB No. 02-43
A-9401-02	N/A	N/A	Dormant	N/A	N/A
CSP-06002	TCPI-044-98-02	District Council	Approved	5/11/2009	Order of Approval
CSP-06002-01	TCP1-044-98-04	District Council	Approved	3/23/2015	Order of Approval
4-16006	TCP1-044-98-05	Planning Board	Pending	3/2/2017	Pending

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

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

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

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

Grandfathering

The site is grandfathered from the requirements of Subtitle 25, Division 2 that became effective on September 1, 2010 and February 1, 2012 because the site has an approved TCPI and TCPII. A revision to the TCP1 is proposed with the current application. The site is not grandfathered from the requirements of Subtitle 24, which became effective on September 1, 2010 and February 1, 2012 by approval of a PPS. The current application is a new PPS, which will be subject to current subdivision requirements, including a revised NRI.

Site Description

The overall Melford development of which this application is a part, is in the northeast quadrant of the intersection of US 50 and MD 3/US 301, and contains 431.55 acres in the M-X-T Zone. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on this property. According to the "Soil Web Survey" the principal soils on the site are in the Adelphia-Holmdel, Collington, Evesboro-Downer, Swedesboro-Galestown, Udorthents, and Woodstown series. Only one of the soils, Woodstown, is hydric, and then other pose no special development challenges. Marlboro and Christiana clays are not located on or in the vicinity of the property. According to available information, Marlboro clay

is not found to occur in the vicinity of this property. Based on information obtained from the Maryland Department of Natural Resources Wildlife and Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property; however, there are records of 'species of concern' known to occur within the vicinity of the site. There are no designated scenic and historic roads in the vicinity of this property. According to the 2005 *Approved Countywide Green Infrastructure Plan*, all three network features (Regulated Areas, Evaluation Areas and Network Gaps) are present on the Melford site. This property drains to an unnamed tributary located in the Patuxent River basin, is located directly adjacent to the Patuxent River.

Conformance with Plan Prince George's 2035 Approved General Plan

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

Plan Prince George's 2035 Approved General Plan supersedes and amends the February 2006 *Approved Bowie and Vicinity Master Plan and Sectional Map Amendment* pursuant to language contained in County Council Resolution CR-26-2014, and authorizing PPS to be designed "to conform with the land use policy recommendations for centers, as approved within the current County General Plan."

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

"A range of auto-accessible centers that anchor larger areas of suburban subdivision. Overall the centers are less dense and intense than other center types and may be larger than a half mile in size due to their auto orientation. The centers typically have a walkable "core" or town center. Often the mix of uses is horizontal across the centers rather than vertical within individual buildings. While master plans may call for future heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction."

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

Master Plan Conformance

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

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

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

Strategies:

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

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

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

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

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

Strategies:

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

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

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

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

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

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

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

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

Strategies

- 1. Encourage the planting of trees in developed areas and established communities to increase the overall tree cover.**
- 2. Provide a minimum of ten percent tree cover on all development projects. This can be met through the provision of preserved areas or landscape trees.**
- 3. Establish street trees in planting strips designed to promote long-term growth and increase tree cover.**

- 4. Establish tree planting adjacent to and within areas of impervious surfaces. Ensure an even distribution of tree planting to provide shade to the maximum amount of impervious areas possible.**

Street trees will be provided in accordance with the Prince George's County Department of Public Works and Transportation (DPW&T) standards, and landscaping materials will be required in accordance with the 2010 *Prince George's County Landscape Manual* at the time of DSP. The tree canopy coverage requirements of Subtitle 25, Division 3 will also be evaluated at the time of DSP.

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

Strategies:

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

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

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

Strategies:

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

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

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

Conformance with the 2010 Approved Water Resources Functional Master Plan

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

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

Conformance with the 2005 Approved Countywide Green Infrastructure Plan

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

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

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

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

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

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

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

The revisions were made and the certificate was issued.

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

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

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

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

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

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

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

- 20. Prior to the approval of a preliminary plan or detailed site plan, the applicant shall demonstrate:**
- a. Development plans shall show minimization of impervious surfaces, through all phases of the project, with the use of permeable paving surfaces where soil conditions provide for the use of permeable paving materials. Structured parking should be used to the maximum extent possible.**

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

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

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

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

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

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

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

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

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

Lighting systems will be reviewed at the time of DSP for conformance to this condition of approval.

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

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

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

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

The revisions were made and the certificate was issued.

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

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

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

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

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

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

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

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

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

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

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

7. **Prior to approval of a preliminary plan of subdivision or detailed site plan, the applicant shall demonstrate:**
 - a. **The development plans shall show minimization of impervious surfaces to the maximum extent possible, through all phases of the project, with the use of permeable paving surfaces in accordance with the approved storm water management concept plan for Melford. Structured parking should be used to the maximum extent reasonably practicable.**
 - b. **The required 100-foot natural buffer for streams and the 150-foot buffer for the 100-year floodplain shall be retained in an undisturbed or restored state to the fullest extent possible, except for impacts approved by the Planning Board. Master-planned trails and connectors to the master plan trail from interior trail networks shall be allowed subject to minimization of impacts.**
 - c. **Clearing for utility installation shall be minimized, especially in environmentally-sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland**

disturbed for that purpose shall be reforested, in cooperation with the appropriate utility.

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

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

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

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

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

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

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

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

Natural Resource Inventory Plan/Existing Features

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

The environmental and cultural features identified on the NRI, and the delineation of the PMA have been correctly transposed onto the TCP1.

Rare, Threatened and Endangered Species

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

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

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

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

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

Impacts to regulated environmental features must first be avoided and then minimized. If impacts to the regulated environmental features are proposed, a statement of justification must be submitted in accordance with Section 24-130 of the Subdivision Regulations. The justification must address how each impact has been avoided and/or minimized and should include 8.5 by 11 exhibits of the proposed disturbance.

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

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

The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on consistency with the limits of disturbance shown on the previously approved Conceptual Site Plan CSP-06002-01 and Type 1 Tree Conservation Plan TCP1-044-98-04.

Tree Conservation Plan

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

Type 1 Tree Conservation Plan TCP1-044-98-05 covers a 431.55-acre gross tract area, which is portion area of the Melford development (formerly University of Maryland Science and Tech Center) which is subject to the ordinance, and is larger than the PPS currently under review. The woodland conservation threshold is 44.38 acres, based on the M-X-T zoning and a net tract area of 295.86 acres. The site contains 176.47 acres of upland woodlands and 89.26 acres of wooded floodplain. The revised TCP1 proposes clearing 121.39 acres of the upland woodlands, and 0.30 acres of wooded floodplain. No off-site clearing is proposed. Previously dedicated rights-of-way have been subtracted from the gross tract area consistent with the previous TCP1 approval. Based upon the clearing proposed, the total woodland conservation requirement for the development is currently calculated to 45.58 acres.

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

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

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

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

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

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

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

Preservation of Specimen, Historic and Champion Trees

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

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

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

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

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

The Environmental Planning Section and the Historic Preservation Section noted, and the Planning Board finds, that some vegetation removal in the cemetery is appropriate to protect and conserve the existing gravesites. Under the current situation of unknown ownership, no credit can be given for woodland conservation located within the environmental setting.

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

A Subtitle 25 Variance Application and a statement of justification for the removal of 12 specimen trees located in Melford Village was received by the Development Review Division on

October 5, 2016. A total of 44 specimen trees have been identified on-site, within the boundary of this PPS, including the Melford historic site.

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

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

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

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

the mass grading and fill proposed for development of the site would significantly change the elevation of the area, and its retention is not compatible within the desired pattern of development.

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

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

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

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

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

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

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

The statement of justification states that the applicable Zoning Ordinance development requirements are in effect for M-X-T property, and that no special privilege would be conferred by granting the variance. All applicants have the right to request a variance to

remove specimen trees should they prove special circumstances exist that merit their removal.

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

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

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

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

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

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

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

The Planning Board approves the variance request for twelve specimen trees (O, P, Q, R, S, T, U, V, Y, Z, AA and BB) based on the above findings.

Noise Impacts and Mitigation

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

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

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

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

The 65 dBA noise contour related to US 50 falls just south of the boundary of the current development proposal, basically running along Melford Boulevard. Just north of Melford Boulevard the plan proposes single-family attached units which are outside of the 65 dBA contour. In conjunction with the lower topography of the adjacent roadway and intervening buildings providing additional shielding, no noise mitigation measures are recommended.

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

Sediment and Erosion Control

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

An erosion and sediment control concept plan must be submitted at the time of PPS so that the limits of disturbance for the project can be verified as shown on the TCP. A copy of the approved erosion and sediment control concept plan will be required prior to certification of the PPS.

Soils

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

6. **Community Planning**—The subject application is located in Planning Area 71B within the City of Bowie, and within the 2006 Bowie and Vicinity Master Plan and SMA, which rezoned the property from the E-I-A Zone to the M-X-T Zone and recommended a mixed-use development (residential, office/employment/retail/hotel uses) land use for the subject property. This application proposes a mixed-use development which conforms to the land use recommendation within the master plan.

Plan Prince George's 2035 created new Center designations to replace those found in the 2002 Approved General Plan. The General Plan established five Town Centers. Town Centers are focal points of concentrated residential development and limited commercial activity serving established communities. The proposed application is located within the Bowie Town Center. Town Center designations in the General Plan, as identified in the Plan 2035 Center Classification System, offer the following general guidelines.

