



July 23, 2024



NCBP Property LLC c/o Manekin
5850 Waterloo Road, Suite 210
Columbia, MD 21045

Re: Notification of Planning Board Action on
Specific Design Plan SDP-2305
National Capital Business Park - Phase 2

Dear Applicant:

This is to advise you that the above-referenced Specific Design Plan was acted upon by the Prince George's County Planning Board on **July 18, 2024**, pursuant to the Transitional Provisions of Section 27-1700 of the Prince George's County Zoning Ordinance and in accordance with the attached Resolution.

Pursuant to Section 27-528.01 of the prior Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of the final notice (**July 23, 2024**) of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291 of the prior Zoning Ordinance), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Clerk of the County Council, at 301-952-3600.

Sincerely,
Sherri Conner, Acting Chief
Development Review Division

By: Todd Price 7/23/2024
Reviewer

Attachment: PGCPB Resolution No. **2024-072**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

PGCPB No. 2024-072

File No. SDP-2305

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Industrial, Heavy (IH) Zone; and

WHEREAS, pursuant to Section 27-1704(h) of the Zoning Ordinance, property in the IH Zone may proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to April 1, 2024, subject to the terms and conditions of the development approvals which it has received; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, an application was submitted by NCBP Property LLC c/o Manekin for approval of a specific design plan; and

WHEREAS, in consideration of evidence presented at a public hearing on June 27, 2024, regarding Specific Design Plan SDP-2305 for National Capital Business Park – Phase 2, the Planning Board finds:

1. **Request:** The subject Specific Design Plan (SDP) approves the development of three warehouse distribution buildings totaling approximately 1,543,815 square feet.

2. **Development Data Summary:**

	EXISTING	EVALUATED
Zone	IH (prior R-S)	IH (prior R-S)
Use(s)	Vacant	Warehouse/Distribution
Total Gross and Net Acreage	90.10	90.10
Total Gross Floor Area (GFA)	-	1,543,815 sq. ft.

Other Development Data

Parking and Loading Spaces

Use	Required	Evaluated
Total Standard Parking Spaces	478	1,296*
Total Loading Spaces	35	174
Total Bicycle Spaces	-	56

Note: *The provided parking total includes 33 van-accessible parking spaces. The site plan shows an additional 400 standard parking spaces, which are not included in the parking tabulation. The optional parking spaces could be constructed based on future tenant demand and will be subject to a minor amendment to the subject SDP.

3. **Location:** The subject site is 90.10 acres in an overall 442.30 acres of development called the National Capital Business Park (NCBP). The subject specific design plan (SDP) property, which includes Parcels 13, 14, and 15, is located within the middle southern portion of NCBP, on the north side of Queens Court, approximately 1,000 feet west of its intersection with Prince George's Boulevard.
4. **Surrounding Uses:** The entire NCBP 442-acre site is bounded to the north by vacant park land owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC), and adjacent properties in the Agricultural and Preservation and Reserved Open Space Zones. Adjacent to the south and southeast is Leeland Road, the Target Distribution Center, and adjacent properties within the Agricultural-Residential (AR) and Industrial, Heavy (IH) Zones. To the east and west are streams and their associated tributaries, and surrounding properties which are currently zoned Legacy Comprehensive Design and IH. The NCBP site is also partially bounded to the west by the Popes Creek Branch CSX Railroad tracks.
5. **Previous Approvals:** The following applications were previously approved for the overall NCBP development:

Zoning Map Amendment (Basic Plan) A-9968

In 2005, Zoning Map Amendment (Basic Plan) A-9968 was filed requesting a rezoning of the property from the Employment and Institutional Area (E-I-A) Zone to the Residential Suburban Development (R-S) Zone. At that time, the approval of a new master plan and sectional map amendment for Bowie and Vicinity was underway. A-9968 was approved by the Prince George's County District Council, as part of the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* by the adoption of Prince George's County Council Resolution CR-11-2006 on February 7, 2006, which rezoned the subject property from the E-I-A and Residential-Agricultural (R-A) Zones to the R-S Zone.

Comprehensive Design Plan CDP-0505

Comprehensive Design Plan CDP-0505 for Willowbrook was approved by the District Council on April 9, 2007 (PGCPB Resolution No. 07-273), for residential development on an area of 427 acres consisting of 818 total dwelling units, including 110 multifamily units, 153 single-family attached units, and 555 single-family detached units in the R-S Zone. Of these dwelling units, 216 were for a mixed retirement component.

Preliminary Plan of Subdivision 4-06066

An overall Preliminary Plan of Subdivision (PPS) 4-06066, titled Willowbrook, was approved on February 8, 2007 (PGCPB Resolution No. 07-43(A)), for 699 lots and 26 parcels, for development of 539 single-family detached dwellings, 160 attached dwellings, and 132 multifamily dwellings. This PPS was superseded by PPS 4-20032.

Specific Design Plan SDP-1603

On March 30, 2017, SDP-1603 (PGCPB Resolution No. 17-144) was approved for Phase 1 of the residential development, which proposed 183 single-family detached and 93 single-family attached market-rate lots, 43 single-family detached and 52 single-family attached mixed-retirement residential lots, and single-family attached architecture, subject to 15 conditions.

Zoning Map Amendment (Basic Plan) A-9968-01

Basic Plan A-9968-01 was approved by the District Council on May 13, 2019, to increase the number of dwelling units by 313 units, to increase the allowed percentage of single-family attached dwelling units, to change the size and location of dwelling units, and to revise conditions and considerations of A-9968.

Comprehensive Design Plan CDP-0505-01

On April 15, 2021, the Prince George's County Planning Board approved CDP-0505-01 (PGCPB Resolution No. 2021-50), amending the previously approved CDP with five conditions. The amendment removed previously approved residential uses and replaced them with 3.5 million square feet of employment and institutional uses, in accordance with Basic Plan A-9968-02. The remainder of the property, consisting of 15 acres in the Light Industrial (I-1) Zone and 0.78 acre in the R-A Zone, was not included in this amendment.

Preliminary Plan of Subdivision 4-20032

PPS 4-20032 was approved by the Planning Board on September 9, 2021 (PGCPB Resolution No. 2021-112), for 36 parcels for the development of 3.5 million square feet of employment/institutional uses. Development proposed via Basic Plan A-9968-03 and CDP-0505-02 required a new PPS to establish a 2 million-square-foot increase in capacity. PPS 4-21056 supersedes PPS 4-20032 for the property.

Zoning Map Amendment (Basic Plan) A-9968-02

Subsequent to the enactment of Prince George's County Council Bill CB-22-2020, A-9968-02 for National Capital Business Park was approved by the District Council on April 12, 2021 (Zoning Ordinance No. 2-2021), to delete all residential uses and replace them with uses permitted in the E-I-A Zone for the I-1, R-A, and R-S Zones of the subject property. Approval of A-9968-02 was subject to 17 conditions and 2 CDP considerations.

Zoning Map Amendment (Basic Plan) A-9968-03

A-9968-03 was approved by the District Council on May 16, 2022, which allows for the development of warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses up to 5.5 million square feet. This application was approved subject to 18 conditions and 2 CDP considerations.

