

May 2, 2023

NCBP Property, LLC
5850 Waterloo Road, Suite 210
Columbia, MD 21045



Re: Notification of Planning Board Action on
Specific Design Plan SDP-2206
NCBP Parcels 7, 8, And 9

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 **April 27, 2023**, 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 (**May 2, 2023**) 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,
James R. Hunt, Chief
Development Review Division

By: Andrew Shelly
Reviewer

Attachment: PGCPB Resolution No. **2023-43**

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

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George’s County Code; and

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 Legacy Comprehensive Design (LCD), the Industrial, Employment (IE), and Agricultural-Residential (AR) Zones; and

WHEREAS, pursuant to Section 27-1704(b) of the Zoning Ordinance, projects which received development or permit approval prior to the effective date of the current ordinance may continue to be reviewed and decided in accordance with the Zoning Ordinance under which it was approved; 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, for approval of a specific design plan; and

WHEREAS, in consideration of evidence presented at a public hearing on April 6, 2023, regarding Specific Design Plan SDP-2206 for National Capital Business Park, Parcels 7, 8, and 9, the Planning Board finds:

1. **Request:** This specific design plan (SDP) approves the construction of a 358,450-square-foot warehouse distribution building and a 3-acre storage yard.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	LCD (prior R-S)	LCD (prior R-S)
Use(s)	Vacant	Proposed Warehouse/Distribution
Total Gross Acreage	29.17	29.17
Total Gross Floor Area (GFA)	-	358,450 sq. ft.

Other Development Data

Parking and Loading Spaces

Use	Required	APPROVED
Total Parking Spaces	122	271
Loading Spaces	10	145
Bicycle Spaces	-	12

3. **Location:** The subject site is 29.17 acres in an overall 442.30 acres of development called the National Capital Business Park. The subject property is located on the north side of Leeland Road, approximately 3,200 feet west of its intersection with US 301 (Robert Crain Highway), in Planning Area 74A and Council District 4.
4. **Surrounding Uses:** The entire National Capital Business Park development is bounded to the north by properties in the Agricultural-Residential (AR) and Reserved Open Space Zones. Adjacent to the south are properties zoned AR and Legacy Comprehensive Design Zone (LCD).
5. **Previous Approvals:** The subject property was included in Zoning Map Amendment (Basic Plan) A-9968-03, approved by the Prince George’s County District Council on May 9, 2022, and in an amendment to a Comprehensive Design Plan, CDP-0505-02, approved by the Prince George’s County Planning Board on May 5, 2022. Preliminary Plan of Subdivision (PPS) 4-20032 was approved by the Planning Board on September 9, 2021 (PGCPB Resolution No.-2021-112), for a 442.30-acre property formerly zoned Residential Suburban Development (R-S), Light Industrial (I-1), and Residential-Agriculture (R-A). PPS 4-20032 approved 36 parcels for the development of a 3.5 million-square-foot industrial park.

Specific Design Plan SDP-1603-01 was approved by the Planning Board on January 13, 2022 (PGCPB Resolution No. 2022-10), for infrastructure for the overall development, including 35 parcels, street network, sidewalks, utilities, grading, stormwater management (SWM), retaining walls, and directional signage that will serve the employment and institutional uses approved for the property.

PPS 4-21056 was approved by the Planning Board on June 2, 2022, for 27 parcels, for development of up to 5.5 million square feet of industrial use on the subject property. PPS 4-21056 supersedes 4-20032 and therefore, this application is reviewed for conformance with the conditions of approval for 4-21056.

The subject application is zoned LCD (formerly R-S) but is subject to the requirements of the Employment and Institutional Area (E-I-A) Zone and permitted under Footnote 38, as authorized, pursuant to the provisions of Prince George’s County Council Bill CB-22-2020. The subject parcels (7, 8, and 9) will be developed with warehouse/distribution uses permitted in the E-I-A Zone, per Section 27-515(b) of the prior Prince George’s County Zoning Ordinance. In addition, pursuant to the provisions of CB-105-2022, the subject property is approved to develop in

accordance with the standards and uses applicable to the E-I-A Zone because the property is identified within a designated employment area in a master plan or sector plan. Pursuant to Section 27-528 of the Zoning Ordinance, the Planning Board does not approve uses with an SDP application but, instead, reviews and approves the physical development of a property, including items such as buildings, architecture, landscaping, circulation, and the relationships between them. The development approved with this SDP is for Parcels 7, 8, and 9, as currently shown on PPS 4-21056.

The site has an approved SWM Concept Plan, 42013-2022-01, which was approved on June 6, 2022.