- a. **New housing mix: Low rise apartments, and condos, townhouses and small single family lots**—This is evident as this application proposes attached and multifamily residential development.
- b. **Average Net Housing Density for New Development: 10-60 Dwelling Units/Acre**—This application is proposing 15 dwelling units per acre.
- c. **FAR for New Commercial Development: 1-2.5**—This application is proposing a 0.07 FAR for new commercial development which is less than the recommended 1–2.5 FAR guideline for Town Centers. However, it appears that the proposed FAR is greater than the FAR on the previously approved Conceptual Site Plan CSP-06002-01 for the Melford development, which proposes an underlying FAR ranging from 0.46 to 0.68.
- d. **Transportation Characteristics: Largely automobile-oriented with access from arterial highways. Limited bus service along with on-demand bus service**—Overall, the centers are less dense and intense than other center types and may be larger than one-half mile in size due to their auto orientation. The centers typically have a walkable “core” or town center. Often, the mix of uses is horizontal across the centers rather than vertical within individual buildings. While master plans may call for future heavy or light rail extensions or bus rapid transit, no transit alternatives have been approved for construction. As development in the Bowie Town Center evolves, this application may create a more robust demand for bus service.

An evaluation of the following policies and strategies from pages 110–118 of Plan Prince George's 2035 revealed the following relevancy to the proposed application:

Policy 1: Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals set forth in Table 17.

This application is not located in a regional transit district.

LU1.1 To support areas best suited in the near term to become economic engines and models for future development, encourage projected new residential and employment growth to concentrate in the Regional Transit Districts that are

designated as Downtowns (see the Strategic Investment Program under the Implementation section).

This is not relevant to this review.

LU1.2 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other County regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies. Conduct a comprehensive analysis of the Zoning Ordinance, including its use tables, zoning districts and densities, and variance criteria.

The Zoning Ordinance is currently being updated. This is not relevant to this review.

LU1.3 Evaluate the existing zoning districts in the Regional Transit Districts to ensure that sufficient development capacity is available to meet desired population and employment targets set forth by the Center Classification System (see Table 16).

This is not relevant to this review.

LU1.4 Annually review and report on County growth trends to measure progress toward meeting Plan 2035 growth management goals. Identify potential revisions to policies and ordinances to assist with meeting the goals.

This is not relevant to this review.

LU1.5 Annually review the CIP program to ensure consistency with the Plan 2035 vision, goals, and policies. The Planning Board will review proposed public facility and infrastructure projects and submit its recommendations to the District Council and County Executive for consideration (also see Strategic Investment Program under the Section V: Implementation).

This will be part of the County's CIP review.

LU1.6 Identify the key capital improvement projects for each of the centers identified in Table 16 that are necessary to promote and facilitate economic and residential development within the center. Identify and coordinate the capital improvement projects with county agencies and key stakeholders. Prepare a summary of the Center Diagnostic score for each center.

This is not relevant to this review.

Policy 2: Limit the expansion of public water and sewer outside the Growth Boundary in Rural and Agricultural Areas.

The development is served by public water and sewer.

LU2.1 Coordinate the provision of public water and sewer, as outlined in the Public Facilities Element, with the Department of the Environment (DoE) and the Washington Suburban Sanitary Commission (WSSC) and in accordance with the Growth Policy Map to ensure that water and sewer facilities are not extended beyond the Growth Boundary. The Growth Boundary should be reviewed on a periodic basis to assess compatibility with Plan 2035 goals.

This is not relevant to this review.

LU2.2 Coordinate amendments to the Growth Boundary with future updates to the Septic Tier Map and the County's Water and Sewer Plan.

This is not relevant to this review.

Policy 3 Use Plan 2035, including the Growth Policy Map and Center Classification System, to guide the development of land use policies for all future master and sector plans, functional plans, and other county planning documents.

This is reflected in the General Plan and master plan comments above.

LU3.1 Evaluate the Plan 2035 future land use categories and apply to new master plans so that, over time, all plans use a common nomenclature to describe similar land uses. Allow plans to develop common land use subcategories.

This is not relevant to this review.

LU3.2 Review preliminary master plans and rezoning requests to ensure that proposed development is consistent with the Growth Policy Map and the Center Classification System (see Table 16). (See also Section V: Implementation, under Plan Administration for Amendments and Updates.)

LU3.3 Review approved master plans to evaluate the consistency of existing Regional Transit Districts and Local Centers with the Center Classification System (see Table 16). To ensure consistency, future master plan revisions and/or rezonings may be warranted.

This is not relevant to this review.

Policy 4 Phase new residential development to coincide with the provision of public facilities and services.

This is not relevant to this review. Adequate public facilities will be evaluated and determined.

LU4.1 Annually evaluate the County's residential and employment forecast projections to identify the amount of new land area required to meet demand.

This is not relevant to this review.

LU4.2 Create a working group to address the magnitude of the residential pipeline in Established Communities and Rural and Agricultural Areas. Potential strategies to reduce the pipeline include amending the County code to limit validity periods, reevaluating approved adequate public facilities for projects that have not provided assurances that public infrastructure will be constructed in a timely manner, and requiring performance bonding prior to recordation of final plat.

This is not relevant to this review.

LU4.3 Evaluate strategies to phase development countywide. Potential strategies include establishing a residential allocation process.

This is not relevant to this review.

LU4.4 Identify additional strategies that may reduce the amount of residential and commercial development that is no longer economically viable and has been approved but not constructed throughout the County. Evaluate various codes and procedures including validity periods and the effect on adequate public facilities.

This is not relevant to this review.

Policy 5 Implement the Growth Policy Map through coordinated multimodal transportation and mobility planning and programs.

This is not relevant to this review.

Policy 6 Support new employment growth in Employment Areas in accordance with the Growth Policy Map and the Growth Management Goals (see Table 17).

This application supports this policy.

LU6.1 Align the Economic Development Corporation's work program with the Growth Policy Map to establish programs and policies to support employment growth in the Employment Areas, with a particular emphasis on the Innovation Corridor (see the Strategic Investment Program under Implementation).

This application is consistent with the Economic Development Corporation's mission of providing employment opportunities.

Policy 7 Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers.

This application supports this policy. This application provides a mix of uses and is located in a Town Center.

LU7.1 Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated.

This is not relevant to this review. An updated Bowie and Vicinity Master Plan is in the Planning Department's FY18 approved budget.

LU7.2 Consider developing, as part of the Zoning Ordinance update, alternative lower density zoning districts that promote walkability and allow for a mix of uses.

The Zoning Ordinance update is currently in progress.

Policy 8 Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.

Policy 8 and the sub-land use are not relevant to this review.

LU8.1 Coordinate land use planning with County municipalities.

LU8.2 Use conservation subdivisions in areas adjacent to Rural and Agricultural Areas to transition density and to encourage preservation of green infrastructure corridors as defined by the County's Green Infrastructure Plan.

LU8.3 Encourage municipalities to designate Development Review Districts to promote and preserve the integrity of high-quality and complementary infill development in the Established Communities.

LU8.4 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other County regulations to ensure they help protect, strengthen, and revitalize the Established Communities.

LU8.5 Continue to coordinate, apply for, and use state and federal programs and resources for neighborhood revitalization and reinvestment of low- and moderate-income communities. Programs and resources include Sustainable Community designations, HUD program funds, and tax incentives.

Policy 9 Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas.

This application is in a Town Center. This is not relevant to this review.

LU9.1 Evaluate rezoning requests to determine if the location, population projections, and market demand justify an increase in commercially-zoned property.

This is not relevant to this review.

LU9.2 Develop a countywide strategic plan for future retail development and implement its recommendations through the Zoning Ordinance update, master plan process, and public private partnerships with county agencies. As part of this retail plan, inventory older commercial areas and shopping centers to identify candidates for potential (re)development and rezoning to accommodate residential infill or other neighborhood-serving uses.

The Zoning Ordinance is currently being updated. Also, a new Bowie and Vicinity Master Plan is in the FY18 budget.

Policy 10 Retain Future Water and Sewer Service Areas in water and sewer categories S5 and W5 until additional residential development capacity is needed to meet growth projections.

Policy 10 and the sub-land use are not relevant to this review.

LU10.1 Evaluate the Future Water and Sewer Service Areas through annual reviews of the residential pipeline and residential development capacity analysis. Establish criteria to determine when land within the Future Water and Sewer Service Areas should be reclassified.

LU10.2 Review the annual water and sewer amendments to retain the S5 and W5 water and sewer categories until additional residential capacity is required and public facilities are in place to serve projected development.

LU10.3 Evaluate Future Water and Sewer Service Areas as potential woodland conservation banks or stormwater management offset areas to meet the requirements of the Watershed Implementation Plan (see the Natural Environment Element).

Policy 11 Preserve and protect the Rural and Agricultural Areas to conserve agricultural and forest resources.

Policy 11 and the sub-land use are not relevant to this review.

LU11.1 Continue to implement the Priority Preservation Plan (PPA) to achieve identified agricultural and forestry land preservation goals and coordinate with the Prince George's County Soil Conservation District, University of Maryland Extension Service, the agricultural community, residents, and community groups.

LU11.2 Amend the Zoning Ordinance and Subdivision Ordinance to support agricultural production and forest preservation in the Rural and Agricultural Areas.