Comprehensive Design Plan CDP-0505-02

On May 5, 2022, the Planning Board approved CDP-0505-02, amending the previously approved CDP to increase the gross floor area of the permitted employment and institutional uses from 3.5 to 5.5 million square feet, in accordance with A-9968-03. The remainder of the property,

consisting of 15 acres in the I-1 Zone and 0.78 acre in the R-A Zone, was not included in this amendment.

Preliminary Plan of Subdivision 4-21056

PPS 4-21056 was approved by the Planning Board on June 9, 2022 (PGCPB Resolution No. 2022-70). This PPS covers 442.3 acres for 27 parcels, for the development of 5.5 million square feet of industrial uses. Of the 27 parcels, 6 have been conveyed to M-NCPPC, and 9 have been conveyed to a business owners association. The parcels conveyed to the business owner's association and M-NCPPC are to be used for open space, including public recreational facilities on Parcel A2. The remaining 12 parcels were to be developed.

Specific Design Plan SDP-1603-01

On January 13, 2022, SDP-1603-01 (PGCPB Resolution No. 2022-10) was approved for infrastructure including street network, sidewalks, utilities, grading, stormwater management (SWM), retaining walls, and directional signage, in accordance with prior A-9968-02, CDP-0505-01, and PPS 4-20032.

Specific Design Plan SDP-1603-02

SDP-1603-02 was approved by the District Council on October 17, 2022, for development of a 3,428,985-square-foot warehouse/distribution/office on Parcels 4, 5, and 6. The subject SDP supersedes SDP1603-02 and the development proposed with it by resubdividing existing Parcels 4, 5, and 6 into Parcels 13, 14, and 15.

Specific Design Plan SDP-1603-04

SDP-1603-04, was approved by the Planning Director on March 1, 2023, to reflect an amendment to SDP-1603-01, and approved 27 parcels, but renamed some of them in order to eliminate gaps in the parcel numbering shown on the PPS. Specifically, SDP-1603-04 approved Parcels 1–12 (for development), A1–A6 (for conveyance to M-NCPPC), and B1 through B9 (for conveyance to the business owners association).

6. **Design Features:** The submitted SDP shows the development of three warehouse distribution buildings totaling approximately 1,543,815 square feet. The approved development will take place on future Parcels 13, 14, and 15. Building A will be located on Parcel 15, totaling 1,013,310 square feet. Building B will be located on Parcel 14, totaling 325,448 square feet. Building C will be located on Parcel 13, totaling 205,057 square feet.

Buildings B and C will have vehicular access from Queens Court and the future extension of Logistics Lane. Building A will have vehicular access from the extension of Logistics Lane. All buildings will be connected through interconnecting streets and a significant green area network. For each building, the approved loading facilities are separated from automobile parking and access areas.

In the E-I-A Zone, development standards for a project (including building and parking minimum setbacks, architecture, building heights, vehicular access and circulation, pedestrian circulation, sustainability, landscaping, signage, lighting, and public benefit features) were established at the time of CDP and are project specific. The approved development on Parcels 13, 14 and 15

conforms to the aforementioned design guidelines and the following design elements, with a slight deviation from the height requirements.

The CDP design guidelines state that buildings shall not exceed 50 feet in height from the average finished grade to the top of the parapet wall at the exterior façade (pages 5–6). Additional height (up to 10 feet) at interior parapet walls is permissible for screening of rooftop mechanical equipment. Notwithstanding the above, buildings that are wholly or partially located in the “internal building area” (see Exhibit 1 below) shall not exceed a height of 130 feet. Exceptions/deviations from these height limitations can be made on a case-by-case basis at the time of SDP.

The exhibit below shows that Buildings A and B will be wholly or partially located within the designated “Internal Building Area” and are within the 130-foot-high height limitation permitted by the certified CDP Guidelines. Building C, which will be located outside of the “Internal Building Area,” will exceed the 50-foot base height limitation.

Building A is approved to be approximately 50 feet high. Buildings B and C are approved to be approximately 57 feet high.

As stated in the applicant’s statement of justification, the approved CDP design guidelines also authorize the Planning Board to approve deviations from the standard heights for buildings on case-by-case basis at time of SDP. This SDP approves an approximate 57-foot height for Building C consistent with the allowable heights for the immediately adjacent Building B, which is also 57 feet. This approved maximum height is to allow Building C to be designed with an internal clear height required by modern cold storage warehouse users. The highest points of Building C will be at the rear of the building, and the portions of the structure facing Logistics Lane will step down to 32 feet, to provide an appropriate height transition toward the public street. For these reasons, the Planning Board approves a modified maximum height for Building C of approximately 57 feet, as authorized by the approved CDP design guidelines.

Architecture

Architectural elevations were submitted for the subject application that shows the approved buildings feature dynamic facades with appropriate massing from the street, facade accents, and the utilization of efficient design and construction techniques in the form of tilt-up concrete building methods. As demonstrated in the submitted elevations, the building facades were designed to provide variation through wall projections, recesses of varying depths, and multiple tenant entrances. The approved entryways also include corner glazing and signage.

The roof line will peak at the center of each building promoting drainage toward the outer edges of the building. At the main entrances of buildings, the panel heights will return to peak height for aesthetic appeal. The closest roof top mechanical equipment to the edge of the buildings will be along the loading dock side of the buildings and will be set back appropriately to limit the view of any roof top mechanical equipment.

Exterior building materials mainly consist of high-quality concrete (tilt up/precast construction) and insulated panels on Buildings B and C. The exterior walls will be painted with a color palate consisting of predominantly white, medium gray, and dark gray. Louvers and window mullions will be made to match the adjacent wall paint color.

Lighting

A photometric plan has been provided that demonstrates the previously approved lighting and light features. This SDP approves 180 wall-mounted and 95 pole-mounted light-emitting diode lights, details of which are included on the photometric plans. The lighting provided has been deemed sufficient for the site and will provide adequate lighting while minimizing visual disturbance and light pollution.

Green Building and Development Techniques

The applicant has considered green building and development techniques with the design of this project. The project will utilize low impact development techniques and environmental site design to handle stormwater runoff to the maximum extent possible. Tilt-up design offers the following benefits:

- The large panel size means joints are minimized, which limits air infiltration.
- As compared to other systems, tilt-up panels provide a lower level of permeability of air as well as loss of conditioned indoor air.
- Proven insulation systems provide uncompromised, continuous insulation layers. Developed specifically for tilt-up construction, they provide the maximum energy efficiency possible. Structures created with insulated wall panels are not affected by the daily temperature fluctuations; thus, lowering both cooling and heating costs, providing comfort for the owners as well as the occupants.
- Thermal mass inherent in the structural concrete layer establishes a dampening effect on the diurnal temperature cycle the building experiences. Combined with the insulation systems involved in the wall design, the thermal mass produces a building envelope performance that is unparalleled.
- Through exposed concrete interior surfaces, indoor air quality can be improved by reducing volatile organic compounds and lowering maintenance requirements. Concrete itself is a non-off-gassing material, so it qualifies as a low volatile organic compound.