6. **Design Features:** The 358,450-square-foot warehouse and distribution building will be 43 feet tall. The site will have three access points: two on Queens Court and one on Logistics Lane. There will be 271 parking spaces (including 8 handicapped-accessible spaces), 12 bicycle spaces, 63 loading docks, and 145 loading spaces. The warehouse and distribution building also features two 12-foot by 14-foot drive-in doors and two 24-foot by 14-foot drive-in doors. A condition is included herein, to state the correct number of parking spaces on all plans. The building is oriented in a manner where the primary entrance will face Queens Court to the north. Loading docks will be located on the eastern and western elevations of the proposed building, and the southern elevation will consist of two large doors for shipping and receiving goods and materials. The southern elevation will face a 3-acre storage yard, which has been appropriately screened. A condition is included herein, to include the number of bicycle spaces in the parking table shown on Sheet 6 within this SDP.

As part of this SDP, the applicant provides a 3-acre outdoor storage yard as an accessory use for the warehouse and distribution use. The storage yard will include plumbing materials incidental to the primary warehouse and distribution use. Accessory uses of all types are permitted in the prior E-I-A Zone use table. At this time, no structures are approved within the designated storage yard area of this SDP. The approved storage yard is adequately screened from the public right-of-way of Logistics Lane via an 8-foot-high vinyl (white) opaque fence and Section 4.2 landscape buffering plantings. The white opaque fencing will be provided in the western bufferyard, directly adjacent to Logistics Lane, and an 8-foot-high black vinyl coated chain link fence will be provided to screen the remainder of the storage yard that is not visible from the public right-of-way. A future expansion of the storage yard is possible as there is an additional three acres of space. This expansion could be necessary if the building is expanded or if the operational needs of the user require additional space. Any future expansion of the main building would require an amendment to the SDP. Fences over six feet in height are typically required to meet the setbacks for main buildings. In the E-I-A Zone, development standards for a project (including building setbacks) are established at the time of CDP and are project specific. Accordingly, the setbacks for buildings in the National Capital Business Park were established as part of the approved CDP design guidelines. The location of the 8-foot-high fence approved in the SDP is located within the standard side and rear setbacks (i.e., 20 feet). However, the approved CDP design guidelines also authorize the Planning Board to approve variations from the standard setbacks, at the time of SDP.

The Planning Board approves an 8-foot-high fence to provide security for the loading and storage areas. Given the size of the proposed building, the location of Logistics Lane, and the shape of Parcels 7, 8, and 9, it is difficult to locate an 8-foot-high perimeter fence around the side and rear loading/storage areas without entering the standard setbacks. Nonetheless, the location of the 8-foot-high fence is appropriate, as the rear of the property abuts open space areas and the side yards of the fenced areas either abut another development parcel or are located at the end of an industrial street. The portion of the fence along the public street (i.e., Logistics Lane) will be an opaque vinyl fence to screen views into the storage/loading areas from the street. Further, the approved fence will largely be screened by the approved warehouse/distribution building. For these reasons, the Planning Board approves a modified setback for the 8-foot-high fence (as authorized by the approved CDP design guidelines) requested as part of the approved SDP.

The Planning Board approves two concrete screening walls and one concrete retaining wall attached to the warehouse and distribution building. Specifically, the end user has requested the addition of these walls to shield the approved loading areas of the main building. These walls are attractively designed and consist of materials (i.e., cast concrete) and colors that are compatible with the main building.

Architecture

The building materials will include concrete panels, hollow metal doors and tempered safety glass, and a color combination of white and various shades of gray. Louvers and window mullions will be made to match the adjacent paint color. There will be a solar panel array along portions of the building's roof. Separate architectural elevations are provided but are not dimensioned. A condition has been included to dimension the provided architectural elevations and label the primary site features.

Lighting

A photometric plan has been provided that demonstrates the approved lighting and light features. The project approves 14 wall-mounted and 35 pole-mounted light-emitting diode lights, details of which are included on the photometric plans. Solar panels have been provided on the roof and details have been provided in the site plan. 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 approved building will be constructed of concrete with a tilt-up design. 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:

- Reduced mechanical system requirements.
- Limits air infiltration due to large panels with fewer joints.

- Provides 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 to the diurnal temperature cycle the building experiences.
- 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 low volatile organic compound.

Signage

A signage plan has been provided, which details the approved signage allocation for the site. Two attached building signs with the name “Ferguson” will be provided on both corners of the building on the northern elevation facing Queens Court. The development then includes a 10-foot-wide by 5-foot-high monument sign at the entrance to the site, furthest to the east along Queens Court, and two 3-foot-wide by 4-foot-high vehicle directional signs.

A variety of wall signage has been provided on the southern, eastern, and western elevations to label the approved loading docks and secondary entrance areas for the site. This wall signage is listed and detailed in the signage schedule. Conditions have been provided to revise the signage plan to show the locations of the two vehicle directional signs and revise the signage schedule. The signage schedule will be revised to state the correct number of attached building “Ferguson” monument signs, the correct location of the freestanding “Ferguson” monument sign, and the correct square footage of the freestanding “Ferguson” monument sign.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George’s County Zoning Ordinance:** The SDP application has been reviewed for compliance with the requirements of the E-I-A Zone of the prior Zoning Ordinance. The subject application is in conformance with the applicable requirements of the prior Zoning Ordinance, including the requirements associated with the uses proposed within Footnote 38 of Section 27-515(b) 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 development approved a warehouse and distribution building with an accessory storage yard, which will result in nonretail employment, in keeping with this general principle of the zone. A 3-acre outdoor storage yard is approved as an accessory use to the distribution warehouse, to store piping materials, and is adequately screened from the public right-of-way.