LU11.3 Evaluate the impacts of extractive industries, such as sand and gravel mining, on resource lands, rural character, economic development, and post-reclamation requirements in the Rural and Agricultural Areas. Map remaining sand and gravel natural resources to locate potential future sand and gravel operations, update and revise development standards, and identify post-reclamation land uses, including residential development, agriculture, and forestry. Propose comprehensive legislation to revise county codes and identify recommendations for the Zoning Ordinance update.

LU11.4 To preserve environmentally sensitive land and to encourage development in the Regional Transit Districts, evaluate a transfer of development rights program, density exchanges, or purchase of development rights program for the Rural and Agricultural Areas. Explore opportunities to transfer development rights within areas and to coordinate with the Watershed Implementation Plan and Maryland Accounting for Growth Policy.

Policy 12 Participate in regional planning activities to enhance collaboration, coordination, and implementation. Regional issues include employment, transportation, sustainability, health, air quality, climate change, workforce and affordable housing, food system planning, infrastructure, water quality, and land use.

Policy 12 and the sub-land use are not relevant to this review.

LU12.1 Participate in the Washington Metropolitan Council of Governments' regional planning activities to improve coordination on transit and land use planning. Provide periodic briefings to the Planning Board on regional issues to identify potential land use strategies and programs.

LU12.2 Coordinate with the Washington Metropolitan Council of Governments to develop forecasts for residential and employment growth based on the Plan 2035 vision, goals, and policies. The forecast should include an analysis of the remaining development capacity in Prince George's County based on approved zoning,

residential and commercial pipeline development, and the Growth Management Goals (see Table 17).

LU12.3 Collaborate with adjacent jurisdictions and county municipalities to ensure coordinated land use patterns, connected transportation networks, and continuous environmental networks, in particular during the preparation of master, sector, and functional plans.

Master Plan/Sector Plan

The Bowie and Vicinity Master Plan and SMA approved a residential cap of 866 dwelling units as part of the mix of uses for this development. The District Council, through its approval of Conceptual Site Plan CSP-06002/01, approved 2,500 residential units consistin of 500 townhouse units, 1,000 multifamily units, and 1,000 senior age-restricted multifamily units. The allowable density increased from 10 to 60 dwelling units per acre by its General Plan designation as a Town Center. The applicant is requesting 15 dwelling units per acre. The following strategies are taken from the master plan and are for review.

- (5) The community shall contain additional linked open space in the form of squares, greens, parks, and trails that are accessible, safe and comfortable. The open space should provide a variety of visual and physical experiences. Some of these open spaces should be bordered by buildings and be visible from streets and buildings.**
- (6) Retail uses shall be designed to:**
 - Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, and/or landscape islands.**
 - Provide a hierarchy of pedestrian-scaled, direct and indirect, high quality, energy efficient lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.**
 - Create a signage package for high-quality signs and sign standards and requirements for all retail and office tenants and owners, which shall address size, location, square footage, materials, logos, colors, and lighting. Any revision to the existing approved signage plans shall incorporate the previously approved designs. Temporary signage on the site or attached to the exterior facades of a building shall not be permitted.**
 - Design retail pad sites to be compatible with the main retail/office/hotel component. If the retail pad sites are located along the street, parking shall be located to the rear of the pad sites. Green areas or public plazas should be provided between pad sites.**

- **Restaurants should have attractive outdoor seating areas with views of the public spaces/lakes or other natural features.**
- (10) **All residential development proposals shall demonstrate that interior noise levels will conform to State of Maryland (COMAR) noise regulations.**
 - (11) **The proposed lighting system shall include the use of full cut-off lighting systems with limited light spill over. The lighting plan and design drawings shall be included with each detailed site plan approved in the future.**
 - (12) **Development plans shall show the minimization of impervious surfaces through various phases of the project. Early phases of the project may use surface parking and later phases of development will seek to reclaim the surface parking by the use of structured parking to the maximum extent possible.**
 - (13) **Fifty percent of parking for multifamily uses shall be structured parking.**
 - (14) **The design of the stormwater management ponds shall show them as amenities with gentle natural slopes and extensive native planting.**
 - (15) **Streams shall have a 100-foot natural buffer and a 150 foot-wide building and parking setback. There shall be a 150-foot buffer on the 100-year floodplain. If a utility must be extended into any buffer, then an equal area of natural buffer alternative shall be retained on the community property.**
 - (16) **The following facilities shall be evaluated for transportation adequacy in all subsequent traffic analyses for the subject property:**
 - **MD 450/MD 3 intersection**
 - **US 301/Harbour Way-Governors Bridge Road**
 - **Belair Drive/northbound On-Off ramp to MD 3**
 - **Belair Drive/southbound On-Off ramp to MD 3**
 - (29) **The open space system, including but not limited to environmentally sensitive areas, shall extend through the site and link the uses. Portions of the open space system shall be visible to and accessible from public streets.**

The following strategies should be forwarded to the Historic Preservation Section for its review:

- (4) **The community shall be focused upon an open space network consisting of the Melford house and its historic vista, and other public spaces, which are surrounded by a combination of commercial, civic, cultural or recreational facilities. This network shall be designed with adequate amenities to function as a fully shared space for the entire community.**

- (17) At the time of submission of the Detailed Site Plan application, the owner shall present a plan and timetable for the protection, stabilization, restoration, and planned adaptive use of the buildings and gardens of the Melford Historic Site for approval by the Historic Preservation Commission and the Planning Board.**
- (18) Prior to the acceptance of building permits in the area in the immediate vicinity of Melford House labeled as POD 1, the owner shall begin the restoration of the Melford House and outbuildings. The restoration of Melford and outbuildings shall be completed prior to the release of any use and occupancy permit for POD 1.**
- (19) Prior to submitting a Conceptual Site Plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archeological investigation. The applicant's findings shall be submitted to the historic preservation staff of M-NCPPC for review and approval. Upon approval of this determination, plans may be approved and permits may be issued for any portion of the subject property excluded from the scope of the Phase I investigation. No plans may be approved and no permits shall be issued for the area subject to the Phase I investigation before satisfactory completion of the Phase I investigation, or if required Phase II and/or III.**
- (20) Prior to the issuance of any building permits, a written agreement/MOU with the Historic Preservation (HPC) that defines/outlines responsibilities and timing for the maintenance/stabilization of all historic buildings within the Environmental Setting, to be followed by quarterly reports submitted by the property owner and/or developer, so that the HPC and staff may monitor the condition of the Melford House, grounds and cemetery.**
- (21) Any Detailed Site Plan shall demonstrate that proposed buildings do not obstruct the historic vista of the Melford House.**
- (24) The 12.75-acre impact review area approved for the Melford Historic Site by the Historic Preservation Commission and the Planning Board (PGCPB No. 99-28A) should be integrated into a design plan that establishes viewsheds from the Melford Historic Site to the Patuxent River. Open space should be provided adjacent to the historic site that will allow it to be seen from greater distances within the Melford property. A dedicated pedestrian link between the Melford Historic Site and the cemetery should be created. Trails should be provided that connect it to the regional trail system.**
- (25) Development abutting the Melford Historic Site, outbuildings, and cemetery should be compatible in scale, design, and character with the existing historical architectural character. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening,**

landscaping, berming and open space, should be incorporated into the proposal to minimize any adverse impacts to the historic site.

- (26) Appropriate signage should be placed near the historic site illustrating the history of the area.**
- (27) Clearing for utility installation shall be minimized, especially in environmentally sensitive areas, and clearing for utilities in those areas shall be coordinated, to minimize ground or buffer disturbance. Woodland disturbed for that purpose shall be reforested in cooperation with the appropriate utility.**

Planning Issues

There are no General Plan or master plan issues raised by this application.

- 7. **Parks and Recreation**—The Department of Parks and Recreation (DPR) has reviewed the PPS for conformance with the requirements of the Basic Plan A-9401, Conceptual Site Plan CSP-06002, the 2006 Bowie and Vicinity Master Plan and SMA, the Land Preservation and Recreation Program for Prince George’s County, the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space, the “Prince George’s County Subdivision Regulations (Subtitle 24)” regulations as they pertain to public parks and recreation and facilities.

Findings

The applicant is proposing mixed use of residential and commercial uses on the site, including 205 townhouses, 88 two-family attached units and 1,500 multifamily dwelling units. Section 24-134 of the Prince George’s County Subdivision Regulations requires the mandatory dedication of 11 acres of land suitable for active and passive recreation to serve the proposed development. However, Section 24-134(a)(3)(D) of the Subdivision Regulations also states that any resubdivision of property on which land was previously dedicated or fee in lieu paid, the applicant shall be credited to the extent that the land dedication or fee would otherwise be required upon such resubdivision.

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

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

- 8. **Trails**—The PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and

pedestrian improvements. Because the site is located in the Bowie Gateway Center, it is subject to the requirements of Section 24-124.01 and the “Transportation Review Guidelines, Part 2, 2013” at the time of PPS.

Type of Master Plan Bikeway or Trail

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

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

Review Comments (Master Plan Compliance and Prior Approvals)

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

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

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

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

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

sidewalk to the southern property edge. The extension of the trail the entire length of the stream valley is recommended.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A trail is proposed along the Patuxent River stream valley, including the area of the Lower Pond. Two trail connections are reflected on the submitted plans that connect the development site to the stream valley trail. In addition to the trail connections, a comprehensive network of sidewalks is reflected and a partial grid street network is proposed, further enhancing and promoting pedestrian access. The Transportation Planning Section and the City of Bowie recommended one additional trail connection linking the lower pond with the upper pond, and this has been added by the applicant to the Pedestrian Network exhibit.