Signage

A signage plan has been provided, which details the approved signage allocation for the site, which includes seven attached building signs, and three entrance monument signs. The monument entrance signs will be 10 feet wide by 3 feet high.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application is in conformance with the applicable requirements of the prior Zoning Ordinance, including the requirements associated with the uses approved within Footnote 38 of Section 27-515(b) of the prior Zoning Ordinance, and the applicable regulations of the E-I-A Zone, which include Sections 27-500 and 27-501 of the prior Zoning Ordinance.

Section 27-500. – Uses.

- (a) **The general principle for land uses in this zone shall be:**

- (1) **To provide concentrated nonretail employment or institutional (medical, religious, educational, recreational, and governmental) uses which serve the County, region, or a greater area; and**

This SDP approves three warehouse/distribution buildings which will result in nonretail employment, in keeping with the general principle of the zone.

- (2) **To provide for uses which may be necessary to support these employment or institutional uses.**

The warehouse/distribution use will support nonretail employment, in keeping with this general principle of the zone.

- (b) **The uses allowed in the E-I-A Zone are as provided for in the Table of Uses (Division 3 of this Part).**

The use is subject to the requirements of the E-I-A Zone, per Footnote 38 and CB-22-2020. CB-22-2020 was adopted by the District Council on July 14, 2020, for the purpose of allowing uses in the E-I-A Zone on land in the R-S Zone, pursuant to eligibility criteria in Section 27-515(b). The approved warehouse/distribution buildings are permitted uses within the E-I-A Zone. Regardless, an SDP does not approve uses and is limited to review and approval of the physical development of a property including items such as buildings, architecture, landscaping, circulation, and the relationships between them.

Footnote 38 reads as follows:

Notwithstanding any other provision of this Subtitle, any use allowed in the E-I-A Zone (excluding those permitted by Special Exception) is permitted, provided:

- (a) **The use is located on a parcel, a portion of a parcel, or an assemblage of adjacent land that:**

- (i) **was rezoned from the E-I-A and R-A Zones to the I-1 and R-S Zones by a Sectional Map Amendment approved after January 1, 2006;**
- (ii) **contains at least 400 acres and adjoins a railroad right-of-way; and**
- (iii) **is adjacent to an existing employment park developed pursuant to the E-I-A Zone requirements.**

The 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* was approved by Prince George's County Council Resolution CR-90-2005, which was reconsidered by CR-11-2006. The District Council then adopted CR-11-2006 on February 7, 2006, which rezoned the subject property from the E-I-A and R-A Zones to the R-S Zone (CR-11-2006, Amendment 7, pages 18 and 31–34), subject to 13 conditions and 3 considerations. The subject property is more than 400 acres and is adjacent to the Collington Trade Center (an employment park developed pursuant to the E-I-A Zone).

- (b) **Regulations regarding green area set forth in Section 27-501(a)(2) shall not apply. The minimum green area (of net lot area) shall be 10%. All other regulations in the E-I-A Zone shall apply to uses developed pursuant to this Section.**

The approved development includes 21.5 percent of open space which satisfies this requirement. The overall NCBP development is also subject to this requirement.

- (c) **Regulations in the R-S Zone shall not apply to uses developed pursuant to this Section.**

The subject development is being reviewed in accordance with the E-I-A Zone regulations.

- (d) **Additional requirements for uses developed pursuant to this footnote shall include the following:**

- (i) **Street connectivity shall be through an adjacent employment park; and**
- (ii) **A public park of at least 20 acres shall be provided.**

The SDP reflects that the sole access to and from Parcels 13, 14, and 15 will be from future Queens Court and Logistics Lane. Logistics Lane will connect to the future Queens Court (extended) which will lead to the road network within the existing/adjacent Collington Center employment park.

- (c) **A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use.**

The application is not for a mixed-use planned community. This SDP approves three warehouse/distribution buildings, and as such, this requirement is not applicable.

Section 27-501. – Regulations

- (a) **General standards.**

(1) Minimum size of zone (except as provided in Section 27-502)	5 adjoining gross acres
(2) Minimum open space to be improved by landscaping and design amenities, including the landscaping of parking lots, so that expanses of parking will be relieved by natural features and grade changes	20% of net lot area

This development is subject to the requirements of the E-I-A Zone and conforms to the regulations outlined in Section 27-501 of the prior Zoning Ordinance, as modified by CB-22-2020 and CB-105-2022. The entire NCBP project area meets the minimum area required as it consists of approximately 442 acres and exceeds the minimum green space and open space requirements for the zone at 32.74 percent of the net lot area.

In addition, Section 27-515(b), Footnote 38(b) states that qualifying projects, such as NCBP, shall have a minimum green area of 10 percent of the net lot area. The SDP meets the 10 percent minimum green area requirements (as reflected in general notes on the SDP plan sheets and the submitted green area exhibit). More specifically, a total of 21.5 percent of the net lot area will be open space.

- (b) **Other regulations.**

- (1) **Each lot shall have frontage on, and direct vehicular access to, a public street.**

Parcels 13, 14, and 15 will have frontage on, and direct vehicular access to, a public street (Queens Court and Logistics Lane). Logistics Lane will connect to Queens Court (extended), leading to the road network within the existing adjacent Collington Center employment park.

- (2) **Additional regulations concerning development and use of property in the E-I-A Zone are as provided for in Divisions 1, 4, and 5 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

The approved development meets all off-street and parking and loading requirements within Part 11 of the prior Zoning Ordinance. The approved signage is in conformance with Part 12 of the prior Zoning Ordinance, and the application includes a landscape plan, in conformance with the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

(c) Mixed-Use Planned Community regulations.

- (1) A Mixed-Use Planned Community shall meet all purposes and requirements applicable to the M-X-T Zone, as provided in Part 10, and shall be approved under the processes in Part 10.**

A mixed-use planned community is not approved as a part of this application. Therefore, this requirement is not applicable.

- (2) Where a conflict arises between E-I-A Zone requirements and M-X-T Zone requirements, the M-X-T requirements shall be followed.**

There are no conflicts between the E-I-A and Mixed Use-Transportation Oriented zoning requirements. Therefore, this requirement is not applicable.

(d) Adjoining properties.

- (1) For the purposes of this Section, the word “adjoining” also includes properties separated by streets, other public rights-of-way, or railroad lines.**

The SDP shows and labels all adjoining properties, as outlined by this definition.

Section 27-528. – Planning Board action

Section 27-528 of the prior Zoning Ordinance contains the following required findings for the Planning Board to grant approval of an SDP:

(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:

- (1) The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**

This application is for a warehouse/distribution use and there are no residential uses, and parts of this requirement are not applicable to this development. Prior approved applications, A-9968-03 and CDP-0505-02, deleted any previously approved/proposed residential uses and set forth the design guidelines to be utilized for future development within NCBP. Said design guidelines established standards for building heights, setbacks, lot coverage and open space for the project which have been complied with and discussed herein. The SDP has been reviewed by the Planning Board and determined to be in compliance with approved CDP-0505-02, and the applicable design guidelines.

- (1.1) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

There is no Regional Urban Community on this site. Therefore, this requirement is not applicable.