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

The warehouse use will support nonretail employment, in keeping with this general principle of the zone. A 3-acre outdoor storage yard is approved as an accessory use to the distribution warehouse to store piping materials and is adequately screened from the public right-of-way.

(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. The approved warehouse and accessory 3-acre outdoor storage yard are permitted uses within the E-I-A Zone.

(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 application approved a 358,450-square-foot warehouse with 3 acres of accessory outdoor storage yard space, 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, as modified by CB-22-2020 and CB-105-2022. The subject property 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. A condition is included herein, requiring the applicant to state the required and approved green area for the site on the SDP.

(b) Other regulations.

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

The subject property will front on Queens Court, which is a public street, and will allow vehicular access to the site.

- (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), apart from Section 4.3-2. The Planning Board approved Alternative Compliance, AC-22011, to Section 4.3-2, Interior Planting for Parking Lots 7,000 Square Feet or Larger, of the Landscape Manual, which is analyzed in Finding 12 of this resolution.

(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 proposed 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 zoning requirements. Therefore, this 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 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);**

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. This application is for a warehouse use and there are no residential uses, and parts of this requirement are not applicable to this development.

- (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 or provided as part of the private development.**

A traffic impact analysis, provided with PPS 4-21056, was reviewed by the Planning Board and satisfies this requirement.

- (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 subject property has an approved SWM concept plan (42013-2020-01) which was approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) and satisfies this requirement.

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

The subject application provided a Type 2 tree conservation plan (TCP2-026-2021-07), which was reviewed by the Planning Board and determined to be consistent with the approved Type 1 tree conservation plan (TCP1), which satisfies this requirement.

- (5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible.**

This SDP has been reviewed by the Planning Board and determined that environmental features are preserved and/or restored, to the fullest extent possible. The approved SDP preserves all regulated environmental features, to the fullest extent possible, in accordance

with Section 24-130(b)(5) of the prior Subdivision Regulations, and further seeks to minimize any impacts to said features through its plan design. An important feature of this project is the significant amount of open space and natural features being preserved. Approximately, 185.39 acres of the National Capital Business Park will be preserved as open space, including 20 acres that have been dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for a public park. This 185.39 acres includes most of the regulated environmental features of the subject property, including PMA, floodplain, and woodland conservation areas.

- (b) Prior to approving a Specific Design Plan for Infrastructure, the Planning Board shall find that the plan conforms to the approved Comprehensive Design Plan, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.**

The subject development conforms to CDP-0505-02. Off-site property damage, environmental degradation, economic well-being, reforestation, woodland conservation, drainage, and erosion and pollution discharge are not a concern for the subject property, and this application adequately addresses these issues with site design, the CDP, and tree conservation plan conformance.

- (c) The Planning Board may only deny the Specific Design Plan if it does not meet the requirements of Section 27-528 (a) and (b), above.**

The SDP has been reviewed by the Planning Board and it has been determined that the development meets the standards of Section 27-528.

- (d) Each staged unit (shown on the Comprehensive Design Plan) shall be approved. Later stages shall be approved after initial stages. A Specific Design Plan may encompass more than one (1) stage.**

The phasing plan for this development was approved with CDP-0505-02 and conforms to this requirement.

- (g) **An approved Specific Design Plan shall be valid for not more than six (6) years, unless construction (in accordance with the Plan) has begun within that time period. All approved Specific Design Plans which would otherwise expire during 1994 shall remain valid for one (1) additional year beyond the six (6) year validity period.**

This SDP will have a six-year validity period.

- (h) **The Planning Board's decision on a Specific Design Plan shall be embodied in a resolution adopted at a regularly scheduled public meeting. The resolution shall set forth the Planning Board's findings.**

This document is the resolution that includes the Planning Board's decision.

- (i) **A copy of the Planning Board's resolution and minutes on the Specific Design Plan shall be sent to the Clerk of the Council for any Specific Design Plan for the Village Zones.**

The development is not located within a village zone. Therefore, this requirement is not applicable.

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 comprehensive design 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+/- acres (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 development permits a warehouse use, and the site is within the 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 recreation facilities agreement has been approved by 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.

- 17. In the event the applicant elects to pursue an alternative access point(s) to the adjacent Collington Center via Pope's Creek Drive and/or Prince George's Boulevard, the transportation and environmental impacts of any additional access point(s) shall be evaluated at the time of comprehensive design plan or preliminary plan.**

The alternative or additional access points described in the finding above were not approved with subsequent applications.

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 applicant has provided a transportation improvement plan that conforms to this condition.

Comprehensive Design Plan Considerations

1. **The natural aesthetic qualities of the site and all regulated environmental features shall be preserved to the fullest extent possible and shall seek to minimize any impact to said features.**

The development approved with SDP-2206 has been determined in part by the environmental constraints of the site, including the regulated environmental features and the soils. For the overall National Capital Business Park development, minimal impacts to the environmental features are proposed. Impacts to the primary management area (PMA) were previously approved with PPS 4-21056, SDP-1603-01, and SDP-1603-02, and are still valid. SDP-2206 is reliant on the prior PMA impacts for implementation. The three new impacts approved with SDP-2206 are the result of the final engineering of the road crossing and culvert design for Queens Court, which is an expansion on a previously approved impact. The three new PMA impacts are discussed in Findings 13 and 15 of this resolution.

2. **All proposed internal streets and developments should follow complete street principles and support multimodal transportation as well as facilities to encourage walking, bicycling, and transit use, such as short- and long-term bicycle parking, including shower facilities, covered transit stops, crosswalks, etc.**

This development application does not approve any internal public streets. However, the property fronts on two public streets (Queens Court and Logistics Lane), which will follow complete street principles, as approved in SDP-1603-01.

9. **Comprehensive Design Plan CDP-0505-02:** The District Council affirmed the Planning Board’s decision to adopt CDP-0505-02 and TCP1-004-2021-02 on September 19, 2022, subject to seven conditions. 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 Planning Board reviewed this application and determined that the development does not exceed the trip cap and conforms with this requirement. Further, the Planning Board reviewed and agrees with the applicant's phasing plan dated October 13, 2022, which contains Exhibit 1 demonstrating that the AM and PM peak-hour trips, generated by the development in this SDP, will not exceed the approved 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.

The Planning Board reviewed this application and determined that the phasing plan and improvements are acceptable, and that this requirement has been satisfied.

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

All on-site transportation improvements are included in this SDP, and the Planning Board has reviewed and determined that this is acceptable.

- 10. Preliminary Plan of Subdivision 4-21056:** 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. Staff 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.**

The site is subject to prior approved SDP-1603-02, pending SDP-2201, and pending SDP-1603-03, which considered a total of 3,898,857 square feet of warehouse/distribution uses so far as part of the overall National Capital Business Park development. This SDP application approves the development of approximately 358,450 square feet of the general warehouse, which will bring the total site development to 4,257,307 square feet of warehouse/distribution uses. This development square footage is under the 5.5 million square feet of development that was considered as part of the approved PPS application. As such, the uses and development program approved with the SDP are consistent with the PPS application, and the Planning Board finds that the trips generated by the phased development of the subject SDP are within the trip cap. Further, the Planning Board reviewed and agrees with the applicant's phasing plan dated October 13, 2022, which contains Exhibit 1 demonstrating that the AM and PM peak-hour trips, generated by the development in this SDP, will not exceed the approved trip cap.

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.**

The development is in conformance with the approved and revised SWM concept plan (42013-2020-01), which covers the overall National Capital Business Park development. The approval was issued by DPIE on June 6, 2022, and expires on June 28, 2024.

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.**

Ten-foot-wide public utility easements are shown and labeled 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 stated on the SDP, however, they are not noted consistently between the coversheet and Sheets 6 and 7. The requirement in Condition 7b needs to be added to General Note 39 on the coversheet and is conditioned within this resolution.

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

The approved SDP shows right-of-way for Queens Court and Logistics Lane, along the site frontage, 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.**

A phasing plan was approved as part of this application and indicated that the eastbound Leeland Road Lane improvement does not need to be implemented until the overall site is developed with the high-cube fulfillment center warehouse and 1,600,000 square feet of general warehouse uses, totaling approximately 5,030,000 square footage. This SDP approves the development of approximately 358,450 square feet of general warehouse, which will bring the total site development to 4,257,307 square feet of warehouse/distribution uses. This development square footage will not meet the thresholds needed for the reconstruction of the eastbound approach of the Leeland Road/US 301 intersection. However, the phasing plan indicates that the US 301 Capital Improvement Program (CIP) improvements will need to be implemented to offset the impacts generated by this phase of development at the US 301/Leeland Road intersection, specifically a third southbound through lane. As a condition of approval, the Planning Board determined that the applicant pay the shared contribution for US 301 CIP improvements or construct the improvements in lieu of the fee as provided in the phasing plan.

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 will have proceeded under a separate street construction permit with DPIE, and the signal will be installed at a time 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.

The applicant provided a phasing plan dated October 13, 2022, which satisfies the requirements of Conditions 9 and 10. The phasing plan indicates that the applicant needs to contribute \$329,728 (1989 dollars) to the US 301 CIP-funded improvements. The Planning Board has determined the phasing plan is acceptable, with the condition that the applicant pay the shared contribution for US 301 CIP improvements or construct the improvements in lieu of the fee as provided in the phasing plan.

- 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."**

TCP2-026-2021-07 was submitted with the SDP. In accordance with Conditions 18 and 19 above, the Planning Board has reviewed and determined that the TCP2 conforms to approved TCP1-004-2021-03, as discussed in Finding 13, 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 National Capital Business Park development, including 35 parcels, street network, sidewalks, utilities, grading, SWM, retaining walls, and directional signage that will serve the employment and institutional uses proposed for the property. The Planning Board has 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; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, which includes the requirements for native species. Conditions have been included for the applicant to provide additional groundcover buffering around the freestanding entrance monument sign and to note the screening requirement of Section 4.4 on the landscape plan.

The SDP provides the necessary plantings and schedules in conformance with the Landscape Manual, with the exception of Section 4.3. The Planning Board approves Alternative Compliance AC-22011, as follows:

The Planning Board approves alternative compliance for Section 4.3-2, to reduce the required interior parking area. The parking lot area is 126,188 square feet, which requires a 13 percent interior planting area. The Planning Board approves an alternative compliance that will reduce the required interior planting area to 8.8 percent but provide additional shade trees within the allocated planting area. Specifically, the applicant has provided the following information:

REQUIRED: Section 4.3-2, Requirements for Interior Planting for Parking Lots 7,000 Square Feet or Larger

Parking Lot Area	126,188 sq. ft.
Interior Landscape Area	13 percent - 16,404 sq. ft.
Required Shade Trees (1 per 300 sq. ft.)	55

PROVIDED: Section 4.3-2, Requirements for Interior Planting for Parking Lots 7,000 Square Feet or Larger

Parking Lot Area	126,188 sq. ft.
Interior Landscape Area	8.8 percent - 11,133 sq. ft.
Required Shade Trees (1 per 300 sq. ft.)	38
Provided Shade Trees	64

Justification

The Planning Board approves alternative compliance from the requirements of Section 4.3-2, Interior Planting for Parking Lots 7,000 Square Feet or Larger, which requires a minimum of 13 percent interior planting area for parking lots between 100,000–149,999 square feet. As detailed above, the parking lot area totals 126,188 square feet. The applicant is only able to provide 8.8 percent, or 11,133 square feet of interior planting area for the parking lot, instead of the 16,404 square feet required.

The SDP meets all other requirements of Section 4.3, including having no more than 2 contiguous parking bays or 10 contiguous spaces, on average, without a planting island. The plan has also

satisfied the planting requirement to provide 38 shade trees based on the total planting area. As an alternative, the applicant provides a total of 64 shade trees, which is 26 more than required.

The Alternative Compliance Committee finds the applicant's proposal equally effective as normal compliance with Section 4.3-2, Requirements for Interior Planting for Parking Lots 7,000 Square Feet or Larger. The applicant is providing 26 more shade trees than is required, while meeting all other requirements except for the total planting area, which will help achieve the goals as stated in Section 4.3-2.

The Planning Board adopts the Planning Director's APPROVAL of Alternative Compliance AC-22011, from the requirements of Section 4.3-2, Requirements for Interior Planting for Parking Lots 7,000 Square Feet or Larger, of the Landscape Manual, to allow the reduction in interior planting area, as provided on the landscape plan.

13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property 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). This project is subject to the WCO and the Environmental Technical Manual (ETM). TCP2-026-2021-07 has been 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 with prior R-S Zoning with permitted uses in the prior E-I-A Zone. It 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 is based on 15 percent for the E-I-A (R-S) and I-1 portions of the site, and 50 percent for the R-A Zone, for a weighted woodland conservation threshold requirement of 15.08 percent, or 52.40 acres. There is an approved TCP1 and TCP2 on the overall development related to the prior residential subdivision, which were grandfathered under the 1991 Woodland Conservation Ordinance, but the prior tree conservation plan approvals are not applicable to this approval.

The National Capital Business Park project is subject to the WCO and the ETM. A rough grading permit was approved for the site, utilizing the limit of disturbance (LOD) of TCP2-026-2021, which is in process. 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, and SDP-2201. Proposed 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.

Section 25-122(c)(1) of the Prince George's County Code prioritizes methods to meet the woodland conservation requirements. The applicant submitted a statement of justification (SOJ), dated February 22, 2023, requesting approval of a combination of on-site and off-site woodland conservation as reflected on the TCP2 worksheet. The site contains 186.15 acres of PMA,

approximately 15,622 linear feet of regulated streams, and 94.77 acres of 100-year floodplain. The applicant states that although they are only preserving 86.44 acres of the 117.51 acres of the woodland conservation requirement on-site, they are preserving the highest quality of woodlands on-site within the PMA and contiguous to these areas, which has a priority of preservation. The woodland conservation threshold for the development is 52.40 acres, or 15.08 percent, which is met in on-site preservation. The central portion of the site was the subject of a timber harvest, which was implemented. The applicant contends that clearing of the central portion of the property is supported due to the implemented timber harvest. The eight specimen trees within the area of SDP-2206, specifically Specimen Trees 15–18, 42, 43, 229, and 230, were within the limits of the timber harvest approval. The applicant contends that providing on-site afforestation/ reforestation connected to the on-site preservation is a higher priority over preserving the central areas of woodlands 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, previously recorded in Liber 48372 in folio 62, is required to be partially vacated and recorded in the Land Records prior to the certification of SDP-2206 as the boundary of the easement is altered by the PMA impacts with this application. Ninety-nine of the specimen trees on-site are located in the proposed woodland conservation easement. The applicant states that the site is not suitable for natural regeneration. They state the next logical step is to provide the remaining requirement off-site within an approved tree bank. The Planning Board supports the applicant's request to meet the woodland preservation requirements, as stated on their SOJ, through a combination of on-site and off-site preservation.

The overall woodland conservation worksheet shows the clearing of 253 acres (prior approvals 260.75 acres) of woodland on the net tract area, and the clearing of 1.86 acres (prior 1.09 acres) of woodland in the floodplain. Based on technical staff's calculations, this results in a woodland conservation requirement of 117.51 acres (prior 118.68 acres). The requirement will be met with 86.44 acres of on-site woodland preservation, 16.02 acres of on-site reforestation, and 15.05 acres of off-site woodland conservation credits. 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.

As submitted, it appears this application increases the overall amount of woodland clearing due to the new PMA impacts, resulting in the reduction of both the woodland preservation and reforestation area totals. The woodland clearing total on Sheet C-313 and used in the worksheet is not correct because it the same as reported with the prior review. The worksheet and tables do not account for the additional woodland clearing proposed for the grading related to providing access for the maintenance of the proposed culverts and endwalls and providing compensatory floodplain storage to ensure a no-rise condition for the floodplain in constructing Queens Court. Prior to certification of TCP2-026-2021-07, the applicant shall add the woodland clearing proposed with SDP-2206 for the access to the proposed culverts and endwalls, provide compensatory floodplain storage, and revise the plan and worksheet, as necessary.

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

14. **Prince George’s County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the 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. The TCC is based on the gross tract area and is required to provide a minimum of 10 percent in the prior E-I-A Zone. A schedule has been provided and conforms to Section 25-128 of the County Code.
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 February 23, 2023 (Lester to Shelly), which concluded that, pursuant to Part 8, Division 4, Subdivision 2 of the prior Zoning Ordinance, master plan conformance is not required for this application.
 - b. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated March 9, 2023 (Yang to Shelly), which concluded that, the plan is acceptable and meets the findings required for a SDP, as described in the analysis of the prior Zoning Ordinance, and the applicable prior conditions of approval associated with this SDP, subject to two conditions provided within this resolution.
 - c. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated February 28, 2023 (Nickle to Shelly), which concluded that, the TCP2 is acceptable, subject to the technical corrections and conditions found within this resolution.

Regulated Environmental Features

There is PMA on this site, comprised of regulated environmental features, which include 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 regulated environmental features in a natural state to the fullest extent possible. The development proposed impacts to the PMA, which were reviewed and approved by the Planning Board with 4-21056, SDP-1603-01, and SDP-1603-02. The development approved with SDP-2206 is reliant on the prior PMA impact approvals and approves three additional PMA impacts, which are discussed below as PMA Impacts 20, 21, and 22.

Section 24-130(b)(5) of the prior Subdivision Regulations states: “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient

net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

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 SWM 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. SWM 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, SWM 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. This application is reliant on the previously approved impacts, which will remain as approved with PPS 4-21056, SDP-1603-01, and SDP-1603-02.

The three new PMA impacts that are provided with SDP-2206 are numbered 20, 21, and 22. The new impacts are centered around the Queens Court crossing, with Impacts 20 and 21 located to the south, and Impact 22 is to the north. The additional impacts are an expansion of previously approved Impacts 18 and 19 to provide floodplain compensatory storage, which were approved by the Planning Board with SDP-1603-02. The original impact for the Queens Court crossing was approved with PPS 4-21056 as Impact C. The new impacts provided with SDP-2206 are the result of the final engineering of the road crossing and culvert design for Queens Court, which is an expansion on a previously approved impact.

Impacts for Queens Court Road Crossing

Impacts 20, 21, and 22 are required by DPIE proposing grading and an access road to the proposed culverts and endwalls at the Queens Court entrance for maintenance. The new areas of impact are an expansion of impacts approved by the Planning Board with the PPS 4-21056 and SDP-1603-02. As reviewed and approved with prior approvals, the design of Queens Court crosses a stream and floodplain. Fill is needed to support the road, and a culvert was designed to not impede the flow of the stream. Because of the fill, clearing is needed downstream to provide compensatory storage for the floodplain to prevent a rise to the floodplain. The new Impacts 20, 21, and 22 are for clearing in the PMA and floodplain to provide an access road to the culverts and endwalls for maintenance. A letter of justification (LOJ) and exhibits for the floodplain compensatory storage PMA impact were received on February 23 and 24, 2023. The LOJ and associated

exhibit are reflected in three parts, continuing the numbering system of the overall development impacts as Impacts 20, 21, and 22, totaling 0.34 acre of proposed impact to regulated environmental features associated with the Queens Court crossing. The following finding provides an evaluation of the proposed impact, as outlined in the applicant's PMA statement of justification.

The impacts are the result of technical reviews by DPIE (Case SDCP-34233-2022). The clearing is the result of providing access roads on the north and south sides of Queens Court for maintenance. These areas will remain clear of trees and cannot be reforested. The Queens Court crossing, culvert, and compensatory floodplain storage is necessary as this is the only access point for the National Capital Business Park subdivision. Impacts to the PMA that were approved by the Planning Board as part of the prior PPS 4-21056 and SDP-1603-01 approvals are to remain as approved. The three new impacts provided with SDP-2206 are an expansion of Impact C, that the Planning Board approved with 4-21056, and Impacts 17, 18, and 19 that the Planning Board approved with SDP-1603-02. The use of the culvert for crossing the stream, compensatory storage of the floodplain, and providing two access roads for maintaining these facilities meets best management practices for providing an equal amount of floodplain storage to support the grading and culverts required for the road infrastructure. The development shown on the PMA exhibits obtained preliminary approval from DPIE.

The provided PMA impacts for providing access roads for maintaining the culvert and endwalls are considered necessary to the orderly development of the subject property. The impacts cannot be avoided because it is required by other provisions of the County and state codes. The plan shows the preservation, restoration, and enhancement of the remaining areas of PMA.

As a result of this analysis, the Planning Board approves PMA Impacts 20, 21, and 22.

Stormwater Management

An approved SWM concept plan (42013-2020-01, approved on June 6, 2022) was submitted, which shows the use of underground stormwater facilities for storage and quality requirement. This application is subject to a site development fine grading permit and review by DPIE and the County's Soil Conservation District.

Soils

According to the Prince George's County Soil Survey, the principal soils on the site are in the Adelpia, 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 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 17, 2022, and prepared by Geo-Technology Associates, Inc.

- d. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated March 6, 2023 (Diaz-Campbell to Shelly), which concluded that the SDP was found to be in conformance with the approved PPS, with technical corrections, as listed within this resolution.
- e. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated February 7, 2023 (Stabler, Smith, and Chisholm to Shelly), which concluded that the subject property does not contain and is not adjacent to any Prince George’s County historic sites or resources. This development will not impact any historic sites, historic resources, or known archeological sites.
- f. **Special Projects**—The Planning Board has reviewed and adopts the memorandum dated March 1, 2023 (Ray to Shelly), which concluded that the SDP is acceptable, subject to four conditions being completed prior to the issuance of a use and occupancy permit, as stated within this resolution. These conditions are labeled on SDP Sheet 6.
- g. **Permits**—The Planning Board has reviewed and adopts the memorandum dated March 9, 2023 (Bartlett to Shelly), which concluded that the SDP is acceptable, subject to technical corrections provided within this resolution.
- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated February 13, 2023 (Giles to Butler), in which DPIE noted comments that will be applicable with the agency’s technical permit review.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-026-2021-07 and APPROVED Alternative Compliance AC-22011 and APPROVED a variation to the required building side and rear setbacks for the 8-foot-high perimeter fence, as authorized by the approved design guidelines approved with Comprehensive Design Plan CDP-0505-02, and further APPROVED Specific Design Plan SDP-2206 for the above described land, subject to the following conditions:

1. Prior to certification of this specific design plan (SDP), the applicant shall provide the specified information, or make the following revisions to the plans:

- a. Provide directional signage along Queens Court, to prohibit truck access to the access driveway to the general parking area, and/or signage that provides direction to the access driveway, to the loading and staging area. The details and profiles of the signs shall also be provided as part of the SDP.
- b. In General Note 39, on the coversheet, add a line which includes the requirement given in Condition 7(b) of PGCPB Resolution No. 2022-70.
- c. In the General Parcel Information table on the coversheet, replace the column for “SDP-1603-01” with one for “SDP-1603-04”, showing the parcels approved with that plan (Parcels 1–12, A1–A6, and B1–B9).
- d. Provide the maximum and approved floor area ratio on the coversheet.
- e. Provide the required and approved amount of green space on the coversheet.
- f. On Sheet 6, ensure that the parcel boundary lines are not obscured by the building. Show a bearing and distance for each boundary line.
- g. Label the Prince George’s County Fire Department connection of the north façade of the building on Sheet 6.
- h. Label the Knox-Box locations on Sheet 6, as requested by the Prince George’s County Fire Department.
- i. Remove the plan notes from the parking striping area on Sheet 6, near the entrance to the site along Logistics Lane.
- j. Provide site details of the retaining and/or screening walls and sliding access gate.
- k. Label the 12 bicycle parking spaces in the parking requirements table on Sheet 6.
- l. Move the 37-space and 43-space parking count labels from Sheet 7 to Sheet 6, where those parking bays start.
- m. Provide a spot length and width dimension for one of the loading spaces on Sheet 7, for each of the 37-space and 43-space parking bays.
- n. Clearly label the limits of the 3-acre storage yard on Sheet 7, and label the total acreage in the proposed future expansion portion of the property.
- o. Provide understory plantings surrounding the freestanding entrance monument sign on Sheet 12.

- p. Provide additional understory plantings and screening around the transformer pad at the entrance to the subject site, from Logistics Lane, on Sheet 12.
 - q. Label and dimension the street frontage areas that correspond to both Section 4.2-1 schedules of the 2010 *Prince George's County Landscape Manual*, on Sheets 12 and 13.
 - r. Label conformance to Section 4.4 of the 2010 *Prince George's County Landscape Manual* on the landscape plan.
 - s. Provide building dimensions for both images on the signage plan on Sheet 15.
 - t. Revise the signage schedule as follows:
 - (1) State the correct number of the attached building "Ferguson" monument signs (Item 7) and update the schedule to indicate the sign type as "building-mounted."
 - (2) State the correct location and square footage of the freestanding "Ferguson" monument sign (Item 10).
 - u. Label the two "Ferguson" directional signs on the signage plan.
 - v. Replace the "Pipe Yard" label on Sheet 2 of the architectural elevations with "Storage Yard."
 - w. Provide dimensions for a standard loading door and both large loading doors facing south on Sheet 4 of the architectural elevations.
 - x. Label the architectural features on Sheet 4 of the architectural elevations.
 - y. Revise the parking space count to 271 spaces on all submitted plans.
 - z. Revise the fence material on all submitted plans.
2. Prior to approval of a building permit, the applicant and the applicant's heirs, successors, and/or assignees shall pay a fee of \$329,728 (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. In lieu of the payment listed above, before the issuance of the building permit, the applicant and applicant's heirs, successors, and/or assignees shall construct all the improvements along US 301 (Robert Crain Highway), as described in the phasing plan dated October 13, 2022, submitted as part of the approved application, Specific Design Plan SDP-2206.
3. Prior to certification of the Type 2 tree conservation plan (TCP2), the TCP2 shall meet all the requirements of Subtitle 25, Division 2, and the Environmental Technical Manual, and shall be revised as follows:

- a. Revise the worksheet and plan to add the woodland clearing for access to the proposed culverts and endwalls, provide compensatory floodplain storage, and revise the plan, tracking tables, and worksheet, as necessary.
- b. Sheet C-300:
 - (1) Update the plan references list to remove the information for “SDP-1603-01” and replace with “SDP-1603-04.”
 - (2) Relocate the “Post Development Notes” to Sheet C-301 with the rest of the TCP2 notes.
 - (3) On the key map, add the development proposed with Specific Design Plan SDP-2201 (Parcel 12).
 - (4) In the plan title, and on the woodland conservation worksheet, correct the revision number of TCP2-026-2021 from “3” to “7”.
 - (5) Correct the note under the worksheet on the park and trail to reflect the current case “SDP-2206”.
 - (6) Update the recordation information for the revised woodland and wildlife habitat conservation easement to replace the Liber 48372 folio 62 reference.
- c. Sheet C-301:
 - (1) Correct General Note 1 to reflect the current case number of “SDP-2206”.
 - (2) Add the standard “Removal of Hazardous Trees or Limbs by Developers or Builders” notes.
 - (3) Correct the Site Statistics Table’s existing primary management area total and the linear feet of regulated streams to match the Site Statistics Table on the approved Natural Resources Inventory NRI-098-05-04.
- d. On Sheet C-310, update the note associated with the park design to reflect the current case number of “SDP-2206”.
- e. On Sheet C-313, show the access roads for culvert and endwall maintenance on the north and south side of Queens Court.
- f. Revise Sheets C-318 and C-319 to add a label for MC-600 and add the hatch pattern to the legend.
- g. Have the revised plan signed and dated by the qualified professional preparing the plan.

4. Prior to certification of the Type 2 tree conservation plan (TCP2) for this site, documents for the partial vacation of the woodland conservation easement shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submitted 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, saving and excepting the partial vacation of the easement recorded in the Prince George’s County Land Record at liber ____ in folio ____ . Revisions to this TCP2 may require a revision to the recorded easement.”

5. Prior to the issuance of a use and occupancy permit, 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 the facility.
 - b. Install and maintain a sprinkler system that complies with the National Fire Protection Association (NFPA) 13 Standards for the Installation of Sprinkler Systems.
 - c. Install and maintain automated external defibrillators (AEDs), 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 to be installed next to a fire extinguisher installation, which must be no more than 75 feet from any employee.


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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Shapiro voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, April 6, 2023, in Upper Marlboro, Maryland.

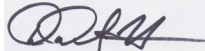
Adopted by the Prince George's County Planning Board this 27th day of April 2023.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:AS:jah

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: April 20, 2023