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

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

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

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

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

The subject application includes sidewalks on both sides of the internal roads and several internal trail/bike connections, in addition to the master plan trail. The trail along the Patuxent River corridor is shown, as two connections from both the north and south ends of the development. These connections meet the intent of the master plan recommendations. A modified grid road network is being proposed which appears to accommodate relatively small block sizes and include sufficient crossing opportunities for pedestrians. In addition to the proposed network of sidewalks, pedestrian access is further supplemented by the stream valley trail, the trail around the pond, and the proposed trail/bike routes.

Proposed On-Site Bicycle and Pedestrian Improvements:

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

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

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

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance**

of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights-of-way.

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

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

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

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

- (d) **Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**
- 1. installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
 - 2. installing or improving streetlights;**
 - 3. building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**
 - 4. providing sidewalks or designated walkways through large expanses of surface parking;**
 - 5. installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
 - 6. installing street trees.**

A scoping agreement meeting was held with the applicant in March 2016. The requirements of Section 24-124.01, the “Transportation Review Guidelines, Part 2, 2013” and possible off-site

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

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

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

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

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

At the time of DSP, an exhibit will be provided showing the locations, limits, specifications and details of all off-site improvements.

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

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

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

Demonstrated Nexus Finding:

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

Finding of Adequate Bicycle and Pedestrian Facilities:

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

- (b) **Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**
1. **The finding of adequate public pedestrian facilities shall include, at a minimum, the following criteria:**
 - A. **The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area; and**

- B. The presence of elements that make is safer, easier and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield lines, “bulb out” curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage. (These elements address many of the design features that make for a safer and more inviting streetscape and pedestrian environment. Typically, these are the types of facilities and amenities covered in overlay zones).**

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

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

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

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

9. **Transportation**—The subject property consists of approximately 129.16 acres of land in the M-X-T Zone. The property is located in the northeast quadrant of US 50/US 301 (John Hanson Highway) and MD 3 (Crain Highway). The applicant is proposing the development of 293 townhouses (205 townhouses and 88 two-family units), 1,500 multifamily residences (500 age-restricted and 1,000 market rate), 124,500 square feet of retail space, and 235,000 square feet of commercial office space.

Analysis of Traffic Impacts

Trip Generation

The application is a PPS for a mixed-use subdivision. It needs to be noted that that the traffic study uses 300 townhouses, and 293 are currently proposed. Also, the traffic study uses a mix of general office (100,000 square feet) and medical/professional office (135,000 square feet). The table below summarizes the trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site. The use quantities in the traffic study will be used; the slight reduction in the number of townhouses will be accommodated within these numbers.

Trip Generation Summary, 4-16006, Melford								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Multifamily Residences	1,500	units	156	624	780	585	315	900
Townhouses (293 in current proposal; 300 in study)	300	units	42	168	210	156	84	240
Total Residential Trips			198	792	990	741	399	1,140
Less Internal Trip Capture			-7	-40	-47	-53	-30	-83
Net Residential Trips			191	752	943	688	369	1,057
Retail	124,500	square feet	110	68	178	333	361	694
Less Internal Trip Capture			-34	-14	-51	-37	-54	-91
Pass-By Trip Reduction (40 percent)			-30	-22	-51	-118	-123	-241
Net Retail Trips			46	32	78	178	184	362
General Office	100,000	square feet	180	20	200	35	150	185
Medical/Professional Office	135,000	square feet	311	74	385	162	351	513
Total Commercial Office Trips			491	94	585	197	501	698
Less Internal Trip Capture			-17	-4	-21	-11	-17	-28
Net Commercial Office			474	90	564	186	484	670
Total Trips Utilized in Analysis			711	874	1,585	1,052	1,037	2,089

The traffic generated by the proposed PPS would impact the following intersections, interchanges, and links in the transportation system:

- MD 3 and MD 450
- MD 3 SB Ramps and Belair Drive
- MD 3 NB Ramps and Belair Drive
- US 301 and Governors Bridge Road
- Melford Boulevard and Science Drive
- Melford Boulevard and Tesla Drive/site access
- Melford Boulevard and Tesla Drive/Curie Drive
- Science Drive and Curie Drive

The application is supported by a traffic study dated July 2016. The study was provided by the applicant and referred to SHA, DPW&T, DPIE, and the City of Bowie. Comments from the City of Bowie are contained in the City's staff report to the Bowie Advisory Planning Board, and the City's official position will become part of the record for this case.

Existing Traffic

Growth Policy - Service Level Standards

Links and signalized intersections: Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. Once the CLV exceeds 1,150, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Roundabout Intersections: The procedure for roundabouts utilizes a volume to capacity (v/c) analysis. Where the analysis indicates a v/c ratio greater than 0.850 for the intersection, geometric improvements or trip reduction measures should be considered that will reduce the v/c ratio to an acceptable level. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.

The following critical intersections, interchanges, and links identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 3 & MD 450	1,713	1,593	F
Belair Drive and MD 3 SB Ramps	438	343	A	A
Belair Drive and MD 3 NB Ramps	228	454	A	A
US 301 and Governors Bridge Road/Harbor Way	1,096	1,333	B	D
Melford Boulevard and Science Drive	0.255*	0.219*	--	--
Curie Drive & Science Drive	0.033*	0.061*	--	--
*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.				

Background Traffic

None of the critical intersections identified above are programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program (CIP). Background traffic has been developed for the study area using other approved, but unbuilt, parcels within Melford; no other background development was identified. A 1.0 percent annual growth rate for a period of six years has been assumed. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 3 & MD 450	1,977	1,825	F
Belair Drive and MD 3 SB Ramps	751	504	A	A
Belair Drive and MD 3 NB Ramps	512	889	A	A
US 301 and Governors Bridge Road/Harbor Way	1,293	1,507	C	E
Melford Boulevard and Science Drive	1.146*	0.871*	--	--
Curie Drive & Science Drive	0.322*	0.272*	--	--
*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.				

Total Traffic

Under total traffic, the following critical intersections, interchanges, and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Transportation Review Guidelines," including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 3 & MD 450	2,044	1,904	F	F
Belair Drive and MD 3 SB Ramps	878	667	A	A
Belair Drive and MD 3 NB Ramps	629	1,185	A	A
US 301 and Governors Bridge Road/Harbor Way	1,338	1,570	D	E
Melford Boulevard and Science Drive	1.498*	1.980*	--	--
Melford Boulevard and Tesla Drive/site access	909	1,387	A	D
Melford Boulevard and Tesla Drive/Curie Drive	0.770*	0.793*	--	--
Curie Drive & Science Drive	0.349*	0.289*	--	--
*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.				

It is found that several critical intersections operate unacceptably under total traffic in one or both peak hours. The following is noted:

Melford Boulevard and Tesla Drive/site access: The traffic study recommends signalization at this location. Consistent with the City of Bowie’s recommendation, it is recommended that a traffic signal warrant be provided during the review of each DSP for development. When a signal is deemed warranted by the City, the appropriate triggers for the permitting and construction of the signal improvements shall be determined.

Melford Boulevard and Science Drive: The traffic study recommends conversion of the existing roundabout to a four-way intersection, and also recommends signalization at this location. Consistent with the City of Bowie’s recommendation, it is recommended that a traffic signal warrant be provided during the review of each DSP for development. When a signal is deemed warranted by the City, the appropriate triggers for the permitting and construction of the signal improvements shall be determined.

US 301 and Governors Bridge Road/Harbour Way: The applicant proposes mitigation at this location. The mitigation is to construct a new right-turn lane along eastbound Harbor Way and redesignate the lane use to result in a double-left, one shared-left/through, and one right-turn lane. As the responsible permitting agency for this improvement, SHA reviewed this proposal. SHA did not raise a concern with it. The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
US 301 and Governors Bridge Road/Harbor Way				
Background Conditions	C/1,293	E/1,507		
Total Traffic Conditions	D/1,338	E/1,570	N/A	+63
Total Traffic Conditions w/Mitigation	N/A	E/1,466	N/A	-104

To achieve the policy LOS D, the provision of a grade-separated section along US 301 with interchanges would be needed. This improvement, even considering the size of the subject development, would not meet the rough proportionality concept. All alternatives for constructing such an improvement were in excess of \$80 million, according to SHA planning documents for the MD 3 Transportation Corridor Study. This cost is disproportionate to the impacts of this single developer. The following are noted:

- a. As the CLV at the critical intersection during the AM peak hour under total traffic is acceptable, the proposed mitigation actions are not needed.
- b. As the CLV at the critical intersection during the PM peak hour under total traffic is between 1,450 and 1,813, the proposed mitigation actions must mitigate at least 150 percent of the trips generated by the subject property. The above table indicates that the proposed mitigation action would mitigate at least 150 percent of the trips generated by the subject property ($104/63 = 165$ percent).

In consideration of the findings above, it is determined that the applicant's proposed mitigation meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations.