- (2) The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;**

The subject property is governed by an approved and valid PPS 4-21056, which was approved by the Planning Board and determined that this development will be adequately served within a reasonable period of time with existing or programmed public facilities.

NCBP will lead to improvements by the applicant of the US 301/Queens Court intersection (pursuant to its contribution to the US 301 Capital Improvement Program (CIP)) and will not provide any direct connections to Leeland Road from the employment/industrial uses. A traffic impact analysis was submitted with the PPS which demonstrates that, with the recommended improvements set forth in the US 301 CIP project and other conditions of approval, all critical intersections will operate at adequate levels of service (as determined by the applicable portions of the County's Transportation Guidelines) to serve the approved development. Moreover, the approved PPS for NCBP reflects the provision of a 20-acre public park.

- (3) Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

The site has an approved SWM Concept Plan, 6108-2022-01, which was approved on October 14, 2022, by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) and satisfies this requirement.

The submitted SDP and site development concept plans reflect that adequate provisions have been made for draining surface water with no adverse effects on the subject Property or adjacent properties.

(4) The plan is in conformance with an approved Tree Conservation Plan; and

The subject application provided a Type 2 Tree Conservation Plan (TCP2-026 2021-09), which was reviewed by the Planning Board and determined to be consistent with the approved Type 1 Tree Conservation Plan (TCP1-004-2021-03) as conditioned herein, which satisfies this requirement.

(5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

The approved SDP preserves all regulated environmental features, to the fullest extent possible, in accordance with Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations, and further seeks to minimize any impacts to said features through its plan design.

The NCBP development approved impacts to the primary management area (PMA), which were reviewed and approved by the Planning Board with PPS 4-21056, SDP-1603-01, SDP-1603-02, and SDP-2206. The development approved with SDP-2202 is reliant on the prior PMA impact approvals.

8. **Zoning Map Amendment (Basic Plan) A-9968-03:** The District Council approved Basic Plan A-9968-C-03 for the subject property on May 16, 2022, subject to 18 conditions and 2 considerations. The relevant conditions and considerations applicable to this SDP are, as follows:

1. Proposed Lane Use Types and Quantities

Total Area:	442.30 acres
Total in (I-1 Zone):	15+/- acres (not included in density calculation)
Total area (R-A Zone):	0.78+/- acre (not included in density calculation)
Total area (R-S Zone):	426.52 acres per approved NRI
Land in the 100-year floodplain:	92.49 acres
Adjusted gross area (426 less half of the floodplain):	380.27 acres

Proposed use: Warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses up to 5.5 million square feet*

Open Space

Public active open space: 20 +/- acres

Passive open space: 215 +/- acres

*** 100,000 sq. ft. of gross floor area may be located in the I-1 Zone property noted herein.**

This SDP approves a warehouse/distribution use, and the proposal is within the approved land use types and quantities.

- 6. The Applicant, the Applicant's heirs, successors, and/or assigns shall construct a minimum 10-foot-wide Master Plan, hiker/biker trail located along the Collington Branch Stream Valley and a minimum 10-foot-wide feeder trail to the employment uses. The alignment and design details of both trails may be modified by the Prince George's County Department of Parks and Recreation, to respond to environmental constraints, with written correspondence.**

The hiker trail located along the Collington Branch Stream Valley was approved with SDP-1603-01.

- 8. The Applicant shall construct recreational facilities typical for a 20-acre community park, such as ball fields, a playground, tennis or basketball courts, shelters, and restroom facilities. The list of recreational facilities shall be determined at the preliminary plan of subdivision and specific design plan stage.**

The community park was approved with SDP-1603-02. The public recreational facilities agreement has been approved by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and was recorded in the Prince George's County Land Records on August 29, 2022.

- 15. The Applicant, the Applicant's heirs, successors, and/or assignees shall construct a minimum 10-foot-wide master plan shared-use path along the subject site frontage of Leeland Road, consistent with AASHTO standards, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**

The shared-use path was provided with approved SDP-1603-01.

- 18. The applicant shall provide a network of pedestrian and bikeway facilities internal to the site unless modified by the Prince George's County Department of Permitting, Inspections, and Enforcement with written correspondence. The exact location and design of said facilities shall be evaluated with future applications.**

The subject SDP shows a network of sidewalks along the property's frontage of Queens Court and Logistics Drive. Sidewalks are also provided along approved Buildings A, B, and C, which connect to the general parking area. The site is further improved with a series of crosswalks that facilitate safe pedestrian connections crossing drive aisles along Queens Court and Logistics Drive. Bicycle parking is also provided at all three approved buildings and a parking schedule has been provided showing that 56 bicycle parking spaces are approved.

9. **Comprehensive Design Plan CDP-0505-02:** The District Council affirmed the Planning Board's decision to approve CDP-0505-02 and TCP1-004-2021-02 on September 19, 2022, subject to seven conditions. The design guidelines for the NCBP site were also established through the approval of CDP-0505-02. The design guidelines established standards for building heights, setbacks, lot coverage and open space for the project that are reflected on the submitted SDP and is evaluated in Finding 6 above. The subject application is in conformance with the approved CDP and its associated design guidelines. The relevant conditions applicable to this SDP are as follows:

3. **Total development within the subject property shall be limited to uses that would generate no more than 1,401 AM and 1,735 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.**

The site is subject to prior approved SDP-2206, SDP-2201, SDP-2202, and SDP-1603-03, which considered a total of 1,323,452 square feet of warehouse/distribution uses so far as part of the overall NCBP development. This SDP approves the development of approximately 1,543,815 square feet of the warehouse and cold storage warehouse, which if approved, will bring the total site development to 2,867,267 square feet of warehouse/distribution uses which is under the 5.5 million square feet of development that was considered as part of the approved PPS application. Specifically, the total site development is anticipated to generate 995 AM and 994 PM peak-hour trips, which will not exceed the applicable trip cap for the project. As such, the Planning Board finds that the trips generated by the phased development of the subject SDP are within the trip cap.

4. **The following road improvements shall be phased at the time of future specific design plan applications, and a determination shall be made as to when said improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:**
- a. **US 301 (Robert Crain Highway) at Leeland Road**
- (1) **Provide three left-turn lanes on the eastbound approach**

- b. **Prince George's Boulevard and Queens Court-Site Access, unless modified at the time of preliminary plan of subdivision:**
- (1) **Provide a shared through and left lane and a shared through and right lane on the eastbound approach.**
 - (2) **Provide a shared through and left lane and a shared through and right lane on the westbound approach.**
 - (3) **Provide a shared through and left lane on the northbound approach and a shared through and right lane on the southbound approach.**

A phasing plan was submitted as part of this application. The phasing plan indicates that the applicant needs to contribute \$1,420,309 (1989 dollars) to the US 301 CIP-funded improvements. The phasing plan also indicates that the DPIE has approved the traffic signal warrant analysis for Prince George's Boulevard at Queens Court intersection. The traffic signal plans have proceeded under a separate street construction permit with DPIE, and the signal will be installed as directed by DPIE.

6. At the time of specific design plan, the applicant shall show all proposed on-site transportation improvements on the plans.

The subject SDP application includes Parcels 13, 14, and 15, and all frontage improvements required along Queens Court and Logistics Lane are properly reflected on the submitted SDP.