MD 3 and MD 450: The applicant proposes mitigation at this location. The mitigation is to construct a fourth northbound and southbound through lane through the intersection (this improvement has already been constructed by this applicant). As the responsible permitting agency for this improvement, SHA has reviewed this proposal. SHA did not raise a concern with it and permitted it to be constructed. The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 3 and MD 450				
Background Conditions	F/1,977	F/1,825		
Total Traffic Conditions	F/2,044	F/1,904	+67	+79
Total Traffic Conditions w/Mitigation	F/1,729	F/1,754	-315	-150

To achieve the policy LOS D, the provision of a grade-separated section along US 301 with interchanges would be needed. This improvement, even considering the size of the subject development, would not meet the rough proportionality concept. The cost of SHA’s planned project to accomplish these improvements is well over \$100 million, and this cost is disproportionate to the impacts of this single developer. The following are noted:

- a. As the CLV at the critical intersection during the AM peak hour under total traffic is above 1,813, the proposed mitigation actions must mitigate at least 100 percent of the trips generated by the subject property, and the actions must reduce the CLV to no worse than 1,813. The above table indicates that the proposed mitigation action would mitigate at least 100 percent of site-generated trips (470 percent) and result in a CLV of 1,813 or better.
- b. As the CLV at the critical intersection during the PM peak hour under total traffic is above 1,813, the proposed mitigation actions must mitigate at least 100 percent of the trips generated by the subject property, and the actions must reduce the CLV to no worse than 1,813. The above table indicates that the proposed mitigation action would mitigate at least 100 percent of site-generated trips (190 percent) and result in a CLV of 1,813 or better.

In consideration of the findings above, it is determined that the applicant’s proposed mitigation at MD 3 and MD 450 meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations. It is noted that the mitigation improvements have already been constructed by this applicant, and there will not be a condition pursuant to this mitigation.

With all improvements in place, the following critical intersections, interchanges, and links identified above would operate as follows:

TOTAL TRAFFIC CONDITIONS w/IMPROVEMENTS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	MD 3 & MD 450	1,729***	1,754***	F
Belair Drive and MD 3 SB Ramps	878	667	A	A
Belair Drive and MD 3 NB Ramps	629	1,185	A	A
US 301 and Governors Bridge Road/Harbor Way	1,270***	1,466***	C	E
Melford Boulevard and Science Drive	1.498**	1.980**	--	--
Melford Boulevard and Tesla Drive/site access	909	1,387	A	D
Melford Boulevard and Tesla Drive/Curie Drive	0.770*	0.793*	--	--
Curie Drive & Science Drive	0.349*	0.289*	--	--
<p>*In analyzing roundabout intersections, a volume to capacity (v/c) is indicated. Where a v/c ratio greater than 0.850 for the intersection is noted, improvements should be considered. With a recommendation from the operating agency, a v/c up to 0.90 may be considered.</p> <p>**With signalization.</p> <p>***With mitigation improvements.</p>				

The trip cap is a somewhat complex issue. The complexity is the result of initial subdivision findings in the 1980s, multiple subdivisions on the property, and a CSP that applied to parts of the property. The current subdivision includes areas previously subdivided, but does not include the entire area of the CSP. All applications had adequacy findings and all had trip caps imposed. It is something of a puzzle to allot the various entitlements, recognize uses already built, and assure conformity with past applications. The following table attempts to simplify these issues; the traffic study has a more complete demonstration of the components of the site:

Trip Cap Summary, Melford, 4-06006			
Description	Source	AM Peak Hour Trips	PM Peak Hour Trips
Overall Melford Site	This was determined from the 2006 traffic study	4,917	4,871
Trip Cap for CSP-06002	The trips allotted to the Census Bureau, IDA, and SDP-0405 were removed from the overall trip cap for Melford. These three built uses were part of 4-98076 but were not part of CSP-06002.	4,498	4,475
Trip Cap for CSP-06002/01	The 01 revision of the CSP did not include Pod 6, Lot 3, thereby requiring an adjustment to the cap. This is the trip cap for the CSP to which this preliminary plan must conform.	4,441	4,424
Area of CSP-06002/01 not included in this preliminary plan	This quantity removes the following: Block 2, Lots 1-4; Block 4, Lots 1-3 and 5; Pod 6, Lots 1-2 and 4-6; Pod 7; and P2.	1,618	1,615
Trip generation of proposal	This is the trip generation for the new development on the site, as taken from the table earlier in this memorandum.	1,585	2,089

Trip Cap Summary, Melford, 4-06006			
Description	Source	AM Peak Hour Trips	PM Peak Hour Trips
Trip generation of Block 3, Lots 1-2	This area had to be added to the preliminary plan after the traffic analyses were done.	768	677
Total trip generation of 4-16006	Proposal plus Block 3, Lots 1-2. This is the recommended trip cap for 4-16006.	2,353	2,766
Trip generation of areas covered by CSP-06002/01	This is the trip cap for 4-16006 plus the area of CSP-06002/01 not included in this preliminary plan. This must be compared to the trip cap for CSP-06002/01 to ensure conformity with the CSP.	3,971	4,381

As noted in the table, an additional area with existing entitlements was added to the area of the subdivision over the course of the review. The proposed development, at full buildout, is projected to generate 1,585 and 2,089 new vehicle trips during the AM and PM peak hours, respectively. When the area of existing entitlements was added, the trip cap became 2,353 AM and 2,766 PM trips. Also, in comparing the bold numbers in the table above, the trip generation within the areas covered by the underlying CSP is less than the trip cap for CSP-06002/01; therefore, the trip generation of the PPS conforms to the trip cap of the CSP.

Agency Comments

As noted earlier, the traffic impact study was forwarded to the County and SHA for comment. The County and SHA each offered comments, as follows:

- a. The County raises issues with the analysis of the roundabout at Melford Boulevard and Science Drive. While these comments are acknowledged, it is also recommended that this roundabout be converted to a signalized intersection (if warrants are met). This improvement, plus other BPIS improvements cited in the comments, will be under the City of Bowie’s purview as the improvements are designed.
- b. The initial SHA letter dated September 13, 2016 (Young to Lenhart) concurred with the initial study. The second SHA letter dated January 26, 2017 (Young to Lenhart) agreed to the proposed mitigation at US 301 and Governors Bridge Road/Harbor Way.

The traffic study was also referred to the City of Bowie. No comments were received; however, comments from the City of Bowie are contained in the City’s staff report to the Bowie Advisory Planning Board, and the City’s official position will become part of the record for this case.

Plan Comments

Access and circulation are acceptable.

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

- MD 3 (F-10) is a master planned freeway facility listed in the Approved Countywide Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations exists, and therefore no additional right-of-way is required for this facility.
- US 50/US 301 (F-4) is a master planned freeway facility listed in the Approved Countywide Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations exists, and therefore no additional right-of-way is required for this facility.
- Melford Boulevard (C-309) is a master planned collector facility listed in the Approved Countywide Master Plan of Transportation. Adequate right-of-way consistent with master plan recommendations exists, and therefore no additional right-of-way is required for this facility.

In consideration of the existing traffic that uses Belair Drive west of the site, along with traffic to be generated by the site, the applicant has coordinated with the City of Bowie. As a result of such meetings, the applicant has proffered the installation of four traffic calming devices along Belair Drive between Kenhill Drive and the MD 3 interchange. The City of Bowie has agreed with this proposal, and the City Council has included a condition of approval requiring the installation of these four traffic calming devices prior to issuance of any residential building permits for Melford Village. It shall be noted, however, that this condition is proffered in the traffic study to address citizen and City concerns. While the City's recommended condition is included in the Planning Board's decision in this PPS, it is not a condition associated with transportation adequacy.

Conclusion

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations, with conditions.

10. **Schools—Residential Uses** — The PPS was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003.

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

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

Single-Family Attached Units

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

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

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved transit district overlay zone; or where there is no approved transit district overlay zone within a ¼ mile of a Metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the Approved Bowie

State Marc Station Sector Plan and Sectional Map Amendment. The bill also established an exemption for studio or efficiency apartments that are located within the county urban centers and corridors as defined in §27A-106 of the County Code; within an approved transit district overlay zone; or where there is no approved transit district overlay zone then within a ¼ mile of a Metro station. This act is in effect from October 1, 2013 through September 30, 2018.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

Schools–Commercial Uses

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

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

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

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

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

Capital Improvement Program (CIP)

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

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

Fire and Rescue–Commercial Uses

The PPS was reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

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

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

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

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

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

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

13. **Water and Sewer Categories—**Section 24-122.01(b)(1) states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System Adequate for Development Planning, and will therefore be served by public systems. The property is within Tier 1 under the Sustainable Growth Act and will therefore, be served by public systems.
14. **Use Conversion—**The subject application is proposing the development of 205 townhomes, 88 two-over-two units, 1,500 multifamily dwelling units, and 359,500 square feet of commercial uses, (consisting of 124,500 square feet of retail and 235,000 square feet of office/medical office). If a substantial revision to the use on the subject property is proposed that affects Subtitle 24 adequacy and findings as set forth in the resolution of approval and the signature approved plan, a new preliminary plan of subdivision shall be required prior to approval of any building permits.
15. **Public Utility Easement (PUE)—**Section 24-122 of the Subdivision Regulations requires a public utility easement (PUE) along both sides of all public rights-of-way. The property’s street frontage is along Melford Boulevard and Currie Drive which are recorded rights-of-way via plats NLP 152-16 and REP 211-66, and 10-foot-wide PUE’s are recorded along those streets. These PUEs will be re-established with all new final plats. New Public Roads A through E are also proposed on the PPS, and the required 10-foot-wide PUE’s along both sides of the public streets are not labeled on the PPS as required by Section 24-122 of the Subdivision Regulations and

should be. The applicant will be required to revise the PPS to show the required 10-foot-wide PUEs along both sides of the public streets prior to signature approval of the PPS.

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

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

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

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

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

Findings

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

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

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

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

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

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

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

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

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

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

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

Condition 9 will need addressed at the time of DSP.

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

The applicant should correct notations on all plans to include the following text "Melford and Cemetery Environmental Setting (Historic Site 71B-016)." The impact review area is not clearly visible on the PPS or the TCP. A condition has been established to require this revision prior to signature approval of the PPS and TCP1.

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

building materials, screening, landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.

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

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

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

Conclusions

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

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

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

Conformance with the Requirements of the Zoning Ordinance

- a. The specified residential and commercial uses are permitted in the M-X-T Zone. DSP review is required.

- b. Conformance with the following Zoning Ordinance regulations is required for the proposed development at the time of the required DSP review including, but not limited to, the following:
- Section 27-543(a) regarding the uses allowed in the Mixed Use–Transportation Oriented (M-X-T) Zone;
 - Section 27-544 regarding regulations in the M-X-T Zone;
 - Section 27-547(b) regarding the Table of Uses for the M-X-T Zone;
 - Section 27-548(h) regarding the requirements for townhouses in the M-X-T Zone.
- c. Section 27-548(h) includes some requirements as follows:

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

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

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

Conformance with Conditions of Prior Approvals

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

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

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

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

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

This was evaluated as a part of the transportation analysis contained in the Transportation finding.

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

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

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

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

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

This plan was submitted with this PPS application.

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

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

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

This condition is evaluated in the Environmental finding.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This condition is applicable at the time of DSP. However, the applicant submitted exhibits with the PPS package demonstrating that the proposed open space parcels will be able to accommodate appropriate private recreational facilities.

- e. **Create a retail area where pedestrians may travel with ease, with attractive walkways and continuous street-front experiences, to maximize the quality of the pedestrian environment. All uses shall be connected by sidewalks; crosswalks shall run through and across the parking lots and drive aisles, to connect all buildings and uses; sidewalks shall be wide, appealing, shaded, and configured for safe and comfortable travel; pedestrian walkways shall**

be separated from vehicular circulation by planting beds, raised planters, seating walls, and on-street parallel parking or structures; walking distances through parking lots shall be minimized and located to form logical and safe pedestrian crossings; and walkways shall be made more pedestrian-friendly through the use of arcades, canopies, street trees, benches, and tables and chairs.

- f. **Screen parking from the streets, and ensure that attractive buildings and signage are visible from the streets.**
- g. **Minimize the expanse of parking lots through the use of shared parking, structured parking or decks, or landscape islands.**
- k. **Make retail pad sites compatible with the main retail/office/hotel/residential component. If the retail pad sites are located along the street, all off-street parking shall be located to the rear or side of the pad sites. Parking provided on the side of pad sites shall be buffered with appropriate screening and/or landscape features.**
- l. **Provide green areas or public plazas between pad sites, to the maximum extent possible.**
- m. **Ensure that restaurants have attractive outdoor seating areas, with views of public spaces, lakes, or other natural features, where reasonably practicable.**

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

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

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

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

landscaping, berming, and open space, should be incorporated into the proposal to minimize adverse impacts to the historic site.

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

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

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

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

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

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

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

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

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

- 22. Recreation Facilities Conditions:**

- a. The applicant shall complete construction of a ten-foot-wide asphalt surface hiker/bicycler/equestrian trail, four boardwalks, a 15-space asphalt parking lot, an asphalt access road, and trailhead facilities on adjacent Patuxent**

River Park prior to issuance of a building permit for the 500th residential dwelling unit within the Melford development.

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

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

- 23. A pedestrian connection, designed according to the CSP Streetscape Design Standards, shall be constructed between the Melford Boulevard/Science Drive roundabout and Kendale Lane in the Kenilworth section, prior to the issuance of the**

building permit for the 300th dwelling unit, subject to the approval of the Maryland State Highway Administration.

- 24. The final number of affordable workforce housing units and senior multifamily units shall be submitted by the applicant prior to submittal of an application for preliminary plan of subdivision.**

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

Conformance with the 2010 Prince George's County Landscape Manual

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

- a. **Section 4.1, Residential Requirements**—Requires a certain number of plants be provided for residential dwellings depending on their size and type.
- b. **Section 4.2, Requirements for Landscape Strips along Streets**—Requires a landscape strip be provided for all nonresidential uses and parking lots abutting all public and private streets, which may occur within the development depending on the final site design.
- c. **Section 4.3, Parking Lot Requirements**—Specifies that parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to provide visual relief from the view of large expanses of pavement.
- d. **Section 4.4, Screening Requirements**—Requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. The location of the loading and trash areas for the commercial development, and its relationship with the adjoining residential uses, should be carefully considered at the time of DSP. The submitted PPS appears to provide a layout that will be able to accommodate appropriate relationships, such as separation by a public street or room for buffering.

- e. **Section 4.6, Buffering Development from Streets**— This section’s requirements will apply to the proposed development by requiring buffering of rear yards of townhouses from streets. The submitted PPS appears to provide sufficient space for these buffers; however, this will have to be closely examined at the time of DSP when specific house sitings are provided.
- f. **Section 4.7, Buffering Incompatible Uses**—Requires that vegetated buffers be included along shared property lines where the abutting uses are deemed incompatible by the Landscape Manual. A Section 4.7 buffer is not normally required between incompatible uses within the M-X-T Zone such as the residential and commercial portions of the development, as ownership is common between the uses and they are both included on a single DSP. Concerns were noted about the interface between the commercial section and the residential section; however, the proposed layout shows a public road in between the uses in one area and a large HOA parcel in the other area. This layout would allow for an appropriate interface between the incompatible commercial and residential uses through buffering, fencing and/or upgrades to architecture. This issue will be examined more closely at the time of DSP.
- g. **Section 4.9, Sustainable Landscaping Requirements**—Requires that a percentage of the plant materials be native plants, along with other sustainable practices.
- h. **Section 4.10, Street Trees Along Private Streets**—Requires street trees along private streets, which appear to be proposed with this plan.

Conformance with the Tree Canopy Coverage Ordinance

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

Other Design Issues

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

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

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

19. **Conceptual Site Plan CSP-06002-01**—On November 13, 2014, the Planning Board approved Conceptual Site Plan CSP-06002-01 to add 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, 1,000 multifamily dwelling units, 268,500 square feet of retail uses, and 260,000 square feet of office space as amendments to an approved CSP with 1,547,874 square feet of approved office/research and development uses. The resolution of approval for CSP-06002-01, (PGCPB Resolution No. 14-128), was adopted by the Planning Board on December 4, 2014. The application included approximately 276 acres of the central and southern portions of the Melford property. More information concerning Conceptual Site Plan CSP-06002-01 is contained in the Urban Design finding.
20. **City of Bowie**—On February 6, 2017, the Bowie City Council conducted a public hearing on the subject PPS. The proposal includes 1,793 dwelling units, including 293 townhouse units, 1,000 multifamily market rate units, 500 senior age-restricted multifamily units and 359,500 square feet of commercial and office uses, including up to 124,500 square feet of retail uses and 235,000 square feet of office/medical uses.

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

- “1. Total development within the 129-acre Melford Village property shall be limited to uses that generate no more than 2,353 AM and 2,766 PM peak-hour vehicle trips. Any development with an impact beyond that identified herein above shall require a revision to the Preliminary Plan with a new determination of the adequacy of transportation facilities.
- “2. Prior to the issuance of any building permits for lots within Preliminary Plan 4-16006, the following road improvement(s) shall: (a) have full financial assurances; (b) have been permitted for construction through the operating agency's access permit process; and, (c) have an agreed-upon timetable for construction with the appropriate operating agency:

“(A) At the US 301/Gov. Bridge Road/Harbour Way intersection

The applicant shall provide an additional right turn lane on eastbound Harbour Way and re-stripe the eastbound approach on Harbour Way to result in two left turn lanes, one shared left turn and thru lane, and one right turn lane.

- “3. Traffic signal warrant studies of the intersections of Melford Boulevard/Tesla Drive and the entrance to the commercial mixed-use area (Road A) and Melford Boulevard/Science Drive shall be provided during review of each Detailed Site Plan. When a signal is deemed warranted, the appropriate triggers for the permitting and construction of the required traffic signal improvements shall be determined at Detailed Site Plan.
- “4. Prior to the issuance of a building permit for the 300th dwelling unit or more than 100,000 square feet of new, non-residential development within the boundaries of the Preliminary Plan, whichever comes first, the following specific pedestrian improvements shall be completed:
 - “a. Construct a sidewalk along the south side of Melford Boulevard between Science Drive and Kendale Lane; and
 - “b. Remove the northbound channelized right lane at the intersection of Melford Boulevard and the ramp from MD 3 north/US 50 to reduce vehicular turning speed. The northbound right turn lane shall be reconstructed and relocated to the existing traffic signal, and pedestrian signals shall be included to support the new pedestrian connection.
- “5. A hiker-biker trail connection shall be shown on the Preliminary Plan and constructed along the northern edge of the Northeast Neighborhood to provide a more direct connection between Curie Drive and the public trail proposed adjacent to the stormwater management pond (Parcel 40). The appropriate triggers for the permitting and construction of the hiker-biker trail connection shall be determined at the time of the first Detailed Site Plan for the Northeast Neighborhood.
- “6. A 10-foot-wide hiker-biker trail shall be provided on Parcel 40 linking the Marconi Drive trailhead and the amphitheater parcel. This missing segment of the trail system shall be shown on the Preliminary Plan prior to signature approval.
- “7. To help fulfill the purpose of Condition #19 of #CSP-06002-01, “sharrows” shall be installed on Curie Drive (and Science Drive, beyond the Melford Village project limits).