10. **Preliminary Plan of Subdivision 4-21056:** The site is subject to PPS 4-21056 (PGCPB Resolution No. 2022-70). This PPS covers 442.3 acres and was approved on June 2, 2022, for 27 parcels, for development of 5.5 million square feet of industrial uses. PPS 4-21056 was approved, subject to 22 conditions, and the conditions relevant to the review of this SDP are listed below in **BOLD** text. The Planning Board's analysis of the project's conformance to these conditions follows each one in plain text:

2. **Total development within the subject property shall be limited to uses which generate no more than 1,401 AM peak-hour trips and 1,735 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.**

With this SDP, 1,543,815 square feet of warehouse uses are approved. If approved, will bring the total site development to 2,867,267 square feet of warehouse/distribution uses which is under the 5.5 million square feet of development that was considered as part of the approved PPS application. Based upon the trip generation chart provided on the cover sheet of the SDP, the total site development is anticipated to generate 995 AM and 994 PM peak-hour trips. Thus, the development approved in this SDP will be within the trip cap established with PPS 4-21056.

3. **Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision, prior to the approval of any building permits.**

The development with this SDP is consistent with the land uses evaluated with the PPS, which does not include residential development. Conformance with this condition has been demonstrated.

4. **Development of this site shall be in conformance with the approved storm water management concept plan (42013-2020-00) and any subsequent revisions.**

With the application, the applicant submitted a copy of a revised Stormwater Management (SWM) Concept Plan and Approval Letter (42013-2020-01), which covers the overall NCBP development. The approval was issued by DPIE on June 6, 2022, and expires on June 28, 2024.

The applicant also submitted SWM Concept Plan 6108-2022-01, which is specific to the subject site. Approval of this plan was issued on October 14, 2022, and expires on October 14, 2025. The revised plan shows the use of several types of stormwater facilities including bioswales, micro-bioretenion, dry ponds, and submerged gravel wetlands. This development will be subject to a site development fine grading permit and continuing reviews by DPIE and the Prince George's County Soil Conservation District.

5. **Prior to approval of a final plat:**

- a. **The applicant and the applicant's heirs, successors, and/or assignees shall grant 10-foot-wide public utility easements along the public rights-of-way, in accordance with the approved preliminary plan of subdivision.**

The submitted SDP shows PUE's along the site's frontages on Queens Court and Logistics Lane, both of which are public rights-of-way.

7. **Prior to issuance of a use and occupancy permit for nonresidential development, the applicant and the applicant's heirs, successors, and/or assignees shall:**

- a. **Contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for each building.**
- b. **Install and maintain a sprinkler system that complies with the applicable National Fire Protection Association standards for the installation of sprinkler systems.**
- c. **Install and maintain automated external defibrillators (AEDs) at each building, in accordance with the Code of Maryland Regulations requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.**

- d. Install and maintain bleeding control kits next to fire extinguisher installation at each building, and no more than 75 feet from any employee. These requirements shall be noted on the specific design plan.**

These requirements are noted on the SDP as General Note 26 on the cover sheet.

- 8. At the time of final plat, the applicant shall dedicate all rights-of-way, consistent with the approved preliminary plan of subdivision.**

A new final plat application will be required in order to dedicate the new right-of-way for the extension of Logistics Lane approved with this SDP. The approved new right-of-way is found to be consistent with the approved PPS.

- 9. The applicant shall submit a phasing plan (with adequate justification) as part of the first specific design plan for a building to show the phasing of the following transportation improvements to the development of the site. A determination shall be made at that time as to when said improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency.**

- a. US 301 (Robert Crain Highway) at Leeland Road**

- (1) Provide three left turn lanes on the eastbound approach.**

- b. A signal warrant analysis and signalization of the intersection of Prince George's Boulevard and Queens Court-Site Access with the following lane configuration:**

- (1) A shared through and left and a shared through and right lane on the eastbound approach.**

- (2) A shared through and left and a shared through and right lane on the westbound approach.**

- (3) A shared through and left on the northbound approach and a shared through and right lane on the southbound approach.**

When the signal is deemed warranted, the applicant shall construct the signal and associated improvements to the requirements and schedule directed by the operating agency.

A phasing plan dated May 14, 2024, was submitted as part of this application and indicated that the eastbound Leeland Road improvement does not need to be implemented until the overall site is developed with uses that generate an excess of

1,206 AM and 1,540 PM trips. This SDP approves the development of approximately 1,543,815 square feet of warehouse which if approved, will bring the total site development to 2,867,267 square feet of warehouse/distribution uses that are anticipated to generate 995 AM and 994 PM peak hour trips, which will not meet the thresholds needed for the reconstruction of the eastbound approach of the Leeland Road/US 301 intersection.

The phasing plan also indicates that DPIE has approved the traffic signal warrant analysis for Prince George's Boulevard at Queens Court intersection. The traffic signal plans have proceeded under a separate street construction permit with DPIE, and the signal will be installed as directed by DPIE.

10. **Prior to approval of a building permit for each square foot of development, the applicant, and the applicant's heirs, successors, and/or assignees shall pay to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), a fee of \$0.92 (1989 dollars) multiplied by (Engineering News Record Highway Construction Cost index at time of payment)/(Engineering News Record Highway Construction Cost Index for second quarter 1989). The County may substitute a different cost index, if necessary.**

In lieu of the fee payment listed in the preceding paragraph, prior to approval of a building permit for each phase of development, the applicant and the applicant's heirs, successors, and/or assignees shall provide improvements along US 301 (Robert Crain Highway), within the limits of US 301 that are covered by the Capital Improvement Program-funded improvements. The phasing of the of the US 301 improvements shall be submitted with each specific design plan application, prior to its acceptance, when this option is applied. Any improvements proposed as part of any lump sum payment shall have approval of the Maryland State Highway Administration and DPIE.

A phasing plan dated May 14, 2024, was submitted as part of this application. The phasing plan indicates that the applicant needs to contribute \$1,420,309 (1989 dollars) to the US 301 CIP-funded improvements.

18. **Development of this subdivision shall be in conformance with an approved Type 1 tree conservation plan (TCPI-004-2021-03). The following note shall be placed on the final plat of subdivision:**

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCPI-004-2021-03 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree

Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”

- 19. Prior to the issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision: “This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”**

TCP2-026-2021-09 was submitted with the SDP. In accordance with Conditions 18 and 19 above, the Planning Board finds that the TCP2 conforms to approved TCP1-004-2021-03, as discussed in Finding 13 below, subject to the conditions contained within this resolution. The above referenced notes were included on the approved final plat(s) of subdivision for this project.

11. **Specific Design Plan SDP-1603-01:** The Planning Board approved SDP-1603-01 on January 13, 2022, for infrastructure for the overall NCBP development, including 35 parcels, street network, sidewalks, utilities, grading, SWM, retaining walls, and directional signage that will serve the employment and institutional uses approved for the property. The Planning Board have reviewed this application and determined that it is in conformance with the approved SDP.
12. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of the Landscape Manual, specifically Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; and Section 4.9, Sustainable Landscaping Requirements, which includes the requirements for native species.
- a. **Section 4.2, Requirements for Landscape Strips Along Streets**—The applicant is using Option 2 to fulfill the requirements. Option 2 requires a minimum 10-foot-wide landscape strip and has an average width of at least 15 feet wide. Plantings are provided at a rate of one shade tree and five shrubs per 35 linear feet of frontage.
- b. **Section 4.3, Parking Lot Requirements**—Section 4.3 requires a percentage of the parking lot, determined by the size, to be planting area. In this SDP, there are seven parking lots of various sizes. Schedule 4.3-2 on the landscape plans demonstrates compliance with the required interior planting area and number of shade trees.
- c. **Section 4.9, Sustainable Landscaping**—Section 4.9 requires that a certain percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) be native species (or the cultivars of native species). The minimum percentage of plants of each plant type required to be native species and/or cultivars is 50 percent for shade trees and ornamental trees, and 30 percent for evergreen trees and shrubs. The Schedule 4.9-1 provided on the landscape plans meets this requirement.
13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the 2010 Prince George's County Woodland and Wildlife Habitat

Conservation Ordinance (WCO) because the project is subject to a PPS (4-21056) and is subject to the requirements of the Environmental Technical Manual. TCP2-026-2021-09 was submitted with the application and requires revisions to be found in conformance with TCP1-004-2021-03 and the WCO.

The District Council amended the woodland conservation/afforestation threshold on land in the prior R-S Zone with permitted uses from the prior E-I-A Zone. The site shall be developed in accordance with the threshold requirements of the prior E-I-A Zone. The woodland conservation threshold for this 442.30-acre property has a weighted woodland conservation threshold requirement of 15.08 percent, or 52.40 acres. The overall development has an approved TCP1 and TCP2 related to the prior residential subdivision, which were grandfathered under the 1991 Woodland Conservation Ordinance. The prior tree conservation plan approvals are not applicable to the new development proposal.

The site is currently being rough graded pursuant to an approved grading permit utilizing the limits of disturbance (LOD) provided on TCP2-026-2021. An amended rough grading permit with an enlargement of the LOD to include area approved under PPS 4-21056 and TCP1-004-2021-03, was recently approved for this site as TCP2-026-2021-05. Revisions to TCP2-026-2021 were submitted with SDP-1603-01, SDP-1603-02, SDP-1603-03, SDP-1603-04, SDP-2201, SDP-2206, SDP-2202, and the pending SDP-2305. Approved clearing with the park dedication area shall be reflected in a future application. Details of the recreation facilities, impacts to the PMA, and the variance request for the specimen tree removal will be analyzed with the application proposing the development of the park. The site contains 138.39 acres of PMA, approximately 15,622 linear feet of regulated streams, and 87.33 acres of 100-year floodplain.

The central portion of the site was the subject of a timber harvest. With previous applications, the applicant contends that clearing of the central portion of the property is supported due to the implemented timber harvest. Of the 49 specimen trees within the area of SDP-2305, 18 specimen trees were within the limits of the timber harvest approval, and the remaining 31 trees were approved for removal with PPS 4-20032 and SDP-1603-01. The on-site afforestation/ reforestation areas are connected to on-site preservation areas, which is a higher priority over preserving the central areas of woodlands previously impacted by the timber harvest. The applicant is required to protect the woodland preservation areas, including areas of reforestation, within a woodland and wildlife habitat conservation easement. This easement is required to be partially vacated and recorded in the Prince George's County Land Records, prior to the certification of SDP-2305, as the boundary of the easement is altered by the layout and engineering revisions approved with this development application. This SDP approves a reduction of 1.59 acres (0.33-acre reduction of preservation and 1.26 acres reduction to reforestation) to the previously approved on-site woodland conservation. Ninety-nine of the specimen trees on-site are located in the approved woodland conservation easement. The applicant stated that the site is not suitable for natural regeneration. The next priority method to meet the woodland conservation requirement is to provide the remaining requirement off-site within an approved tree bank. The applicant purchased woodland preservation credits in an approved tree bank (Liber 47882 at folio 17). The woodland preservation credits are double what would be required in an afforestation or planting bank, and the applicant's 47.36 acres of credit would accommodate a 23.68-acre requirement. The Planning Board approve the applicant's request to meet the

woodland preservation requirements through a combination of on-site preservation and reforestation areas and off-site preservation within an approved tree bank; however, the applicant shall look for opportunities to reforest the edges adjoining the previously approved woodland conservation.

Section 25-122(c)(1) of the Prince Georges' County Code prioritizes methods to meet the woodland conservation requirements. The applicant provided a statement of justification requesting approval of a combination of onsite and off-site woodland conservation as reflected on the TCP2 worksheet. The overall woodland conservation worksheet shows the clearing of 260.76 acres of woodland on the net tract area, and the clearing of 2.49 acres of woodland in the floodplain. This results in a woodland conservation requirement of 120.96 acres. The requirement is approved to be met with 84.14 acres of on-site woodland preservation, 16.35 acres of on-site reforestation, and 20.47 acres of off-site woodland conservation credits. This SDP approves a reduction of 1.59 acres (0.33-acre reduction of preservation and 1.26 acres reduction to reforestation) to the previously approved on-site woodland conservation. Although this development has been part of several reviews, as individual applicants submit SDPs for development, future applicants should continue to look for opportunities to provide additional areas of woodland preservation and reforestation.

This SDP approves additional changes to the recorded woodland and wildlife habitat conservation easement. A condition has been included herein, for the easement vacations, and any easement creations to be completed prior to the certification of SDP-2305.

Technical revisions to the TCP2 are required and included in the conditions listed in this resolution.

14. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, Tree Canopy Coverage Ordinance of the Prince George's County Code, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a building or grading permit for 5,000 square feet or greater of gross floor area or disturbance. For properties located within the IH Zone, the minimum TCC requirement is 10 percent. A TCC table was provided that indicates a 10 percent TCC requirement.

The gross tract area of the site is 442.30 acres, which would require 2,889,988.2 square feet, or 66.345 acres in TCC. The applicant is providing 4,460,544 square feet, or 102.4 acres in TCC, which meets the requirement.

15. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and are incorporated herein by reference:
 - a. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated May 9, 2024 (Lester to Lockhart); the Community Planning Division noted that pursuant to Part 8, Division 4, Subdivision 2 of the prior Zoning Ordinance, master plan conformance is not required for this application.

- b. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated May 17, 2024 (Stabler, Smith, and Chisholm to Lockhart); it was noted that a Phase I archeological survey was conducted on the subject property, in 2005. Additional archeological investigations were requested regarding a partially collapsed barn. Background historical research was then performed to identify the owner of the barn, and to identify similar tobacco barns in the County. The barn was fully documented in color photographs and scaled line drawings, and a Maryland Inventory of Historic Properties form was completed. With the submittal of the final technical report, the applicant has satisfied Condition 1 of the District Council resolution for CDP-0505, dated April 9, 2007.

The Phase I archeology report also identified several pieces of mill stones on the east side of Collington Branch, in the southern portion of the subject property. These mill stones were not recorded as an archeological site because there were no additional artifacts found in association with them. The possible mill race and mill stones are located on a portion of the property that will not be developed and will be preserved as open space.

The subject property does not contain and is not adjacent to any Prince George’s County historic sites or resources.

- c. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated May 29, 2024 (Diaz-Campbell to Lockhart); it was noted that the site is subject to PPS 4-21056 (PGCPB Resolution No. 2022-70). This PPS covers 442.3 acres and was approved on June 2, 2022, for 27 parcels, for the development of 5.5 million square feet of industrial uses. The SDP was found to be in conformance with the approved PPS, as evaluated above in Finding 10. The following comments were also offered:
- (1) Pursuant to Section 24-4503(a)(4) of the Prince George’s County Subdivision Regulations, the site has a certificate of adequacy associated with PPS 4-21056, effective June 2, 2022, which is valid for 12 years.
 - (2) A new final plat will be required for the subject property following approval of this SDP. PPS 4-21056 includes conditions which must be met prior to approval of the final plat.
 - (3) The section of Logistics Lane right-of-way dedicated to public use by Plat Book ME 263 Plat No. 32 and located to the south of its intersection with Queens Court, is labeled on the SDP cover sheet as Logistics Drive. A condition has been included herein for this label to be corrected.
- d. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated May 28, 2024 (Nickle to Lockhart); the Environmental Planning Section noted that TCP2-026-2021-09 is acceptable, subject to the technical corrections and conditions provided in this resolution.

Specimen Trees

Section 25-122(b)(1)(G) of the Prince George's County Code requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure, shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual." The following Subtitle 25 variance requests were reviewed and approved by the Planning Board with prior approvals:

- With PPS 4-20032, 69 specimen trees were approved for removal.
- With SDP-1603-01 for infrastructure, two specimen trees were approved for removal.
- With PPS 4-21056, 11 specimen trees were approved for removal. The trees were located in the area approved for development, outside of any regulated environmental features (REF).

The development approved with SDP-2305 is reliant on prior approvals. The 49 specimen trees that were located in the geographic area of the subject application were removed as part of the timber harvest permit and the rough grading permit. No additional trees are requested for removal with SDP-2305.

Regulated Environmental Features

There are PMAs comprised of REFs which includes streams and associated buffers, 100-year floodplain, steep slopes, and wetlands with their associated buffers. Under Section 27-521(a)(11) of the prior Zoning Ordinance, the plan shall demonstrate the preservation and/or restoration of the REFs in a natural state to the fullest extent possible. Impacts to the PMA were reviewed and approved by the Planning Board with PPS 4-21056, SDP-1603-01, SDP1603-02, and SDP-2206. The development approved with SDP-2305 is reliant on the prior PMA impact approvals.

Scenic and Historic Roads

Leeland Road is designated as a scenic road in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and has the functional classification of a major collector. The MPOT includes a section designated to scenic and historic roads and provides specific policies, and strategies, including conserving, and enhancing the viewsheds along designated roadways.

Stormwater Management

Two SWM concept plans were submitted with this application. Case No. 42013-2020-01 is approved but reflects the previously proposed development. Case No. 6108-2022-01 shows the revised layout and has an approval letter; however, the plan-set is not signature approved. The revised plan shows the use of several types of stormwater facilities including bioswales, micro-bioretenion, dry ponds, and submerged gravel wetlands. This development will be subject to a site development fine grading permit and continuing

reviews by DPIE and the Prince George's County Soil Conservation District. The approval letter for the revised layout defers the geotechnical comments to the technical plans reviewed with the permit packages. The technical site development concept plans and final erosion and sediment control plans shall match the approved TCP2. Any changes made at the technical level will require a revision to the TCP2 prior to permit issuance.

Soils

According to the Prince George's County Soil Survey, the principal soils on the site are in the Adelphia, Bibb, Collington, Colemantown Elkton, Howel, Marr, Monmouth, Sandy Land, Shrewsbury, and Westphalia series. Adelphi, Collington, and Marr soils are in hydrologic class B, and are not highly erodible. Bibb and Shrewsbury soils are in hydrologic class D and pose various difficulties for development due to high water table, impeded drainage, and flood hazard. Colemantown and Elkton soils are in hydrologic class D and have a K factor of 0.43, making them highly erodible. Howell and Westphalia soils are in hydrologic class B and are highly erodible. Monmouth soils are in hydrologic class C and have a K factor of 0.43, making them highly erodible. Sandy land soils are in hydrologic class A and pose few difficulties to development.

Marlboro clay is found to occur extensively in the vicinity of and on this property. The TCP2 shows the approximate location of the unmitigated and mitigated 1.5 safety factor line, in accordance with a Geotechnical report dated March 1, 2024, and prepared by Geo-Technology Associates, Inc.

The approved structures including buildings, road, retaining walls, etc., shall not be approved on the slopes analyzed in the geotechnical report at elevations lower than the 1.5 safety factor line. The building restriction line shall be at least 25 feet uphill from the 1.5 safety factor line for compliance with Section 24-131, Unsafe Land, of the prior Subdivision Regulations. The geotechnical report recommended for the Marlboro Clay to be undercut and replaced with structural fill at the areas where 1.5 safety factor was not achieved. The location, depth, width, backfill materials, compaction, etc., of the undercut/replacement shall be shown on the grading permit plans. The limits of disturbance shown on the grading and permit plans shall match the limits of disturbance on the TCP2. Any alterations of the approved limits of disturbance will require a formal revision to this TCP2. The geotechnical report shall be revised to address DPIE's concerns on the Marlboro Clay, as stated in Condition 39 of SWM Concept Approval No. 6108-2022-01, and reviewed by DPIE during the grading permit stage. The geotechnical analyses and the preparation of site plans shall be in conformance with Techno-Gram 005-2018.

Erosion and Sediment Control

The site is located within a Sediment Total Maximum Daily Load (TMDL), as established by the state. Watersheds within a TMDL for Sediment will typically require erosion and sediment control measures above and beyond the standard treatments. The site also contains rare, threatened, and endangered species, including fish located in the Collington Branch. Redundant erosion and sediment control measures are also required

for the protection of the rare, threatened, and endangered species. Additional information, as determined by DPIE and the Prince George's County Soil Conservation District in their respective reviews for SWM, erosion, and sediment control, may be required.

The County requires the approval of an Erosion and Sediment Control Plan, prior to issuance of a grading permit. The TCP2 must reflect the ultimate limits of disturbance, not only for the installation of permanent site infrastructure but also for the installation of all temporary infrastructure, including erosion and sediment control measures. The TCP2 is in conformance with the draft erosion and sediment control technical plan that is associated with SDP-2305.

- e. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated May 30, 2024 (Patrick to Lockhart); Transportation staff provided an analysis of previous conditions of approval that have been incorporated in the findings above. The following comments were also offered:

Master Plan Right of Way

The site is governed by the MPOT and 2022 *Bowie-Mitchellville and Vicinity Master Plan*. The subject site is not adjacent to any master plan right-of-way.

The subject SDP shows a network of sidewalks along the property's frontage of Queens Court and Logistics Drive. Sidewalks are also provided along Buildings A, B, and C, which connect to the general parking area, which is consistent with the MPOT's goals and policies. The site is further improved with a series of crosswalks that facilitate safe pedestrian connections crossing drive aisles along Queens Court and Logistics Drive. Bicycle parking is provided at all three approved buildings, and a parking schedule has been provided showing that 56 bicycle parking spaces are approved.

Transportation Planning Review

Access to the development will be provided by a full-service driveway from Queens Court to the general parking area for passenger vehicles. Access is also provided by two full-service driveways, from Queens Court and Logistics Drive to the truck loading and staging area. The submission shows wayfinding signage on Queens Court and Logistics Drive, to prevent trucks from entering the site through the driveway connecting to the general parking area.

The site will be served by a total of 1,296 parking spaces and 174 loading spaces. In addition, 56 bicycle parking will be provided. The Planning Board finds that the site circulation, access, and parking meet the zoning requirements and are acceptable.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the memorandum dated May 28, 2024 (Thompson to Lockhart); DPR noted that the basic plan mandates that the applicant dedicate additional land in the Collington Branch stream valley and construct the master plan Collington Branch stream valley trail. A total of 113.28 acres is to be dedicated to M-NCPPC, inclusive of the 20-acre park and stream valley trail, which will be developed in

concurrence with the 20-acre park. In addition, the applicant is to construct a 10-foot-wide feeder trail extending from the southern terminus of Logistics Lane to the shared-use path on Leeland Road. The trail will be located on building owners' association lands. The public recreational facilities agreement, which details the park and trail development, was recorded into the Prince George's County Land Records on August 29, 2022 (MEA 4804, page 590).

- g. **Permit Review**—The Planning Board has reviewed and adopts the memorandum dated May 29, 2024 (Jacobs to Lockhart); Permit staff noted that the SDP was acceptable, subject to technical corrections that have been included as conditions herein.
 - h. **Prince George's County Fire/EMS Department**—The Planning Board has reviewed and adopts the memorandum dated April 22, 2024 (Reilly to Lockhart), the Fire/EMS Department had no comments on the subject application.
 - i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this resolution, DPIE did not comment on the subject SDP.
 - j. **Washington Suburban Sanitary Commission (WSSC)**—At the time of the writing of this resolution, WSSC did not offer comments on this application.
16. **Community Feedback:** At the time of the writing of this resolution, the Prince George's County Planning Department did not receive any written correspondence from the community on this subject application.
17. **Planning Board**—The Planning Board held a public hearing on this application on June 27, 2024. At the hearing, and in rendering its decision, the Board considered all written and oral testimony, along with all exhibits submitted according to the Planning Board's procedures.

Prior to the hearing, and in accordance with the Planning Board's procedures, the applicant provided exhibits, which provided revised findings and conditions regarding the technical staff report. The exhibits update all references to the subject property zoning from Legacy Comprehensive Design to IH, which was rezoned on June 4, 2024. It also added language to Finding 7, Section 27-500(b) regarding uses allowed in the E-I-A Zone; Finding 9 (Condition 3 of CDP-0505-02), addressing trip cap; Finding 10 (Condition 2 of PPS 4-21056), addressing trip cap; and Finding 14, revising the TCC coverage required percentage due to the zoning change. The exhibits also removed Conditions 1c and 1e, and revised Condition 4.

The hearing began with a technical staff presentation, followed by the applicant's presentation. Following the presentations, the Planning Board voted to approve SDP-2305, subject to the recommended conditions of approval within the technical staff report, as revised by the applicant's exhibits.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Specific Design Plan SDP-2305, and further APPROVED Type 2 Tree Conservation Plan TCP2-026-2021-09, for the above-described land, subject to the following conditions:

1. Prior to certification of this specific design plan (SDP), the SDP plan set shall be revised as follows:
 - a. Improve the visibility of the 10-foot-wide public utility easement labels for Queens Court by providing the labels in black text and ensuring they are not overlapped by other drawing features.
 - b. Correct the label for the existing right-of-way for Logistics Lane on the cover sheet.
 - c. Revise the match line indicators for Building A, Sheets 8–13, to reference the correct page number.
 - d. Revise the signage schedule to note three monument signs, as shown on the plans.
2. Prior to certification of the Type 2 tree conservation plan (TCP2), the TCP2 shall be revised as follows:
 - a. Multiple limits of disturbance lines are shown on the TCP2. Show the limits of disturbance that reflect the development approved with Specific Design Plan SDP-2305.
 - b. Remove the interim grading and show only the final grading.
 - c. Show the existing and approved property lines.
 - d. Label the retaining walls on all sheets and note the top and bottom wall elevations.
 - e. Label all approved structures and stormwater facilities on the plans.
 - f. This TCP2-026-2021 revision is the -09. Update the TCP2 set to reflect this.
 - g. Make the following corrections to Sheet C-300:
 - (1) Update the plan references to reflect the current site development concept plan, latest specific design plan and TCP2 approvals, and the current geotechnical report.
 - (2) Correct the note under the worksheet regarding the park development proposal, to reflect the current case, Specific Design Plan SDP-2305.

- (3) Update the note on the woodland and wildlife habitat conservation easement to include the recordation information for the partial vacations and the new easements recorded with Specific Design Plans SDP-2206 and SDP-2202.
 - h. Make the following corrections to Sheet C-301:
 - (1) The Floodplain Compensatory Reforestation Planting Schedules are not calculated correctly. The total Forest Conservation Area units should be “134” for each species resulting in a total planting number of “670.”
 - (2) The reforestation planting table for G through Q contains errors in columns I, J, and O. Recalculate the plant units and adjust the totals accordingly.
 - (3) Update the plan references and standard TCP2 Note 1 to remove the information for “SDP-2202” and replace with “SDP-2305.”
 - (4) Add standard TCP2 Note 9.
 - i. Revise Sheet C-313A to have the tree protection fencing follow the limits of disturbance.
 - j. Have the revised plan signed and dated by the qualified professional preparing the plan.
3. Prior to the certification of the Type 2 tree conservation plan (TCP2) for this site, if changes are required to the recorded woodland conservation easement, documents for the revised woodland conservation easement shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submission to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber 48372 in folio 62, and an additional easement recorded in Liber 49579 at folio 344, saving and excepting the partial vacation of the easement recorded in the Prince George’s County Land Record in Liber 49064 at folio 486, Liber 49555 at folio 391, Liber 49565 at folio 231, and Liber 49581 at folio 185, and in Liber ____ in folio _____. Revisions to this TCP2 may require a revision to the recorded easement.”
4. Prior to approval of a building permit, the applicant and the applicant’s heirs, successors, and/or assignees shall pay a fee of \$1,420,309 (1989 dollars), with a construction cost index determined by the Prince George’s County Department of Public Works and Transportation, at the time of payment.

As an alternative to paying the fee listed above, prior to issuance of the building permit, the applicant and the applicant’s heirs, successors, and/or assignees 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 for all of the improvements along US 301 (Robert Crain Highway), as described in the phasing plan dated May 14, 2024, submitted as part of the specific design plan application.


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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, June 27, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of July 2024.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:DL:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: July 17, 2024