- “8. The developer shall deed Parcel 40 to the City upon completion of all facilities on both Parcel 40 and 41 (the amphitheater parcel).
- “9. The applicant shall execute a maintenance agreement with the City for maintenance of Parcel 40, prior to the issuance of any building permits.”

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

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

Section. 24-128–Private roads and easements.

- (b) **The Planning Board may approve preliminary plans of development containing private roads, rights-of-way, alleys, and/or easements under the following conditions:**
 - (7) **In Comprehensive Design and Mixed Use Zones:**
 - (A) **For land in the V-L, V-M, R-L, R-S, R-M, R-U, M-U-I, L-A-C, M-A-C, M-X-C, M-U-TC, and M-X-T Zones, the Planning Board may approve a subdivision (and all attendant plans of development) with private roads to serve attached single-family dwellings, two-family dwellings, and three-family dwellings, but not single-family detached or multifamily dwellings, in accordance with the requirements of Subsections (e) and (f) of Section 27-433 of the Zoning Ordinance, except as hereinafter provided. In all of the above zones, and in the R-R Zone when developed as a cluster subdivision, the Planning Board may approve a subdivision with alleys to serve any permitted use, provided the lot has frontage on and pedestrian access to a public right-of-way. The District Council may disapprove the inclusion of alleys during the consideration of the detailed site plan for a cluster subdivision. For the purposes of this Section, an “alley” shall mean a road providing vehicular access to the rear or side of abutting lots, and which is not intended for general traffic circulation.**

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

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

Section 24-113 Variations

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

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

southeast neighborhood), and the presence of the Melford House environmental setting (which generally prohibits and/or limits physical and visual impacts from development of the proposed townhouse lots).

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

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

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

Beginning from the west, the portion of Melford Village designed for townhouse units contains the environmental setting for the historic Melford House. On the east end of the same area of Melford Village contains sensitive environmental features (such as a stream, wetlands and woodland) which are slated for preservation. Between the historic environmental setting (to the west) and the sensitive environmental features (to the east) contains a sloping topography that falls from west to east. The natural changes in topography limit the placement of where sticks of townhouses (and by association the location of the necessary road/alleys to serve the townhouse units) can be placed. In sum, the

aforementioned site constraints are unique to this portion of Melford Village and are not generally applicable to other properties.

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

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

Granting the variation will not be in violation of any law, ordinance, or regulation. To the contrary, the granting of the variation request would allow the applicant to create the compact residential density contemplated in CSP-06002-01 without negatively impacting the environmental and historic setbacks required by other County ordinances and/or regulations. The variation to Section 24-128(b)(7) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. Therefore, the variation does not constitute a violation of any other applicable law, ordinance, or regulation.

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

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

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

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

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

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

22. **At the Public Hearing**—At the public hearing for this application on March 9, 2017, the applicant's legal representative requested that additional findings (Applicant's Exhibit 2) be added addressing the Land Use Policy recommendations in Plan Prince George's 2035.

This PPS conforms to the regulations and required findings of Subtitles 24 and 27 of the County Code as set forth in this resolution, with conditions. Further, the PPS conforms to the specific requirements of Subtitle 24 as follows:

Section 24-121. Planning and design requirements.

- (a) **The Planning Board shall require that proposed subdivisions conform to the following:**
- (1) **All lots shall be designed to be located wholly within the County and platted in conformance with all requirements of the Zoning Ordinance applicable to the subject property.**
- The proposed parcels and lots are wholly within the County and will be platted in accordance with all applicable requirements. The PPS meets the requirements of the Zoning Ordinance (Subtitle 27), with the conditions of approval.
- (2) **In cases where the proposed subdivision is situated in a portion of the Regional District not planned to be served by public water and/or sewerage facilities, proposed lots shall be designed to meet the minimum lot size**

requirements for individual systems, as contained in Subtitle 22 of this Code and in the Comprehensive Ten Year Water and Sewerage Plan.

This standard is not applicable to the instant PPS.

- (3) **When lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. As used in this Section, a planned roadway or transit right-of-way shall mean a road or right-of-way shown in a currently approved State Highway plan, General Plan, or master plan. If a service road is used, it shall connect, where feasible, with a local interior collector street with the point of intersection located at least two hundred (200) feet away from the intersection of any roadway of collector or higher classification.**

The PPS application complies with this standard, no individual lots within the project plan will front or access directly onto nearby arterial roadways.

- (4) **Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.**

The PPS application complies with this standard, no individual lots within the project plan will be adjacent to a roadway of arterial (or higher) classification or a planned transit right-of-way.

- (5) **The preliminary plan and final plat shall conform to the area master plan, including maps and text, unless the Planning Board finds that events have occurred to render the relevant plan recommendations no longer appropriate or the District Council has not imposed the recommended zoning. Notwithstanding any other requirement of this Section, a proposed preliminary plan or final plat of subdivision may be designed to conform with the land use policy recommendations for centers, as approved within the current County general plan, unless the District Council has not imposed the recommended zoning.**

The mixed-use development proposed for Melford Village in this PPS has been designed to conform to the land use policy recommendations contained within Plan Prince George's 2035 for a "Local Town Center." As an additional basis for

its final decision, the Planning Board also adopts and incorporates, by reference, the applicant's analysis set forth in its supplemental statement of justification dated January 9, 2017 regarding the instant application's conformance to the land use policy recommendations for centers in Plan Prince George's 2035. Further, the Planning Board also deems that Melford will also remain a viable "Employment Area" as designated in Plan Prince George's 2035. The Planning Board also adopts and incorporates, by reference, the research memorandum from the M-NCPPC Special Projects Section dated October 10, 2014, and included in the findings of approval in the resolution for CSP-06002/01 (PGCPB No. 14-128) to conclude that approval of the uses in this PPS will allow Melford to remain a viable employment area within the County.

- (6) When indicated by a master plan or the General Plan or when requested by a public agency, land may be placed in reservation, pursuant to Division 7 of this Subtitle.**

Neither the applicable master plan or General Plan calls for the reservation of any land. Additionally, no public agency has requested the reservation of any land within the boundaries of this PPS.

- (7) Provision shall be made for the eventual ownership of outlots or residue parcels by incorporating them into platted lots or into adjacent parcels or by other means deemed acceptable by the Planning Board.**

The conditions of approval ensure the eventual ownership of residue lots and/or outlots by the City of Bowie or an HOA, or appropriate community ownership association.

- (8) Corner lots shall be rounded with a radius of not less than twenty (20) feet or provided with an equivalent truncation.**

Corner lots proposed in the instant PPS meets this requirement.

- (9) Walkways, with rights-of-way not less than ten (10) feet wide, shall be provided through all blocks over seven hundred fifty (750) feet long, when deemed necessary by the Planning Board.**

Melford Village is designed in compliance with the above standards.

- (10) Generally, subdivisions shall be designed to avoid unnecessary and costly roads, utility extensions, grading, and energy consumption.**

Melford Village is designed in compliance with the above standards. The project takes advantage of significant infrastructure (including roads, utilities, and stormwater management facilities) already in existence within the greater Melford project.

- (11) **Significant natural features which are impossible or difficult to reproduce, such as waterways, streams, hills, wooded lands, and specimen trees, should be preserved to the degree practicable.**

Significant natural features within Melford Village have been preserved to the maximum degree practicable. The proposed development respects all applicable environmental buffers and setbacks, as discussed more fully in Finding 5.

- (13) **Generally, lots, except at corners, should have access to only one (1) street.**

The PPS is designed in compliance with the above standards.

- (14) **If an entrance feature or gateway sign is proposed in a residential subdivision, it shall be identified on the preliminary plan on a separate Homeowners' Association parcel, or easement located on a homeowner's lot, and be designed in accordance with the standards in Section 27-624 of the Zoning Ordinance. A Homeowners' Association or other entity or person designated in a maintenance arrangement approved by the Department of Environmental Resources, shall be responsible for the maintenance of the entrance feature or gateway sign.**

The overall Melford project currently has approved gateway signage as part of a prior DSP application. Said signage has already been constructed.

- (15) **The Planning Board shall not approve a preliminary plan of subdivision until evidence is submitted that a stormwater management concept plan has been approved by the Department of Environmental Resources or the municipality having approval authority, unless the Planning Board finds that such approval will not affect the subdivision.**

The site has an approved City of Bowie Stormwater Management Concept Plan, 01-0114-207NE15, which is valid until March 10, 2017.

- (16) **Except as indicated in Section 24-132, the subdivision shall be designed and platted in accordance with the provisions for woodland conservation and tree preservation contained in Subtitle 25.**

A revised TCP1 has been submitted with this application in conformance with requirements in Subtitle 25 of the County Code. The PPS has been designed in accordance with the County's woodland conservation requirements, as more fully discussed in Finding 5.

(17) Historic resources should be preserved.

All historic resources within the PPS have been preserved, as discussed more fully in Finding 17. Further details regarding historic preservation will be determined at the time of DSP.

(18) Significant archeological sites identified in accordance with the Planning Board Guidelines for Archeological Review should be preserved in place, to the extent practicable and should be interpreted as appropriate.

A Phase I archeological survey was conducted on the property in February 2005. Three archeological sites were identified on the property. Site 18PR30 is a late Archaic through Woodland period short-term base camp located adjacent to the Patuxent River floodplain. The portion of the site within the subject property had been extensively disturbed by tree removal and grading. Based on the above site conditions, the M-NCPPC's Historic Preservation Section determined that the site did not retain its integrity and no further work was recommended.

(19) Condominium townhouse dwelling units approved after September 1, 2012 shall conform to the lot standards of this Subtitle and Subtitle 27 for possible future conversion to fee simple lots.

The proposed townhouse lots are intended to be fee-simple ownership.

Section 24-123. General requirements.

(a) The Planning Board shall require that preliminary plan conform to the following:

(1) The rights-of-way of all highways, streets, and transit facilities shown on the General Plan, functional master plans, and area master plans shall be shown on the preliminary plan and, when reserved or dedicated, shown on the final plat.

The master plan rights-of-way have been previously dedicated and are shown on the PPS.

- (2) **All proposed streets shall be continuous and in alignment with existing or platted streets in adjoining subdivisions so as to create a street network that is functional and easily understandable. Generally, streets should cross other streets at right angles.**

All streets proposed in this application have been designed in an organized and hierarchical manner to facilitate safe and efficient movement of vehicular and pedestrian traffic.

- (3) **All internal subdivision streets shall be wholly within the County and shall not be designed to directly connect to an adjacent county unless the applicant has obtained the prior written approval of the District Council and the appropriate land use authority of the adjacent County.**

(A) **An applicant must file a written request for said approval. The request shall be filed with the Clerk of the District Council. The District Council must either approve or disapprove said request within forty-five (45) days from the date of filing. Failure of the District Council to act within said forty-five (45) day period shall constitute an approval of the request. For purposes of this provision an internal subdivision street shall be deemed to be a public roadway having a right-of-way width of eighty (80) feet or less.**

(B) **After public hearing before the District Council, the Council shall not allow the proposed bi-county subdivision unless it finds that delivery of public safety services, utility services, and tax collection will be timely and adequate for the lots in Prince George's County.**

All proposed streets are located within the County.

- (4) **All streets proposed for dedication to public use shall be designed to the standards of the County road ordinance and street standards for width and minimum curve radii or to the standards of municipalities having jurisdiction. Variations from these standards may be granted by the Planning Board upon the recommendation of the Department of Permitting, Inspections, and Enforcement or upon the recommendation of the municipality or other governmental authority having jurisdiction.**

All proposed public streets within Melford Village are within the jurisdiction of the City of Bowie. As such, all roadways either meet the required street sections standards, or will have obtained the necessary waivers/variations from the City of Bowie.

- (5) **Arterial highways shall have a minimum right-of-way width of one hundred and twenty (120) feet; collector streets, a minimum right-of-way width of eighty (80) feet; and parkways, such right-of-way width as may be designated by the Planning Board. The width of secondary subdivision streets shall be not less than fifty (50) feet and the width of primary subdivision streets not less than sixty (60) feet.**

Melford Boulevard is a collector road (C-309) in the Bowie and Vicinity Master Plan and SMA (between MD 3 and Curie/Tesla Drive) with a recommended right-of-way of 80 to 140 feet. The actual right-of-way ranges along Melford Boulevard from approximately 100 to 160 feet in width.

- (6) **Land for bike trails and pedestrian circulation systems shall be shown on the preliminary plan and, where dedicated or reserved, shown on the final plat when the trails are indicated on a master plan, the County Trails Plan, or where the property abuts an existing or dedicated trail, unless the Board finds that previously proposed trails are no longer warranted. Land for bike trails and pedestrian circulation have been provided in this PPS application.**

Land for bike trails and pedestrian circulation has been provided in this PPS application, as discussed more fully in Finding 8.

Section 24-124. Adequate roads required.

- (a) **Before any preliminary plan may be approved, the Planning Board shall find that:**
- (1) **There will be adequate access roads available to serve traffic which would be generated by the proposed subdivision, or there is a proposal for such roads on an adopted and approved master plan and construction scheduled with one hundred percent (100%) of the construction funds allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, and/or such roads are incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1);**

The applicant prepared a traffic impact study dated July 23, 2016 and updated on September 27, 2016, in accordance with the methodologies in the "Transportation Review Guidelines, Part 1" (Guidelines). Furthermore, the applicant prepared a supplement to the September 27, 2016 traffic study dated January 19, 2017 for SHA's review in evaluating the proposed mitigation plan for US 301 at Governor Bridge Road/Harbour Way.

Based on the analyses contained in the above referenced reports and the findings and conclusions in Finding 9, this PPS satisfies the requirements of Section 24-124 of the Subdivision Regulations.

- (6) **Consideration of certain mitigating actions is appropriate as defined in the approved "Guidelines for Mitigation Actions," and as provided below:**
- (A) **Projected traffic service in the study area, which shall be based on existing traffic, traffic generated by other approved development, and growth in through traffic as defined in the "Guidelines," is calculated to be greater than the acceptable level of service; and**
- (B) **The provisions for adequate roads, as described in Subparagraph (a)(1), above, are not met.**
- (i) **Where projected traffic service is calculated to be greater than or equal to twenty-five percent (25%) above, the acceptable peak-hour service level threshold as defined in the "Guidelines," the Planning Board may require that any physical improvement or trip reduction programs participated in, or funded by, the subdivider or his heirs, successors, and assigns shall fully abate the impact of all traffic generated by the proposed subdivision in the study area. Following the development of the proposed subdivision and implementation of the approved mitigation action, the total traffic service will be reduced to no higher than twenty-five percent (25%) above the acceptable peak-hour service level threshold as defined in the "Guidelines" (total traffic service shall be based on projected traffic and traffic generated by the proposed development); or**
- (ii) **Where projected traffic service is calculated to be greater than but less than twenty-five percent (25%) above the acceptable peak-hour service level threshold as defined in the "Guidelines," the Planning Board may require that any physical improvements or trip reduction programs fully funded by the subdivider or his heirs, successors, and assigns shall fully abate the impact of one hundred and fifty percent (150%) of all traffic generated by the proposed subdivision in the study area. Following the development of the proposed subdivision and implementation of the mitigation action, the total traffic service within the study area will be reduced to no lower than the acceptable peak-hour service level threshold defined in the "Guidelines"; or**

- (C) **Where existing traffic service in the service area is at the acceptable peak-hour service level threshold or better, as defined in the "Guidelines," and if the total traffic service in the study area is no greater than ten percent (10%) above the acceptable peak-hour service level threshold as defined in the "Guidelines" and the proposed subdivision generates less than twenty-five (25) A.M. or P.M. peak-hour trips, the Planning Board may require that the subdivider or his heirs, successors, and assigns shall be responsible for the pro rata cost of the physical improvements necessary to alleviate the inadequacy as defined in the "Guidelines."**

- (D) **Planning Board action on a mitigation action may be appealed to the District Council by the applicant or by any party of record. The appeal shall be filed with the Clerk of the Council within thirty (30) days following notice of action on the mitigation proposal by the Planning Board to all parties of record. The Planning Board shall give notice of its action by sending a copy to each party of record by first-class mail, postage prepaid. The appeal shall be based upon the record as made before the Planning Board and shall set forth the reasons for the appeal. In deciding an appeal of a mitigation action, the Council shall exercise original jurisdiction. For any such appeal, the Council may, based on the record, approve, approve with conditions, remand, or deny the mitigation action; or**

The applicant's proposed mitigation meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations, as more fully discussed in Finding 9.

Section 24-130 - Stream, wetland, and water quality protection and stormwater management.

- (a) **Proposed subdivisions shall be designed to minimize the effects of development on land, streams and wetlands, to assist in the attainment and maintenance of water quality standards, and to preserve and enhance the environmental quality of stream valleys.**

The PPS meets the above requirements, as more fully discussed in Finding 5.

- (b) **The Planning Board shall require that proposed subdivisions conform to the following:**
 - (1) **The preliminary plan shall demonstrate adequate control of the increased runoff due to the ten (10) year storm or such other standards as State law or the County shall adopt.**

- (2) **The stormwater control shall be provided on-site unless the Planning Board, on recommendation from the County, waives this requirement.**

Stormwater and sediment and erosion controls will be provided on-site that are adequate to control the 10-year storm and stormwater impacts as described in the approved stormwater management concept plan and the approved Concept Grading, Erosion And Sediment Control Plan (CSC 186-16), as more fully discussed in Finding 5.

- (3) **The submission of a storm drainage and stormwater management concept plan, and approval thereof by the County, may be required prior to PPS approval.**

The site has an approved City of Bowie Stormwater Management Concept Plan, 01-0114-207NE15, which is valid until March 10, 2017. The applicant provided an exhibit (Applicant's Exhibit #1) at the public hearing on March 9, 2017 indicating that they have received preliminary approval from the City of Bowie for an extension of the current stormwater management concept plan.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 9, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of April 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator