



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Infrastructure Specific Design Plan National Capital Business Park

SDP-1603-01

REQUEST	STAFF RECOMMENDATION
Infrastructure specific design plan including the proposed street network, sidewalks, utilities, grading, stormwater management, retaining walls and directional signage.	APPROVAL with conditions

Location: On the north side of Leeland Road, approximately 3,178 feet west of its intersection with US 301 (Robert Crain Highway).	
Gross Acreage:	442.30
Zone:	R-S/I-1/R-A
Dwelling Units:	N/A
Gross Floor Area:	3.5 million sq. ft.
Planning Area:	74A
Council District:	04
Election District:	07
Municipality:	N/A
200-Scale Base Map:	203SE13
Applicant/Address: MANEKIN 5850 Waterloo Road, Suite 210 Columbia, MD 21045	
Staff Reviewer: Henry Zhang, AICP LEED AP Phone Number: 301-952-4151 Email: Henry.Zhang@ppd.mncppc.org	



Planning Board Date:	01/13/2022
Planning Board Action Limit:	01/13/2022
Staff Report Date:	12/30/2021
Date Accepted:	10/14/2021
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Acceptance Mailing:	10/13/2021
Sign Posting Deadline:	12/14/2021

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Infrastructure Specific Design Plan SDP-1603-01
Type 2 Tree Conservation Plan TCP2-026-2021-01
National Capital Business Park

The Urban Design staff has reviewed the specific design plan for infrastructure for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

This specific design plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of Zoning Map Amendment (Basic Plan) A-9968-02;
- b. The requirements of the Prince George's County Zoning Ordinance in the Residential Suburban Development (R-S) Zone and Section 27-480, General Development Regulations, in the Comprehensive Design Zone;
- c. The requirements of Comprehensive Design Plan CDP-0505-01;
- d. The requirements of Preliminary Plan of Subdivision 4-20032;
- e. The requirements of the 2010 *Prince George's County Landscape Manual*;
- f. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- g. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- h. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject specific design plan, the Urban Design Section recommends the following findings:

- 1. Request:** The subject application is for approval of an infrastructure specific design plan (SDP) for the National Capital Business Park, including the proposed street network, sidewalks, utilities, grading, stormwater management (SWM), retaining walls, and directional signage that will serve the employment and institutional uses proposed for the portion of the property in the Residential Suburban Development (R-S) Zone. This approval will completely supersede the originally approved SDP-1603 (formerly for Phase 1 of the residential project known as Willowbrook).

2. Development Data Summary:

	EXISTING	PROPOSED
Zone	R-S/I-1/R-A	R-S*/I-1/R-A
Use	Vacant	Warehouse/Distribution; Office; Light-Industrial-Manufacturing; and/or Institutional Uses (in R-S and I-1 Zones only)
Total Gross Acreage	442.30	442.30
R-S Zone	426.52	426.52
I-1 Zone	15.00	15.00
R-A Zone	0.78	0.78
Floodplain	94.77	94.77
Total Net Acreage	347.53	347.53

Note: *Prince George’s County Council Bill CB-22-2020 was adopted by the Prince George’s County District Council on July 14, 2020, for the purposes of allowing uses in the Employment and Institutional Area (E-I-A) Zone on land in the R-S Zone, pursuant to eligibility criteria in Section 27-515(b) of the Prince George’s County Zoning Ordinance. Zoning Map Amendment A-9968-02 removed all previously approved residential elements from this site and permits up to 3.5 million square feet of warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses on the subject site. It is anticipated that a majority will be warehouse uses in the National Capital Business Park.

- 3. Location:** The subject property is a large tract of land that consists of wooded and undeveloped land, located on the north side of Leeland Road, approximately 3,178 feet west of the intersection of Leeland Road and the southbound US 301 (Robert Crain Highway). The site is also in Planning Area 74A and Council District 4.
- 4. Surrounding Uses:** The site is bounded to the north by undeveloped properties in the Reserved Open Space and Open Space (O-S) Zones; to the west by a CSX railroad right-of-way and undeveloped properties in the Residential Low Development, Residential-Agricultural (R-A), and O-S Zones, including the Collington Branch Stream Valley; to the south by Leeland Road and beyond by Beech Tree, a residential subdivision in

the R-S Zone and undeveloped property in the R-A Zone; and to the east by the existing Collington Center, an employment center, in the E-I-A and Light Industrial (I-1) Zones.

5. **Previous Approvals:** The site was rezoned from the R-A Zone to the E-I-A Zone during the 1991 *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie-Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A, and 74B*. The rezoning was contained in Zoning Map Amendment (Basic Plan) A-9829. In 2005, A-9968 was filed to request a rezoning of the property from the E-I-A Zone to the R-S Zone. At that time, the approval of a new Bowie and Vicinity Master Plan and Sectional Map Amendment was underway. A-9968 was recommended for approval by the Prince George's County Planning Board (PGCPB Resolution No. 05-178) and was transmitted to the District Council for incorporation into the 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* (Bowie and Vicinity Master Plan and SMA).

The Bowie and Vicinity SMA 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.

On January 4, 2007, Comprehensive Design Plan CDP-0505, including Type I Tree Conservation Plan TCPI-010-06, was approved by the Planning Board (PGCPB Resolution No. 06-273) for a total of 818 residential dwelling units, of which 602 were market rate (97 townhouses and 505 single-family detached units) and 216 units were in a mixed-retirement component (50 single-family detached, 56 townhomes, and 110 multifamily units), on approximately 427 acres of land with 34 conditions. The Planning Board's decision with conditions was affirmed by the District Council on April 9, 2007.

On March 15, 2007, Preliminary Plan of Subdivision (PPS) 4-06066 and TCPI-010-06-01 were approved by the Planning Board (PGCPB Resolution No. 07-43) subject to 31 conditions. Subsequently, a number of extensions, waivers, and reconsiderations were approved by the Planning Board. The last of which the Planning Board approved on March 8, 2018 (PGCPB Resolution No. 07-43(A)), a reconsideration of the conditions to construct a roundabout at the intersection of Oak Grove Road and Church Road, and convert the roundabout to a four-way, signal-controlled intersection. The PPS conditions are not applicable to the review of the current application, but the modification of the intersection is noted for informational purposes.

On March 30, 2017, SDP-1603 and associated TCPII-028-2016, (PGCPB Resolution No. 17-144), for Phase One 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, was approved subject to 15 conditions. No construction has been started on the property.

On May 13, 2019, the District Council (Zoning Ordinance No. 5-2019) approved A-9968-01 to add 313 dwelling units, with 23 conditions and five considerations. The originally approved dwelling unit range of 627-826 total dwelling units was increased to 624 through 1,139 dwelling units.

On April 12, 2021, the District Council approved A-9968-02, which is a revision to A-9968 and A-9968-01, to replace the previously approved residential land use patterns on the subject site, with employment and institutional uses permitted in the E-I-A Zone, as authorized, pursuant to Section 27-515(b), in the R-S Zone, with 17 conditions and 2 considerations. A-9968-02 supersedes the approvals of both A-9968 and A-9968-01 and governs the future development of the subject site for employment and institutional uses, as generally permitted in the E-I-A Zone, without any residential component.

On April 29, 2021, CDP-0505-01 and TCP1-004-2021 were approved by the Planning Board (PGCPB Resolution No. 2021-50), which established the design guidelines for the National Capital Business Park project, subject to five conditions. The District Council elected not to review CDP-0505-01 on June 4, 2021.

On September 30, 2021, the Planning Board approved PPS 4-20032, for the National Capital Business Park, including TCP1-004-2021-01, subject to 32 conditions.

This site also has an approved SWM Concept Plan, 42013-2020-00, which is valid through June 28, 2024.

6. **Design Features:** The infrastructure SDP for the National Capital Business Park includes the proposed street network, sidewalks, utilities, grading, SWM, retaining walls and directional signage that will serve the employment and institutional uses proposed for the 426-acre R-S-zoned portion of the property. The proposed development of up to 3.5 million square feet of employment uses, such as warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses will be mainly on the R-S-zoned section in the middle of the larger property. Only a small portion of the above uses, of which many are permitted by-right, will be on the I-1-zoned property in the southeast part of the site.

As previously approved by CDP-0505-01 and PPS 4-20032, vehicular access to the subject site will be provided via an extension of the existing Queens Court within the adjacent Collington Center. To the east of the subject property, Queens Court intersects with Prince George's Boulevard, which is a spine road running through Collington Center, and beyond to Robert Crain Highway. The proposal includes a median break and signalization of the Robert Crain Highway and Queens Court intersection, in coordination with the Maryland State Highway Administration (SHA).

Queens Court, as extended, intersects an internal spine road, which is in a north-south orientation with cul-de-sacs on both ends. The proposed development will be located on both sides of the spine road and Queens Court extension. The proposed building blocks of this development includes interconnecting streets and complimentary conceptual building and parking envelopes. This includes utilization of the adjacent stream valley to define the western edge of the proposed development area and additional proposed open space on the I-1-zoned property, along with numerous on-site SWM facilities throughout the site. The project has been designed to be compact and minimize impacts to sensitive environmental features and preserve priority woodlands along the stream valley corridor and other sensitive environmental areas. A potential 20-acre public park adjacent to the Collington Branch Stream Valley is shown north of Leeland Road at the far western corner of the property.

The infrastructure SDP also shows rough grading of each building envelope and general dimensions of the blocks. SWM facilities, along with major environmental features, stream valley trails, as well as general landscaping, are included in this infrastructure plan.

One primary identification and two directional signs are also shown on the infrastructure plans. The one primary identification sign is a monument style and carries text of “National Capital Business Park” and measures eight feet and eleven inches tall, but does not give the complete dimensions of the sign feature. Two directional signs are similar to the monument sign style and of the identical design to the primary identification sign that measure nine feet and one inch long and eight and half feet in height. The three proposed signs are appropriate in size and are acceptable. However, the applicant should provide detailed sign face area calculations and notes on the plans. A condition has been included in the Recommendation section, to require the applicant to provide the sign face area calculation on the site plan prior to certification of this infrastructure SDP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment (Basic Plan) A-9968-02:** A-9968-02 was approved to remove all residential uses depicted in both A-9968 and A-9968-01, and to show up to 3.5 million square feet of employment and institutional uses. A-9968-02 was approved by the District Council on April 12, 2021, with 17 conditions and 2 considerations, that supersedes both A-9968 and A-9968-01, which depicted residential development only. Conditions and considerations attached to the approval of A-9968-02 that are relevant to the review of this infrastructure SDP are as follows:

1. **Proposed Land 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 natural resource inventory

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 3.5 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 above**

This infrastructure SDP proposes improvements essential to develop up to 3.5 million square feet of employment uses including warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses. Staff finds the improvements appropriate for the land uses proposed by A-9968-02.

- 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 two trails are shown on the infrastructure SDP drawings that are consistent with this condition. The Prince George's County Department of Parks and Recreation (DPR) will coordinate the construction of the master plan hiker/biker trails with the applicant.

- 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 applicant is coordinating with the DPR to determine appropriate programming and design for the future community park. An exhibit has been submitted with this infrastructure SDP that has been referred to DPR for review. DPR is in general agreement with the proposed community park facilities.

- 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 is shown on the infrastructure SDP drawings, in accordance with this condition. For the construction, the applicant will work with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) through its separate permitting process.

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 impacts to said features.**

The infrastructure improvements proposed with SDP-1603-01 have been designed to support a proposed development determined in part by the environmental constraints of the site, including the regulated environmental features and the soils. In accordance with a review by the Environmental Planning Section (Nickle to Zhang, December 17, 2021), the site improvements proposed in the infrastructure SDP will preserve all regulated environmental features on the subject property and/or restore them to the fullest extent possible, as discussed in Paragraph 12 below.

- 2. All proposed internal streets and developments should follow complete streets 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 and changing facilities, covered transit stops, crosswalks, etc.**

The infrastructure SDP proposes site improvements that support, or otherwise do not hinder, the future development of the conditioned improvements. Additional detail, such as facilities to support multimodal transportation, will be evaluated with the subsequent full-scale SDP(s) for site development.

- 8. Prince George's County Zoning Ordinance:** Staff finds the subject infrastructure SDP is in compliance with the applicable requirements of the Zoning Ordinance, as follows:

- a. Through the adoption of CB-22-2020, the District Council expanded the uses permitted in the R-S Zone to allow nonresidential uses that are generally permitted in the E-I-A Zone, under certain conditions, on the subject property. This infrastructure SDP is for general site preparation for future development of proposed uses permitted by CB-22-2020 and otherwise complies with the findings in both A-9968-02 and CDP-0505-01 regarding the uses on the property.
- b. Section 27-480, General development regulations, of the Zoning Ordinance, and those regulations in the R-S Zone, as stated in Sections 27-511 to 514 of the Zoning Ordinance, are mainly for residential uses. Since this infrastructure SDP for infrastructure is for non-residential uses generally permitted in the E-I A Zone, those regulations are not applicable to this SDP.
- c. Section 27-528 of the 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 and the applicable standards of the Landscape Manual;

The site improvements proposed in the infrastructure SDP will support the development described in approved CDP-0505-01, and each of the conditions of approval. The improvements also comply with those requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), and the design guidelines applicable to the infrastructure SDP, as discussed in findings herein. Therefore, staff finds the infrastructure SDP conforms with the approved CDP and applicable standards of the Landscape Manual.

(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;

The subject property is not designated as a Regional Urban Community. Therefore, this finding is not relevant to this infrastructure SDP.

(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 4-20032, which was approved by the Planning Board on September 30, 2021, which determined that this development will be adequately served within a reasonable period of time with existing or programmed public facilities. The site improvements described in the infrastructure SDP support, or otherwise do not hinder, the existing public facilities or any facilities proposed for construction by PPS 4-20032.

(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;

As discussed above, the application included an approved and valid SWM concept plan, and the site improvements proposed in the infrastructure SDP support, or otherwise do not hinder, the plan. Therefore, staff finds that, to the extent of the improvements proposed in the infrastructure SDP, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

(4) The plan is in conformance with an approved Type 2 Tree Conservation Plan; and

Type 2 Tree Conservation Plan TCP2-026-2021-01 was submitted to the Environmental Planning Section on October 14, 2021. In accordance with the review by the Environmental Planning Section (Nickle to Zhang, December 17, 2021), the subject infrastructure SDP conforms to TCP2-026-2021-01, subject to conditions that have been included in the Recommendation section of this report.

(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 site improvements described in the infrastructure SDP do not expand the approved land uses quantities included in A-9968-02 that preserve more than half of the entire site in a natural state. This condition was further evaluated at time of the approval of PPS 4-20032 and conformance was demonstrated. The Environmental Planning Section (Nickle to Zhang, December 17, 2021) concluded after the review of the infrastructure SDP and the proposed TCP2-026-2021-01, that the regulated environmental features on the subject property will be preserved and/or restored to the fullest extent possible.

(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 off-site 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 infrastructure SDP has been reviewed for conformance with the governing CDP-0505-01, approved SWM concept plan, and TCP2. Subject to the findings contained in this technical staff report, including the recommended conditions contained herein, this infrastructure SDP conforms to the approved CDP, prevents off-site 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.

9. Comprehensive Design Plan CDP-0505-01: CDP-0505-01 was approved by the Planning Board on April 29, 2021 (PGCPB Resolution No. 2021-50) for the proposed 3.5 million square feet of various employment and institutional uses. CDP-0505-01 was approved with five conditions, of which one condition is relevant to the review of this infrastructure SDP as follows:

3. **Prior to certification of a Type 2 tree conservation plan for the subject development, which states specifically the location, acreage, and methodology of the woodland conservation credits, crediting of woodland conservation shown on any property to be dedicated to, or owned by the Maryland-National Capital Park and Planning Commission, is subject to written approval by the Prince George's County Department of Parks and Recreation.**

In a letter dated April 12, 2021 (Burke to Nickle), submitted with the CDP certification, DPR consented to the placement of woodland conservation on land to be dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC), which will be placed in easements subject to the following considerations:

- (1) The applicant will be dedicating substantially more parkland than the normal requirement under Mandatory Dedication of Parkland.
- (2) The woodland conservation easement(s) proposed are primarily located in areas which are not suitable for active recreation.
- (3) The proposed woodland conservation easement(s) are in some cases adjacent to other protected lands or woodland conservation easements proposed by the applicant, in effect creating a larger net "forested area".
- (4) The proposed woodland conservation easement(s) will not be located within the right-of-way for the proposed hiker/biker trail when constructed.

The portions of the woodland conservation easement areas proposed to be conveyed to M-NCPPC are subject to the following condition:

- (1) The details of the land to be dedicated to M-NCPPC, the areas of woodland conservation easement contained within that land, and the proposed hiker/biker trail will be evaluated with the review of the Type 2 tree conservation plan (TCP2).

This infrastructure SDP application shows a total of 113.28 acres to be dedicated to M-NCPPC, inclusive of the 20-acre park and stream valley trail, which will be developed concurrently. DPR is in general agreement with the proposed land dedication.

10. **Preliminary Plan of Subdivision 4-20032:** PPS 4-20032 was approved by the Planning Board on September 30, 2021 (PGCPB Resolution No. 2021-112). The following conditions of approval are relevant to this SDP:

2. **Total development within the subject property shall be limited to uses which generate no more than 1,400 AM peak-hour trips and 1,400 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 improvements proposed by the infrastructure SDP do not support the construction of any structures or additional development that would exceed the above the total square footage, as previously approved with both CDP-0505-01 and PPS 4-20032.

- 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.**

No residential development is proposed in this infrastructure SDP.

- 4. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (42013-2020-00) and any subsequent revisions.**

An approved SWM concept plan (42013-2020-00, approved on June 28, 2021) was submitted that shows the use of seven submerged gravel wetlands, four underground storage treatment facilities and sand filters. The site improvements proposed in the infrastructure SDP will be subject to a site development fine grading permit and continuing reviews by both DPIE and the Soil Conservation District. Therefore, the infrastructure SDP conforms to the approved SWM concept plan.

- 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 automated external defibrillators (AEDs) at each building, in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.**
 - c. 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.

The above requirements are provided with the infrastructure SDP drawings in General Note 25.

- 8. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following facilities and show these facilities on any submitted specific design plan, prior to its acceptance:**
 - a. Minimum 5-foot-wide sidewalks along both sides of all internal roadways.**

- b. Perpendicular or parallel Americans with Disabilities Act accessible curb ramps at all intersections throughout the site.**
- c. Crosswalks crossing all legs of intersections, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**
- d. For any specific design plan containing a building, a separate and clearly marked pedestrian route from the public roadway to the entrance of each building.**
- e. Bus-shelter ready areas at each intersection and proximate to the ends of each cul-de-sac on Road A.**
- f. Shared-lane markings (sharrows), bikeway guide signs, D11-1/Bike Route and D1-1, D1-2, and D1-3/destination plates and R4=11/Bicycles May Use Full Lane signs be provided within all internal roadways that direct people bicycling to the proposed developments and the Collington Branch Trail, as well as highlight to motorists the potential presence of people bicycling along internal roads, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**
- g. For any specific design plan containing a building, short-term bicycle parking near the entrances of all buildings shall be required, and long-term bicycle parking and associated facilities at an appropriate location of larger buildings shall be considered.**
- h. A curb ramp connecting Road A and the shared-use path connecting to Leeland Road.**
- i. A minimum 10-foot-wide shared-use path along Leeland Road.**
- j. A minimum 10-foot-wide shared-use path connecting Leeland Road and Road A.**

The subject infrastructure SDP shows most of the above required improvements for bicycle and pedestrians in accordance with the scope of this plan, including sidewalks, Americans with Disabilities Act compliant access curb ramps, etc. Certain requirements cannot be met at the time of an infrastructure SDP, for example, since there is no building included in this SDP, improvements required by above Condition 8.d. will be provided with future SDPs. In accordance with the review by the Transportation Planning Section (Jackson to Zhang, December 20, 2021), this condition has been met, subject to several conditions that have been included in the Recommendation section of this report.

- 11. At the time of final plat, the applicant shall dedicate all rights-of-way, consistent with the approved preliminary plan of subdivision. The right-of-way extension for Popes Creek Drive shall only be dedicated if the final site plan design includes access to this roadway and, if the access is not**

included in the final design, all developable parcels shall be platted to have frontage on and direct access to an alternative public right-of-way.

The infrastructure SDP does not reflect right-of-way extension for Popes Creek Drive, nor does it include access to this roadway in the design. All adjacent developable parcels have been reconfigured to have frontage on and direct access to Queens Court.

15. The applicant shall be subject to the following requirements for development of the 10-foot-wide on-site feeder trail:

- a. The applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, the on-site feeder trail from the southern terminus of Public Road A to the shared-use path on Leeland Road.**
- b. The on-site feeder trail shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review of the specific design plan (SDP). Triggers for construction shall also be determined at the time of SDP.**

DPR and the Urban Design Section reviewed the feeder trail associated with the 20-acre park and Collington Branch Stream Valley Trail system and found them to be adequate. A trigger has been established with this infrastructure SDP and is included in the Recommendation section of this report.

- c. Prior to submission of the final plat of subdivision for any parcel, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of the on-site feeder trail, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.**
- d. Prior to approval of building permits for a new building, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the on-site feeder trail.**
- e. Prior to approval of the specific design plan for infrastructure, the applicant and the applicant's heirs, successors, and/or assignees shall submit to Prince George's County Department of Parks and Recreation, for review and approval, detailed construction drawings for the on-site feeder trail.**

A detailed construction cross section for the on-site feeder trail was provided with the infrastructure SDP. The rest of the trail related conditions will be enforced at the time of final plat and issuance of the building permit. The rest of the conditions will be enforced at the required time in the development process.

16. Recreational facilities to be constructed by the applicant shall be subject to the following:

- a. Prior to approval, the first specific design plan for the subject property (including for infrastructure) shall include the location and concept design details (as shown in the May 7, 2021 Concept Plan) for the 20-acre park and Collington Branch Stream Valley Trail.**

The location and the concept design details for the 20-acre park and the stream valley trail were provided with this application.

- b. The timing for the development of the 20-acre park and Collington Branch Stream Valley Trail shall be determined with the first specific design plan for development (not including infrastructure).**

Since this is an infrastructure SDP, the timing trigger for completion of the 20-acre park and Collington Branch Stream Valley Trail is not required. The other necessary timing triggers were established with the PPS.

- c. The location of the Collington Branch Stream Valley Trail shall be staked in the field and approved by the Prince George's County Department of Parks and Recreation, prior to construction.**

- d. All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by the Prince George's County Department of Parks and Recreation.**

- e. The handicapped accessibility of all trails shall be reviewed during the review of the specific design plan.**

- f. The public recreational facilities shall be constructed, in accordance with the standards outlined in the Prince George's County Park and Recreation Facilities Guidelines.**

DPR has reviewed this application and will work with the applicant to construct all trails.

17. The first specific design plan (including for infrastructure) shall show the conceptual location of the Collington Branch Stream Valley Trail and delineate a 16-foot-wide clear space centered along its alignment. The woodland conservation areas shall be shown to exclude this 16-foot-wide clear space.

The Collington Branch Stream Valley Trail and the associated 16-foot-wide clear space are provided on the plans; however, the font identifying the clear space on the plans is very small. A condition requiring the applicant to match the font size used to identify the trail for the clear space is provided in the Recommendation of this report.

- 21. Development of this subdivision shall be in conformance with approved Type 1 Tree Conservation Plan (TCP1-004-2021-01). The following note shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-004-2021-01 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.”

In accordance with the review by the Environmental Planning Section (Suzanne to Zhang, December 17, 2021), the revised TCP2-026-2021-01 is consistent with the TCP1 approved with PPS 4-20032.

- 26. Prior to acceptance of the first specific design plan (including for infrastructure), if conditions warrant, a detailed slope stability analysis shall be provided, and both the unmitigated and mitigated 1.5 safety factor lines shall be added to the Type 2 tree conservation plans.**

The latest geotechnical/slope stability report shall be submitted with this infrastructure SDP application. Delineation of the limits of the Marlboro clay lines and the 1.5 safety factor lines shall be added to the plan and to the legend, as conditioned herein.

- 11. 2010 Prince George’s County Landscape Manual:** Per Section 27-528(a)(1) of the Zoning Ordinance, an SDP must conform to the applicable standards of the Landscape Manual. However, when reviewing an infrastructure SDP, due to its limited scope, only certain regulations are applicable. For this infrastructure SDP, only Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.6-2, Buffering Development from Special Roadways (Leeland Road), and Section 4.9, Sustainable Landscape Requirements, apply to this site. The landscape plans included with the SDP are in conformance with the applicable requirements. However, the applicant does not include the required landscape schedules for each respective section to demonstrate conformance on the landscape plans. Staff believes a condition, as has been included in the Recommendation section of this technical staff report, to require the applicant to provide landscape schedules prior to certification of this infrastructure SDP is sufficient to find the infrastructure SDP is in conformance with the Landscape Manual.

12. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance: This site is subject to the provisions of the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site is more than 40,000 square feet or greater in area, contains a total of 10,000 square feet or more of woodlands and has a previously approved TCP1-004-2021-01. TCP2-026-2021-01 has been submitted with the subject application and requires revisions to be found in conformance with the WCO.

- a. **Existing Conditions:** Natural Resource Inventory NRI-098-05-03 was submitted with the subject application. The most current approval, NRI-098-05-04, is required to be submitted into the record of the current case, SDP-1603-01. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the primary management area (PMA). Marlboro Clay outcropping is on the site. Rare, threatened, and endangered species are on and in the vicinity of the property. The TCP2 and the SDP show all required information in conformance with the current NRI.
- b. **Woodland Conservation:** The woodland conservation threshold for the larger 442.32-acre property is based on a 15 percent threshold for the E-I-A (R-S) and I-1 zoned portions of the site; and a 50 percent threshold for the R-A Zone, resulting in a weighted woodland conservation threshold 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 1993 Woodland Conservation Ordinance. The prior tree conservation plan approvals are not applicable to the new development proposal.

The National Capital Business Park project is subject to the WCO and the Environmental Technical Manual. The applicant has submitted TCP2-026-2021, for a rough grading permit which is under review. A revision to TCP2-026-2021-01 was submitted with SDP-1603-01.

The woodland conservation worksheet shall be revised to phase the overall project, and to reflect the TCP2 submitted for rough grading as the original phase. TCP2-026-2021 shall be approved prior to the certification of the revised TCP2 submitted with the SDP-1603-01. Proposed clearing with the park dedication area shall be reflected in a future phase. Details of the recreation facilities, impacts to the PMA and the variance request for the specimen tree removal will be reviewed with a subsequent SDP.

The overall woodland conservation worksheet shows the clearing of 267.39-acres of woodland on the net tract area, and 1.09-acres in the floodplain, which based on staff's calculations results in a woodland conservation requirement of 120.34-acres. The requirement is proposed to be met with 71.04-acres of on-site woodland preservation, 21.51-acres of on-site reforestation, and 27.79-acres of off-site woodland conservation credits. The TCP2 meets the requirements of the WCO, subject to conditions that have been included in the Recommendation section of this report.

- c. **Specimen Trees:** Section 25-122(b)(1)(G) 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.”

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25, of the WCO provided all the required findings in Section 25-119(d) can be met. A variance must be accompanied by a letter of justification (LOJ) stating the reasons for the request and how the request meets each of the required findings. A Subtitle 25 variance statement of justification (SOJ) and specimen tree exhibit in support of a variance dated December 7, 2021, were submitted on December 8, 2021.

A timber harvest permit was previously approved for the site utilizing the approved limits of disturbance (LOD) on the TCPII approved for the previous residential development, Willowbrook. Within the limits of the timber harvest area were 50 specimen trees. No variance was required for the removal of these specimen trees because the TCPII was approved under the 1993 Woodland Conservation Ordinance and was grandfathered from the variance requirements that were established in the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO).

The current development is subject to the 2010 WCO, which requires a variance for the removal of specimen trees. A variance request was reviewed with PPS 4-20032, and the Planning Board approved the removal of 69 specimen trees. The trees were located generally in the area proposed for development. The current SDP for infrastructure shows Specimen Trees 132 and 152, which are located in a preservation area, to be removed. It is recommended that where the development proposal and LOD has changed, specimen trees shall be retained. The TCP2 shall be revised to reflect that specimen trees 132 and 152 are to remain.

A variance request from Section 25-122(b)(1)(G) was submitted with SDP-1603-01 requesting the removal of five specimen trees (Specimen Trees 147, 148, 150, 320, and 321). The five additional specimen trees are tulip poplars, ranging in condition rating with two in good condition, one in fair condition, and two in poor condition. Tulip poplar trees have weak wood and overall poor construction tolerance. The specimen trees requested for removal are located within the most developable part of the site and are not located in the regulated environmental PMA areas. Specimen trees 320 and 321 are located within a proposed building footprint layout shown with the PPS.

Specimen trees 147, 148, and 150 are located at the eastern perimeter of the development, where their critical root zone will be impacted. The TCP2 shows specimen trees 147 and 150 are located off-site. Trees located outside of the boundary of the subject property cannot be granted a variance for removal with this

application. The variance request for the removal of Specimen Trees 147 and 150 cannot be granted because these two trees are located off-site.

The SOJ and the specimen tree exhibit submitted with the variance request shall be revised and submitted prior to SDP certification. The statement incorrectly states "134 specimen trees were removed as part of a previous variance approved by Preliminary Plan of Subdivision 4-20032 and Type 1 Tree Conservation Plan TCP1-004-2021-01." The timber harvest removed 50 specimen trees, and a variance request for the removal of an additional 69 trees was granted by the Planning Board with PPS 4-20032. The total trees previously approved for removal are 119, not 134. The statement requests a variance for the removal of five specimen trees with SDP-1603-01, specifically specimen trees 147, 148, 150, 320, and 321. As stated above, specimen trees 147 and 150 are located off-site, and are not required to be included in the variance request; however, they are poplars with low construction tolerance and are supported for removal on the TCP2 outside of the variance process. The specimen tree exhibit shall be revised to reflect the specific trees approved for removal, and what process approved the removal: timber harvest permit, variance request with PPS 4-20032, or variance request with SDP-1603-01.

Staff supports the variance for the removal of the three on-site specimen trees (Specimen trees 148, 320, and 321) requested by the applicant based on the findings below. Staff recommends that the variance request for the two off-site specimen trees (Specimen trees 147 and 150) shall be denied as they are outside of the variance process.

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

The property is 442.30 acres and contains approximately 186.15 acres of PMA comprised of streams, wetlands and 100-year floodplains and associated areas of steep slopes with highly erodible soils on the property that comprise the PMA. This represents approximately 42 percent of the overall site area. The trees are tulip poplars, which have a low tolerance for construction disturbance. These existing conditions are peculiar to the property. Specimen trees have been identified in both the upland and lowland PMA areas of the site. With this variance request, the applicant is proposing to remove only specimen trees located outside of the PMA. To further restrict development of the wooded upland areas of the site would cause unwarranted hardship.

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

The proposed warehouse/distribution, office, light industrial/manufacturing and/or institutional uses, and a potential public park align with the uses permitted in the E-I-A (R-S), I-1, and R-A Zones, as well as the vision for such zones as described in the Bowie and Vicinity Master Plan. Based on the unique characteristics of the property, enforcement of the requirement that all specimen trees be preserved along with an appropriate percentage of their critical root zone would deprive the

applicant of rights commonly enjoyed by other property owners in similar zones. Based on the location of the trees, retaining the trees, and avoiding disturbance to the critical root zones would have a considerable impact on the development potential of the property. Other projects in the area were allowed to remove similar trees under similar circumstances.

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

If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

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

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant.

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

The request to remove the trees does not arise from any condition on a neighboring property. The trees have grown to specimen tree size based on natural conditions and has not been impacted by any neighboring land or building uses.

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

The site is governed by the State and County SWM regulations that went into effect on May 5, 2010. All proposed land development activities will require erosion and sediment control and SWM measures to be reviewed and approved by the County. The removal of the three specimen trees will not adversely affect water quality or cause degradation in the water quality. In fact, the need for impact is associated with the SWM designed for the development for the purpose of water quantity and water quality.

- 13. Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that proposes more than 5,000 square feet of gross floor area or disturbance and requires a grading permit. Properties in the R-S Zone to be developed per Section 27-515(b), Footnote 38, are required to provide a minimum of 10 percent of the gross tract area in tree canopy coverage (TCC). This infrastructure SDP shows more than 10 percent tree coverage of the property in woodland preservation. However, no TCC schedule was provided on the plan and a condition is included herein requiring this to be added.

14. Referral Comments: The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

a. **Historic Preservation**—In a memorandum dated October 19, 2021 (Stabler to Zhang), incorporated herein by reference, the Historic Preservation Section provided an evaluation of the property’s history, previous conditions of approval, as well as the Phase I archeological investigations, and additional archeological investigations, which revealed the Clarke Tobacco Barn on the property, which was fully documented in color photographs and scaled line drawings. No further archeological work is recommended. Historic Preservation staff recommends approval of SDP-1603-01, without conditions.

b. **Subdivision**—In a memorandum dated December 6, 2021 (Gupta to Zhang), incorporated herein by reference, the Subdivision Section noted that the development proposed by this infrastructure SDP is within the limitations established with PPS 4-20032. A review of relative conditions of approval is provided noting no major conformance issues. Conditions have been included herein requiring technical plan revisions.

c. **Transportation Planning**—In a memorandum dated December 16, 2021 (Burton to Zhang), incorporated herein by reference, the Transportation Planning Section indicated the subject application is for infrastructure only, which has no traffic-generating characteristic, and consequently will not be affected by the conditions attached to the prior approvals governing this property. Accesses, roadway alignments, and on-site circulation are deemed to be acceptable.

The Transportation Planning Section concludes that the infrastructure SDP application is deemed acceptable from the standpoint of transportation and meets the findings required for approval of a SDP for infrastructure.

d. **Pedestrian and Bicycle Facilities**—In a memorandum dated December 20, 2021 (Jackson to Zhang), incorporated herein by reference, the trails planner reviewed the infrastructure SDP against the conditions of approval related to pedestrian and bicycle facilities in prior development approvals and found conformance subject to the adoption of the conditions contained in the Recommendation section.

e. **Environmental Planning**—In a memorandum dated December 17, 2021 (Nickle to Zhang), incorporated herein by reference, the Environmental Planning Section provided an analysis of previous conditions of approval attached to A-9968-02, CDP-0505-01, and PPS 4-20032, specimen tree variance, and a discussion of woodland conservation requirements, as well as the following summarized comments:

Regulated Environmental Features

There is PMA, 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 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 proposes impacts to the PMA; a LOJ with exhibits was submitted by the applicant on December 2, 2021, for review with the SDP-1603-01.

Section 24-130(b)(5) of the Prince George's County 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 the County Code.

Comments were provided in a Subdivision and Development Review Committee meeting on October 29, 2021, stating for the record that the PMA impacts shown on the TCP2 were not in conformance with the PMA impacts approved with PPS 4-20032. A LOJ was received on December 3, 2021, for the revised impacts and the newly proposed impacts shown on the TCP2 and amended SDP. This application does not propose revision to Impacts 1, 7, 8, 9, and 10, which will remain as approved with PPS 4-20032. These proposed impacts were for roadway crossing and stormdrain outfalls.

The current LOJ and associated exhibit reflect eight proposed impacts to regulated environmental features associated with the proposed development totaling approximately 1.66-acres, and are described as Impacts A-F, with Impact E divided into three parts.

Impact A and part of Impact E (Areas 1 and 2) are for proposed SWM outfalls. Impacts B, D, and the remaining part of Impact E (Area 3) are for proposed sewer line connections. Impacts C and F are for proposed road crossings. Prior to certification of the infrastructure SDP, the submitted PMA impact exhibits shall be revised to reflect the existing contours, proposed grading, and existing utility lines.

The following findings provide an evaluation of the proposed impacts outlined in the applicant's justification:

Impact A (Previously Impact 3): This impact for a proposed SWM outfall is a revision to Impact 3 approved with PPS 4-20032, which totaled 0.03 acre. Revised Impact A increases the impact to 0.09 acre. The increase of this impact is due to the presence of Marlboro Clays on-site, and the applicant states that in the review of the site development concept plan, DPIE and SCD required the SWM outfalls to be located below the Marlboro Clay outcrop. The stormdrain outfalls meet best management practices for discharging water back into the stream while limiting erosion at the discharge points. The development shown on the infrastructure SDP obtained preliminary approval from both DPIE and SCD.

Impact B (Previously Impact 4): This impact for a proposed sanitary sewer connection is a revision to Impact 4 approved with PPS 4-20032, which totaled 0.33 acre. The SOJ for Impact B states the area of the impact will remain the same size as previously approved (0.33-acre), but the alignment has been adjusted slightly. The utility layout for the proposed development shown on the infrastructure SDP obtained preliminary approval from the Washington Suburban Sanitary Commission (WSSC).

Impact C (Previously Impact 2): This impact is for a proposed road crossing providing access to the site through an extension of Queens Court and is a revision to Impact 2 approved with the PPS, which totaled 1.32-acres. The revised Impact C reduces the impact to 0.83-acre. Because of a zoning restriction, the project cannot use Leeland Road as its vehicular access and is limited to providing connections from Queens Court and Prince George's Boulevard. With the applicant's collaboration with both DPIE and the Soil Conservation District, these impacts are necessary to provide access to the site and are proposed in specific locations for minimal disturbance. Much of the site cannot be accessed without crossing the PMA. The applicant located the crossings at the points where the PMA is the narrowest and designed the road to result in the smallest impact.

Impact D (Previously Impact 5): This impact is for a proposed sanitary sewer connection and is a revision to Impact 5 approved with PPS 4-20032, which totaled 0.10 acre. The revised Impact D states the area of the impact will be increased to 0.11-acre, and the alignment was adjusted slightly. The utility layout for the proposed development shown on the infrastructure SDP obtained preliminary approval from WSSC.

Impact E - Area 1: This impact is for a proposed SWM outfall and is a new impact that was not requested with the PPS. Area 1 is for approximately 0.04-acre where the stormdrain outfall impacts the floodplain buffer. The stormdrain outfalls meet best management practices for discharging water into the stream while limiting erosion at the discharge points. The development shown on the infrastructure SDP obtained preliminary approval from both DPIE and SCD.

Impact E - Area 2: This impact is for a proposed SWM outfall and is a new impact that was not requested with the PPS. Area 2 is an impact of approximately 0.02-acre where the stormdrain outfall impacts the expanded stream buffer. The stormdrain outfalls meet best management practices for discharging water back into the stream while limiting erosion at the discharge points. The development shown on the infrastructure SDP obtained preliminary approval from both DPIE and SCD.

Impact E - Area 3 (Previously Impact 9): This impact is for a proposed sanitary sewer connection and is a revision to Impact 9 approved with PPS 4-20032, which totaled 0.11-acre. The revised impact for Area 3 states the area of the impact will remain the same (0.11-acre) but the alignment was adjusted slightly. The utility layout for the proposed development shown on the infrastructure SDP obtained preliminary approval from WSSC.

The proposed PMA impacts for road crossings and utilities are considered necessary to the orderly development of the subject property. These impacts cannot be avoided because they are required by other provisions of the County and State codes. The plan shows the preservation, restoration, and enhancement, of the remaining areas of PMA.

Soils: According to the “Prince George’s County Soil Survey” the principal soils on the site are in the Adelphia-Holmdel complex, Annapolis Fine Sandy Loam, Colemantown Silt Loam, Collington-Wist Complex, Fallsington Sandy Loam, Howell-Annapolis Complex, Issues Silt Loam, Marr-Dodon, Westphalia and Odon, and Widewater and Issue Soils. Collington-Wist Complex, and Marr-Dodon soils are in hydrologic class B and are not highly erodible. Adelphia-Holmdel, Annapolis Fine Sandy Loam, Howell-Annapolis, Marr-Dodon, and Westphalia and Dodon soils are in the hydraulic class C and are moderately erodible. Colemantown Silt Loam, Fallington Sandy Loams, Widewater and Issue soils are in hydrologic class D and pose various difficulties for development due to high water table, impeded drainage, and flood hazard. Marlboro clay is found to occur extensively in the vicinity of and on this property.

The TCP2 shows two lines on the plans and in the legend, both labeled as “Marlboro Clay Soils.” Prior to certification of this infrastructure SDP, the latest geotechnical/slope stability report shall be submitted as conditioned herein. Should the layout change from what was previously reviewed with respect to soils and/or if any information provided regarding soils for the site differ from what was previously evaluated, additional soils information may be required with this application. Prior to certification of the infrastructure SDP, the TCP2 shall be revised to show the location of the Marlboro Clay outcropping, the unmitigated 1.5 safety factor line, and the mitigated 1.5 safety factor line as conditioned herein.

Erosion and Sediment Control: It has been noted that 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 protection of the rare, threatened, and endangered species. Additional information,

as determined by DPIE and the Soil Conservation District in their respective reviews, for SWM and 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 tree conservation plan must reflect the ultimate LOD not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including Erosion and Sediment Control measures. Prior to certification of SDP-1603-01, a copy of the Erosion and Sediment Control Technical Plan must be submitted so that the ultimate LOD for the project can be verified and shown on the TCP2.

The Environmental Planning Section concludes that the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the level of detail provided with SDP-1603-01 and recommends approval of this infrastructure SDP with four conditions that have been included in the Recommendation section of this report.

- f. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this technical staff report, comments had not been received from DPIE.
- g. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated December 17, 2021 (Burke to Guinn/Zhang), incorporated herein by reference, DPR evaluated the infrastructure SDP's conformance with previous conditions of approval regarding the mandatory dedication of parkland and recreational facilities as included in the approval of PPS 4-20032. The relevant findings have been included in this report.

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. This application shows a total of 113.28 acres to be dedicated to M-NCPPC, inclusive of the 20-acre park and stream valley trail, which will be developed concurrently.

In addition, the applicant is proposing to construct a 10-foot-wide feeder trail extending from the southern terminus of Road A to the shared-use path on Leeland Road. This trail will be located on building owners' association lands and shall be subject to conditions provided in the Recommendation section of this report.

DPR recommends approval of SDP-1603-01 for National Capital Business Park, subject to one condition that has been included in the Recommendation section of this report.

- h. **Prince George's County Health Department**—In a memorandum dated October 27, 2021 (Adepoju to Zhang), incorporated herein by reference, the Health Department indicated that the applicant should consider providing retail that will provide access to healthy food choices in the area, "pet-friendly" spaces should be provided within the 20-acre park, and the applicant should abide by applicable regulations so that adjacent properties are not adversely impacted with noise or dust during the construction phases of this project. Those comments have been

transmitted to the applicant. In addition, the two comments on noise and dust control during the construction have also been included as conditions of approval for this infrastructure SDP in the Recommendation section of this report.

- i. **Prince George's County Police Department**—At the time of the writing of this technical staff report, comments had not been received from the Police Department.
- j. **Prince George's County Fire/EMS Department**—At the time of the writing of this technical staff report, comments had not been received from the Fire/EMS Department.
- k. **Maryland State Highway Administration (SHA)**—At the time of the writing of this technical staff report, comments had not been received from SHA.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Infrastructure Specific Design Plan SDP-1603-01 and Type 2 Tree Conservation Plan TCP2-026-2021-01, including a variance for the removal of three specimen trees, for National Capital Business Park, subject to the following conditions:

- 1. Prior to certification of this specific design plan (SDP), the applicant shall:
 - a. Provide sign face area calculation on the site plan.
 - b. Provide site plan notes as follows:

“The applicant shall conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George’s County Code.”

“The applicant shall conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”
 - c. Increase the font size used to identify the clear space on the plans to match the font used to identify the stream valley trail.
 - d. Provide the following pedestrian and bicycle related information and revisions:
 - (1) Shared-use path cross sections showing a two-foot-wide clear zone on each side of the pathway surface.
 - (2) A sheet in the SDP providing details of the bikeway signs and destination plaque assemblies to destinations within and adjacent to the subject property.
 - (3) Correct the spelling of the word “bicycling” in the notes on sheets C-307, C-313, C-314, and C-317.

- (4) An extension of the Collington Branch Trail and the Leeland Road Trail shared-use paths so these paths intersect with each other and that sheet C-310 reflects this revision.
 - (5) Provide a copy of sheet C-901 as referred to in sheet C-313.
 - (6) A marked crosswalk traversing Queens Court at its western intersection with Warehouse Way.
 - (7) Modify sheets C-313 and C-314 to include a cross-section of Queens Court roadway detailing the segment where sidewalks are only provided on the north side.
- e. Provide Sections 4.2, 4.6, and 4.9 landscape schedules and a tree canopy coverage schedule on the landscape plan.
 - f. Submit a copy of the Erosion and Sediment Control Technical Plan so that the ultimate limits of disturbance for the project can be verified and shown correctly on the Type 2 tree conservation plan.
 - g. Submit the current Natural Resource Inventory NRI-098-05-04 as part of the record for SDP-1603-01.
 - h. Submit the current Geo-technical report and slope stability analysis.
 - i. Clarify the area subject to this infrastructure SDP and revise the SDP and general notes to provide the correct acreage of the subject property.
 - j. Revise General Note 5 to list that 35 parcels are proposed in this infrastructure SDP.
 - k. Adjust the parcel lines and the front street line width for Parcel 14 to provide sufficient frontage for a direct commercial driveway access for Parcel 14.
 - l. Revise General Note 22 to provide reference to Preliminary Plan of Subdivision 4-20032.
 - m. Label the proposed right-of-way width for I-300 on all plan sheets and label the total area for its dedication.
 - n. Clearly label the proposed right-of-way line along Leeland Road and the 10-foot-wide public utility easement on all plan sheets.
 - o. Provide bearings and distances for all parcel boundary lines and provide the parcel areas on all plan sheets.
 - p. Revise the plans, as applicable, for consistency with the conditions requiring revision to the signature approved Preliminary Plan of Subdivision 4-20032.

2. Prior to certification of Type 2 Tree Conservation Plan TCP2-026-2021-01, the applicant shall provide information or make revisions as follows:
 - a. The TCP2 shall be revised to show the location of the Marlboro Clay outcropping, the unmitigated 1.5 safety factor line, and the mitigated 1.5 safety factor line following the Environmental Technical Manual.
 - b. Add the TCP2-026-2021-01 case number to the worksheet and the Environmental Planning Section approval block. Remove the signature references to TCP2-028-2016. Remove references in the worksheet to Detailed Site Plan DSP-06028, TCP2-083-02-01, and TCP2-083-02-02 and replace with the correct case numbers.
 - c. Remove the "Ultimate Conditions" in the title blocks of all the sheets and update the case number as "SDP-1603-01."
 - d. Permanent tree protection fencing shall be added to the plans and legend protecting the vulnerable edges of the reforestation. Temporary tree protection fencing shall be added to the edges of the woodland preservation.
 - e. Label all retaining walls on the plans and add top and bottom of wall elevations.
 - f. Add bearings and distances to the overall property lines and to the internal property lines.
 - g. Label the proposed parcels.
 - h. Correct all references for "TCPII" to "TCP2" as the development is not grandfathered and is subject to the provisions of the 2010 Woodland and Wildlife Habitat Conservation Ordinance.
 - i. Add a sheet key map to Sheet C-300.
 - j. Show the existing and proposed contours on all sheets.
 - k. Show the specimen trees within the dedicated park area and in the Collington Branch Trail as to remain. The disposition of these specimen trees will be reviewed with a future SDP. The following note shall be added to the plan below the worksheet: "The clearing for the park and associated trails is conceptual with SDP-1603-01. Final clearing and specimen tree removal will require a revision to the TCP2."
 - l. On Sheet C-300, remove the "X" and fill out the "Owner/Applicant" information for the development.
 - m. Revise Sheet C-300 and C-301 as follows:
 - (1) To have the standard TCP2 notes.
 - (2) Eliminate one of the sets of duplicate notes.

- (3) Correct Note 1 to remove the “rough grading permit” reference and replace with the specific case number “SDP-1603-01.”
 - (4) Correct Note 8 to reflect that Leeland Road is a major collector, not an arterial.
- n. Revise sheet C-301 as follows:
- (1) Add the “tree preservation and retention”, “phasing development,” and the “off-site woodland conservation” notes.
 - (2) Add the “post development notes when woodlands and specimen trees are to remain.” Remove the “Landscape Specification” notes.
 - (3) Correct the reforestation planting schedule to reflect the site stocking requirements for container grown seedling tubes (minimum caliper width 1.5”) to the 500 seedlings per acre requirement in the Environmental Technical Manual.
 - (4) The Site Stocking detail is not current. Replace with the Site Stocking detail “TCP-35 on page Appendix A-60 of the Environmental Technical Manual.
 - (5) Add the Tree Planting and Maintenance Calendar detail TCP-29, page Appendix A-54 of the Environmental Technical Manual.
- o. Revise Sheet C-307 as follows:
- (1) Adjust the limits of disturbance north of the pond to follow the tree protection fencing, resulting in an increase to Preservation Area 2.
 - (2) Specimen Tree 240 shall be revised to show as to be removed. Specimen Tree 132 is located in preservation area 2 but is shown as to be removed. Revise to show that specimen trees within preservation areas are to remain.
- p. Revise Sheet C-309 to adjust Preservation Area 15 to follow the limits of disturbance, update the totals for the label, in the charts, and worksheet accordingly.
- q. Revise Sheet C-310 as to add a note that the proposed park facilities and Collington Branch Trail shall be reviewed with a future SDP, including variance requests for the removal of specimen trees and impacts to regulated environmental features.
- r. Revise Sheet C-311 as follows.
- (1) Reforestation Area F conflicts with the contours of the submerged gravel wetland pond area. Reconcile the conflict and adjust Reforestation Area F accordingly.

- (2) The limits of disturbance and tree protection fence on the north side of the pond shall be located to closely follow the proposed grading to increase the area included in Preservation Area 6, preserving from the limits of disturbance to the floodplain.
 - (3) Adjust the resulting reforestation and preservation area totals, update the labels, in the charts, and worksheet accordingly.
- s. Revise Sheet C-315 as follows:
- (1) Remove the Preservation Area 6 hatch from the proposed sewer easement.
 - (2) Adjust Preservation Area 7 to follow the limits of disturbance on the southern portion of the proposed sewer easement.
 - (3) Adjust the resulting preservation area totals, update the totals for the label, in the charts, and worksheet accordingly.
- t. Revise Sheet C-316 as follows:
- (1) At the bottom of this sheet, label "Reforestation Area I 4.23 ac." does not lead to a reforestation area hatch. The adjoining Sheet C-319 does not show this area of reforestation. The grading in this area appears incomplete. Additional areas of reforestation are encouraged. If this area is to be reforested, then adjust the tree protection fencing.
 - (2) Adjust the resulting reforestation area totals, update the totals for the label, in the charts, and worksheet accordingly.
- u. Revise Sheet C-317 to relocate the label for the master planned road so it is not cut off.
- v. Revise Sheet C-318 to add a label for MC-600 and add the hatch pattern to the legend.
- w. Revise Sheet C-319 as follows:
- (1) Preservation Area 8 shall be adjusted to include the stream buffer and the primary management area to the retaining wall. Adjust the resulting preservation area totals, update the totals for the label, in the charts, and worksheet accordingly.
 - (2) Add the permanent tree protection fencing around Reforestation Area L.
 - (3) The southeastern corner of the proposed pond shows woodland preservation area that is not labeled. This tree preservation area and tree protection fencing does not follow the limits of disturbance. Adjust the resulting preservation area totals, add the label, in the charts, and worksheet accordingly.

- (4) Add a label for MC-600 and add the hatch pattern to the legend.
 - x. Revise Sheet C-320 as follows:
 - (1) Add the permanent tree protection fencing to the sheet.
 - (2) Specimen Tree 97 is shown as to be removed but is located within Preservation Area 10. The current layout shows this specimen to remain, and the plans should reflect that.
 - y. Revise all tables and calculations to reflect the results of the above revisions and reconcile and inconsistencies.
 - z. Have the revised plan signed and dated by the qualified professional preparing the plan.
3. The 10-foot-wide on-site feeder trail shall be constructed concurrently with any buildings on Parcel 14.

NATIONAL CAPITAL BUSINESS PARK

Specific Design Plan

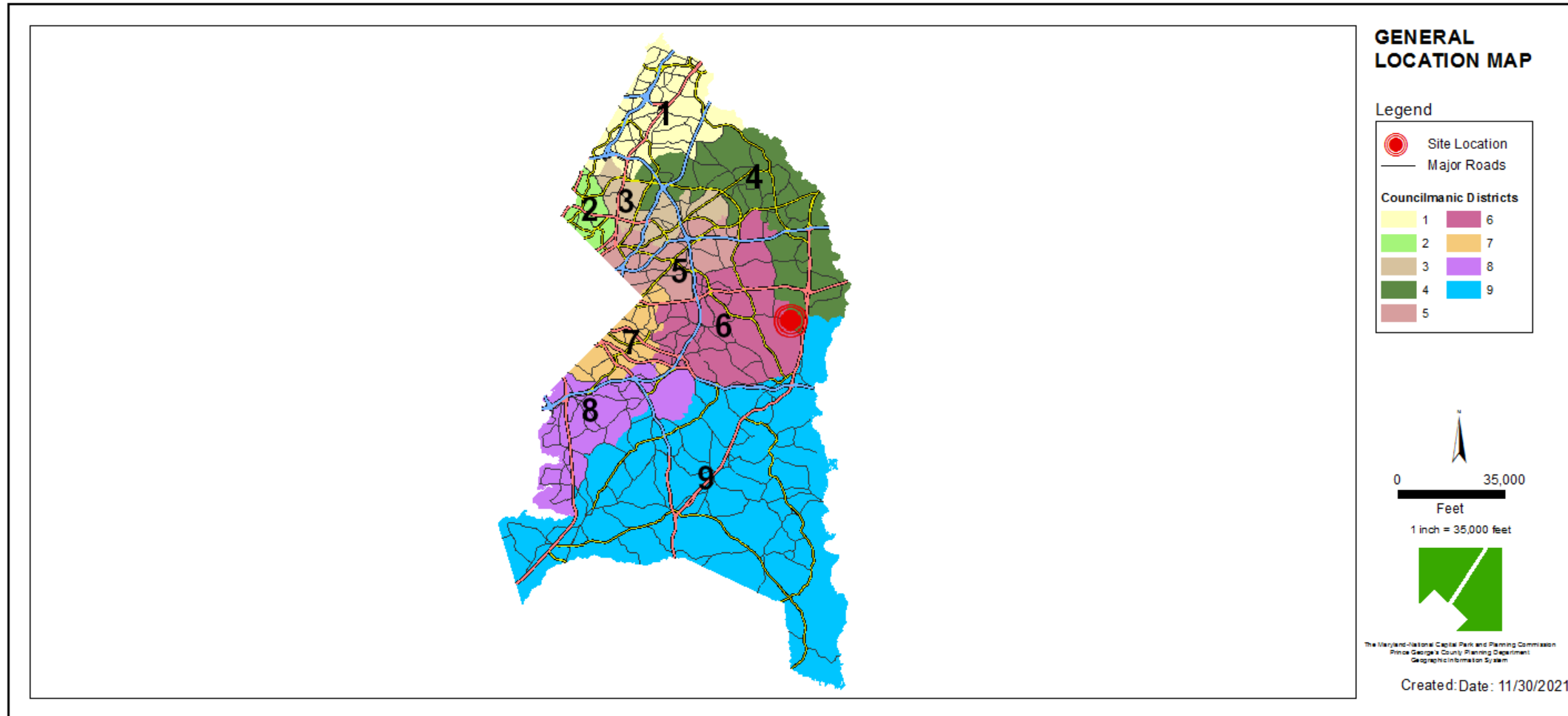
Staff Recommendation: APPROVAL with conditions



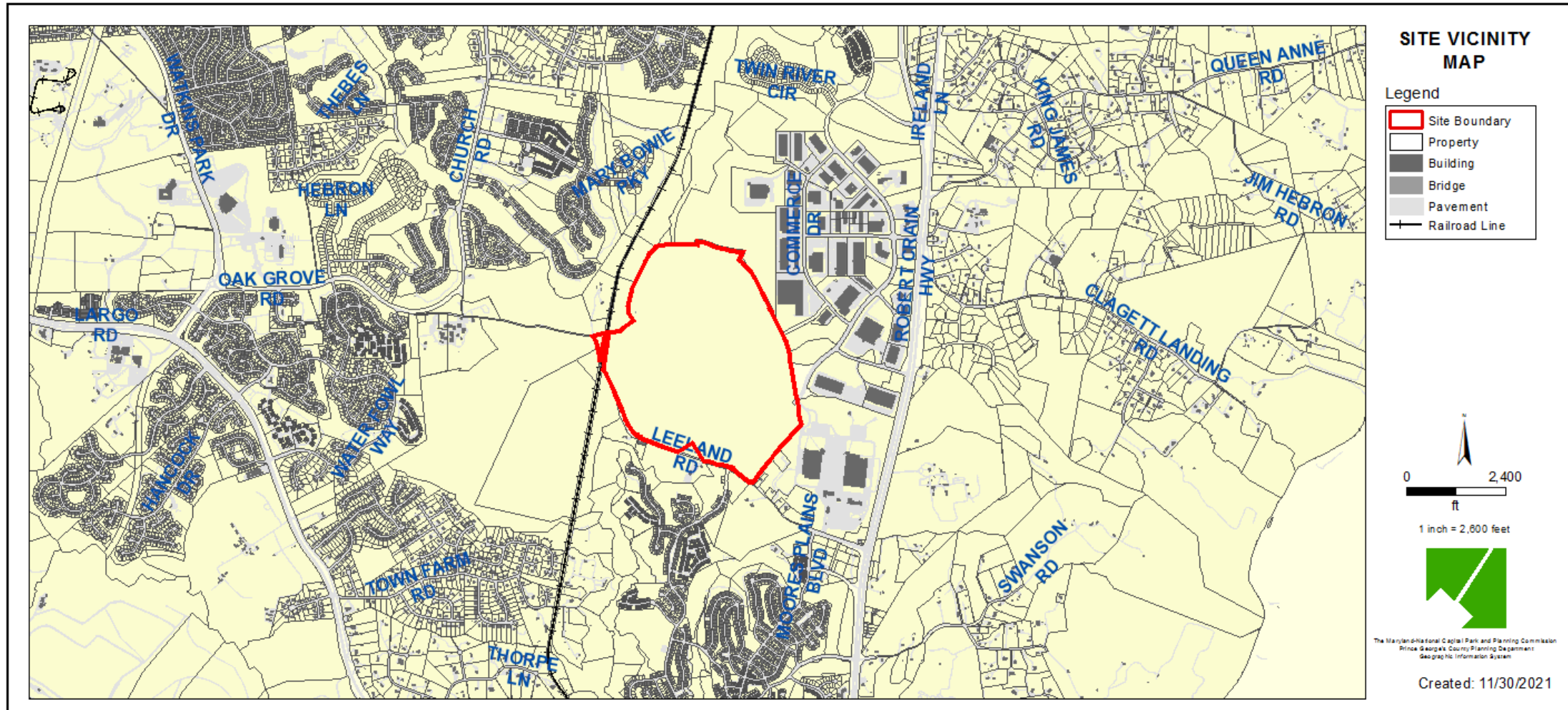
GENERAL LOCATION MAP

Council District: 04

Planning Area: 74A

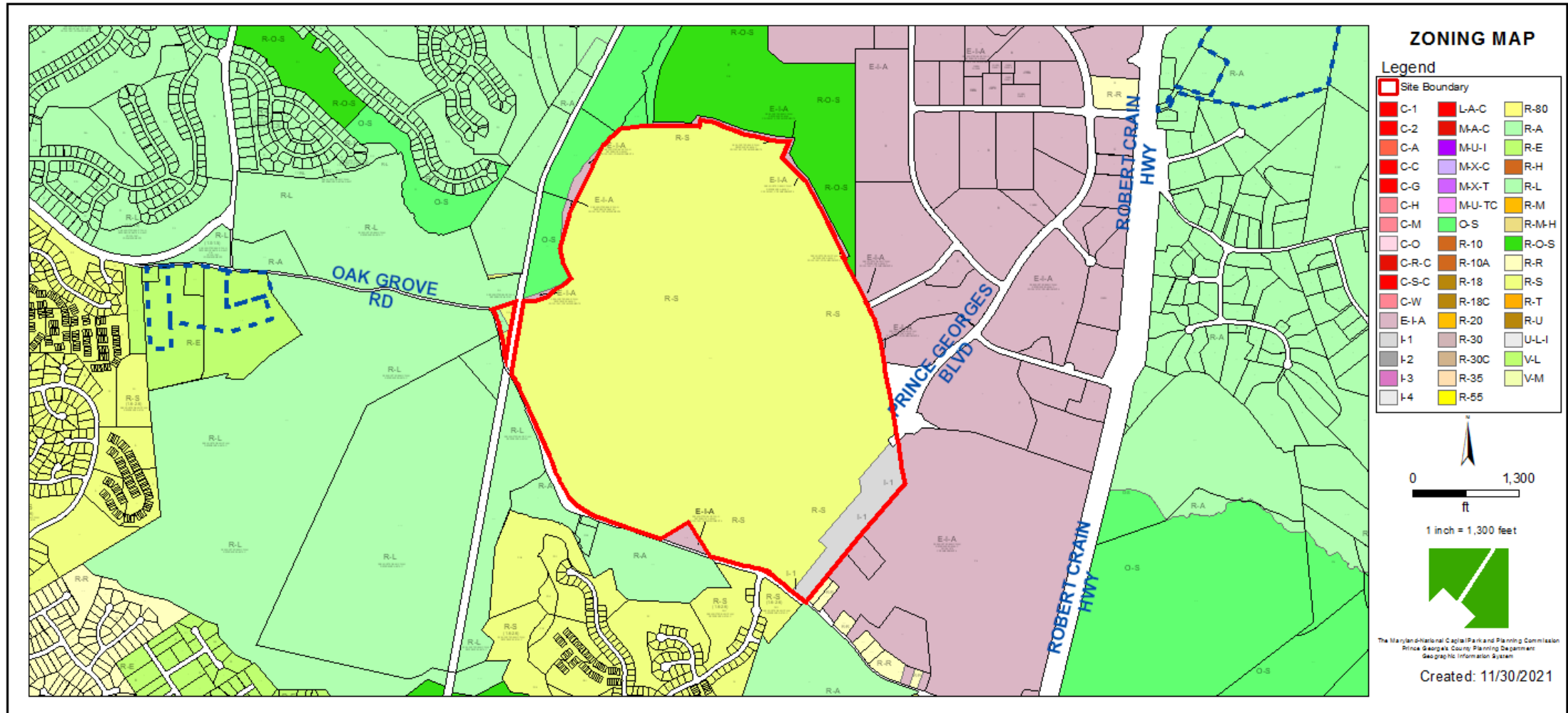


SITE VICINITY MAP



ZONING MAP

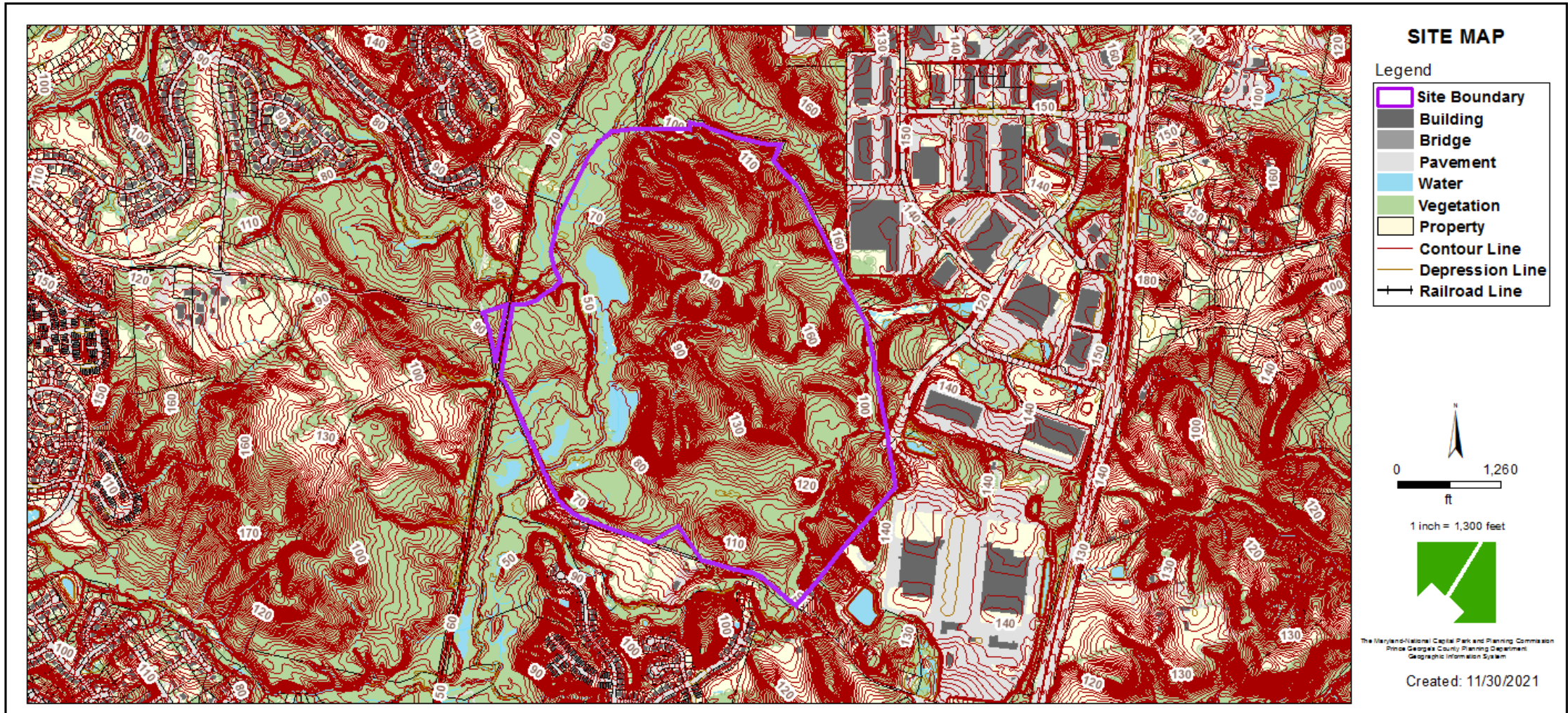
Property Zone: X-#



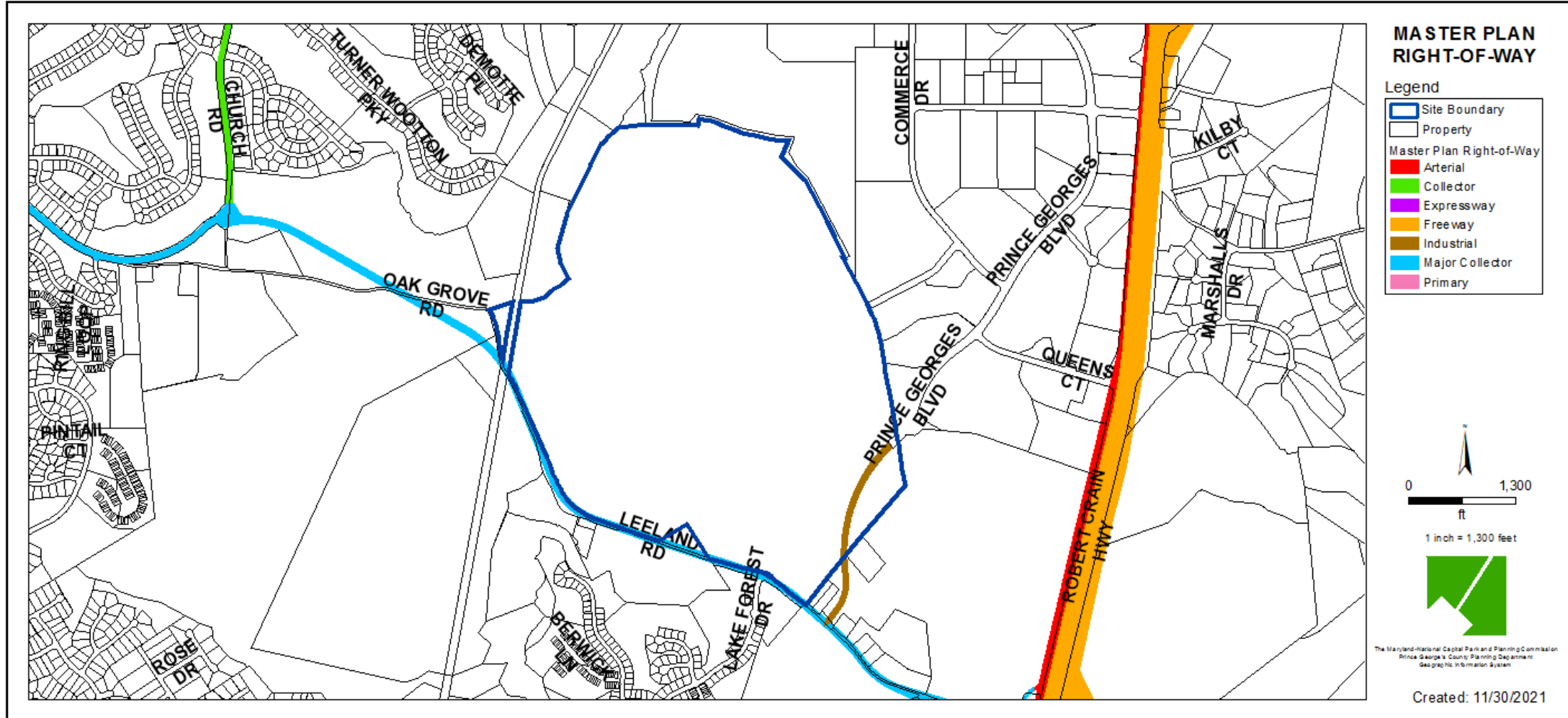
AERIAL MAP



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



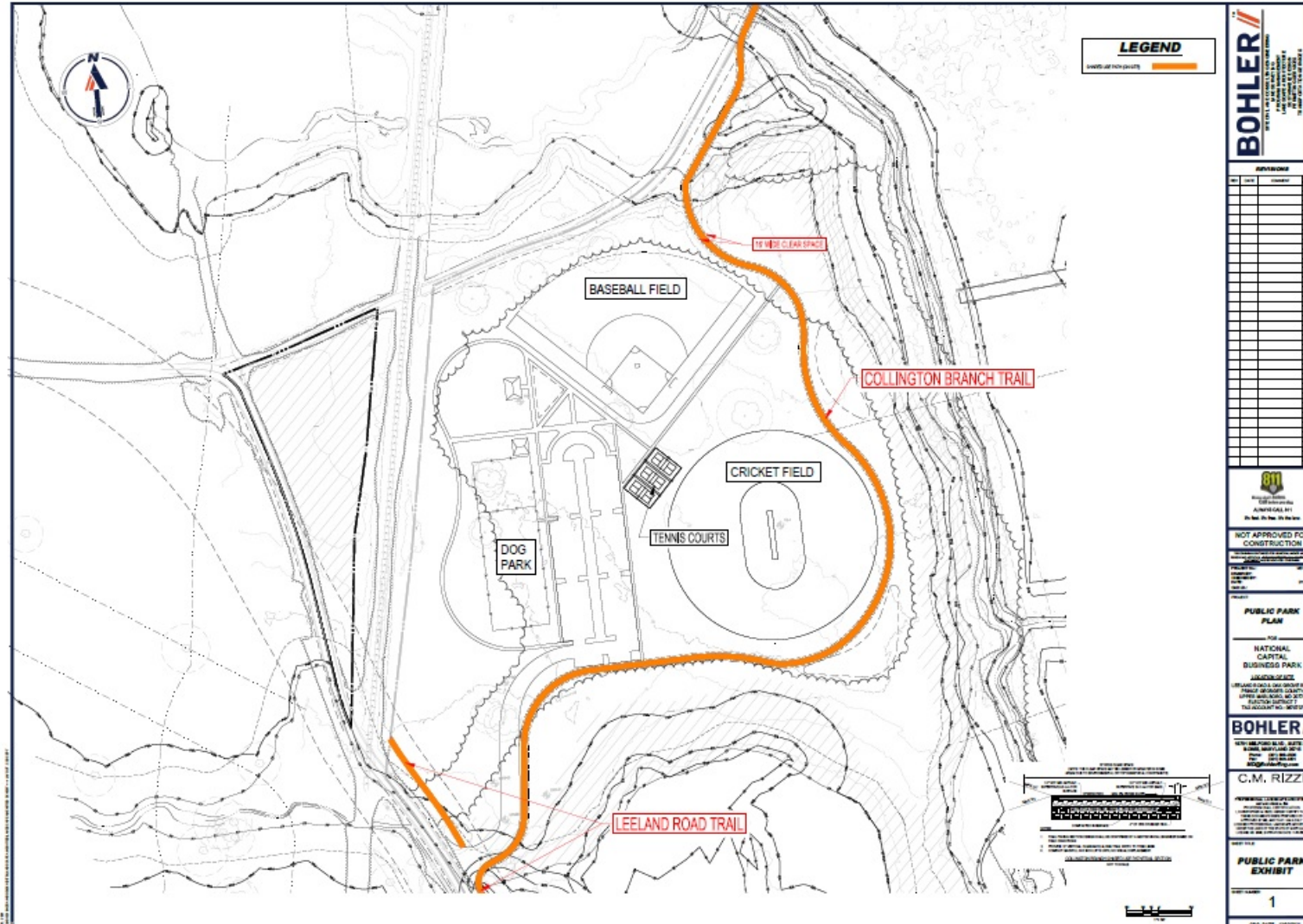
BICYCLE-PEDESTRIAN EXHIBIT



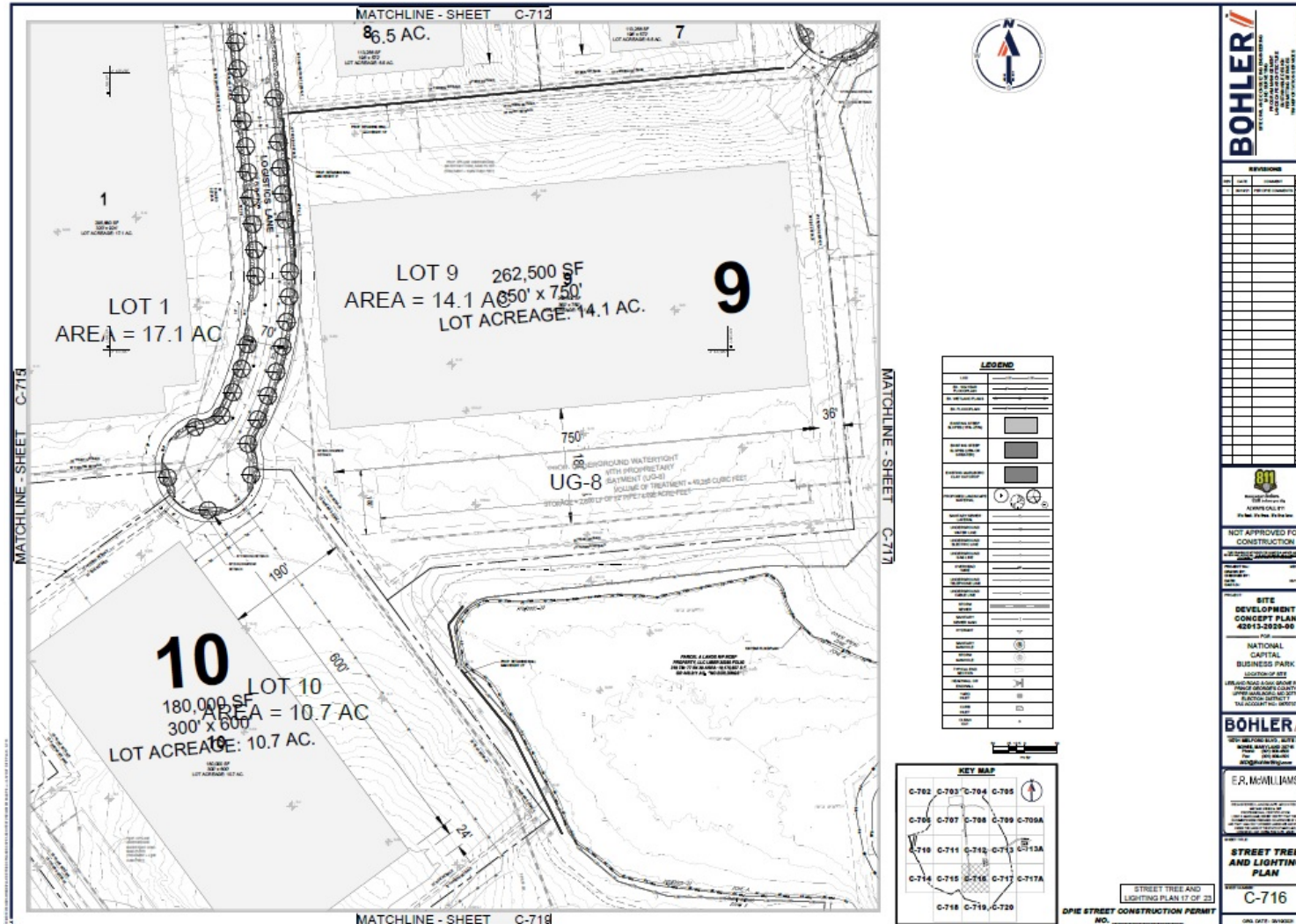
PARK EXHIBIT



PARK AMENITIES



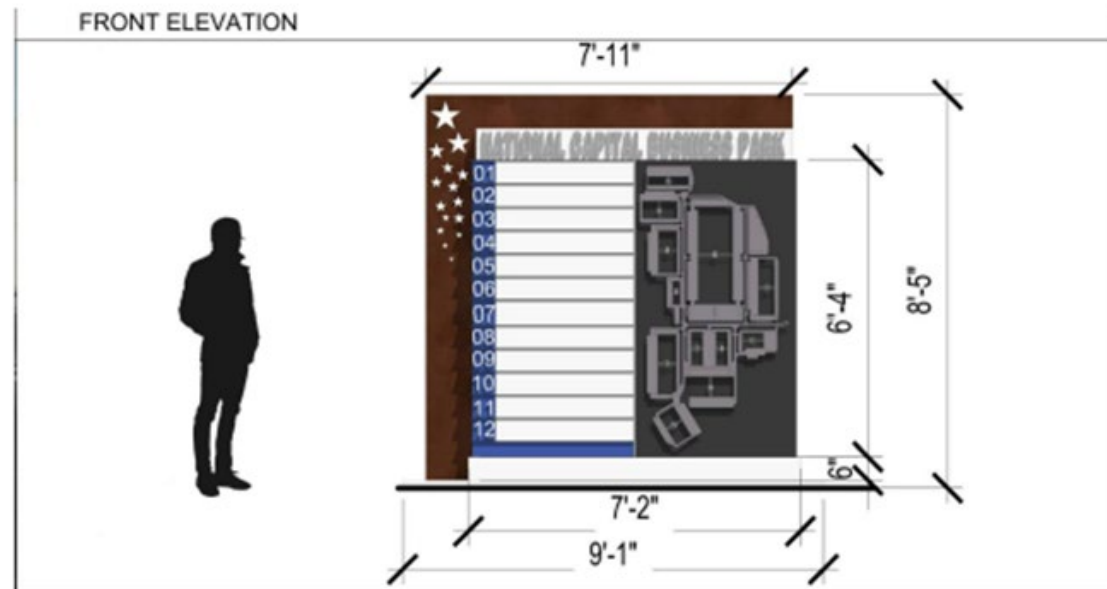
STREET TREE AND LIGHTING PLAN - EXAMPLE



SIGNAGE

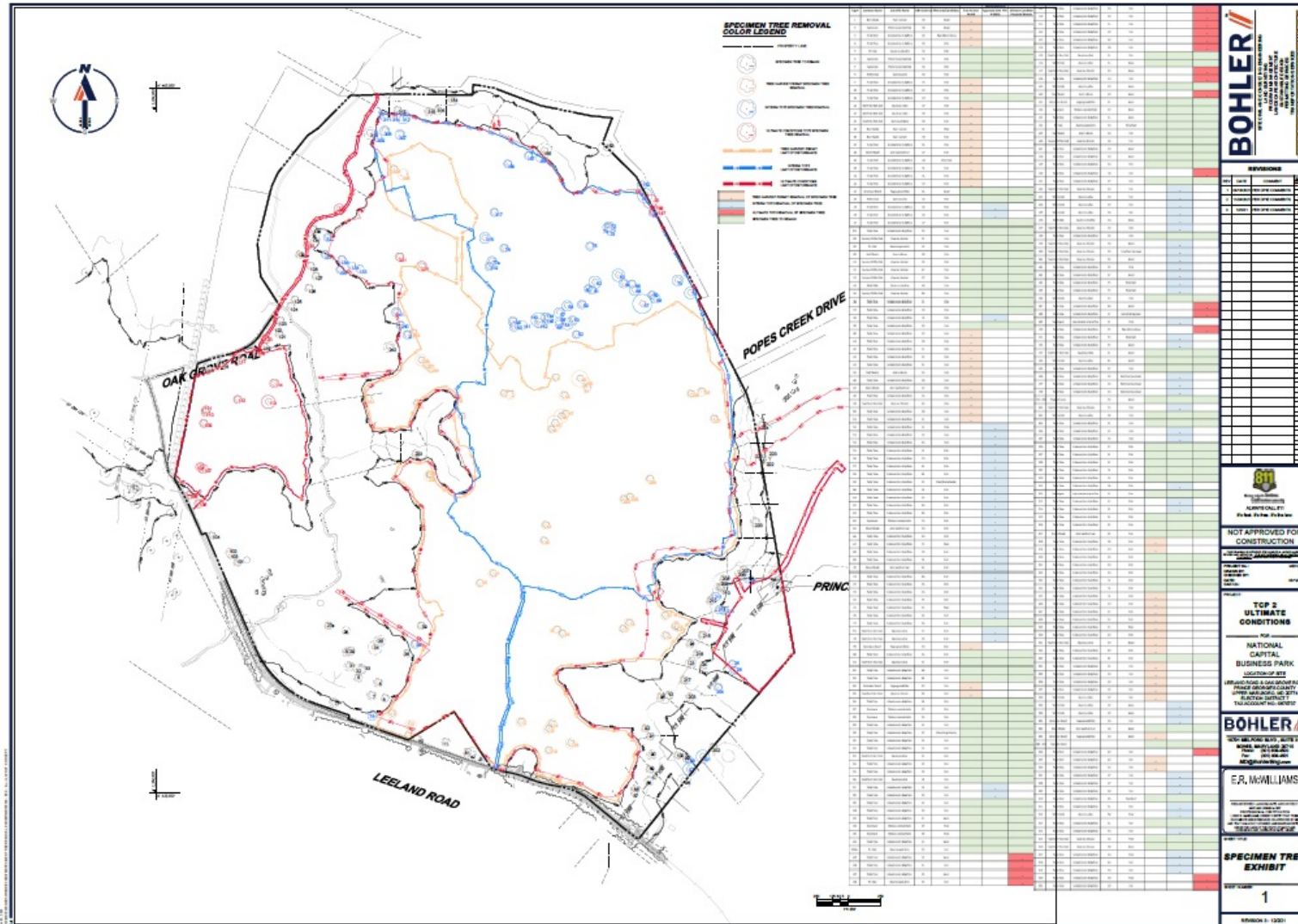


TENANT IDENTIFICATION SIGN
NOT TO SCALE

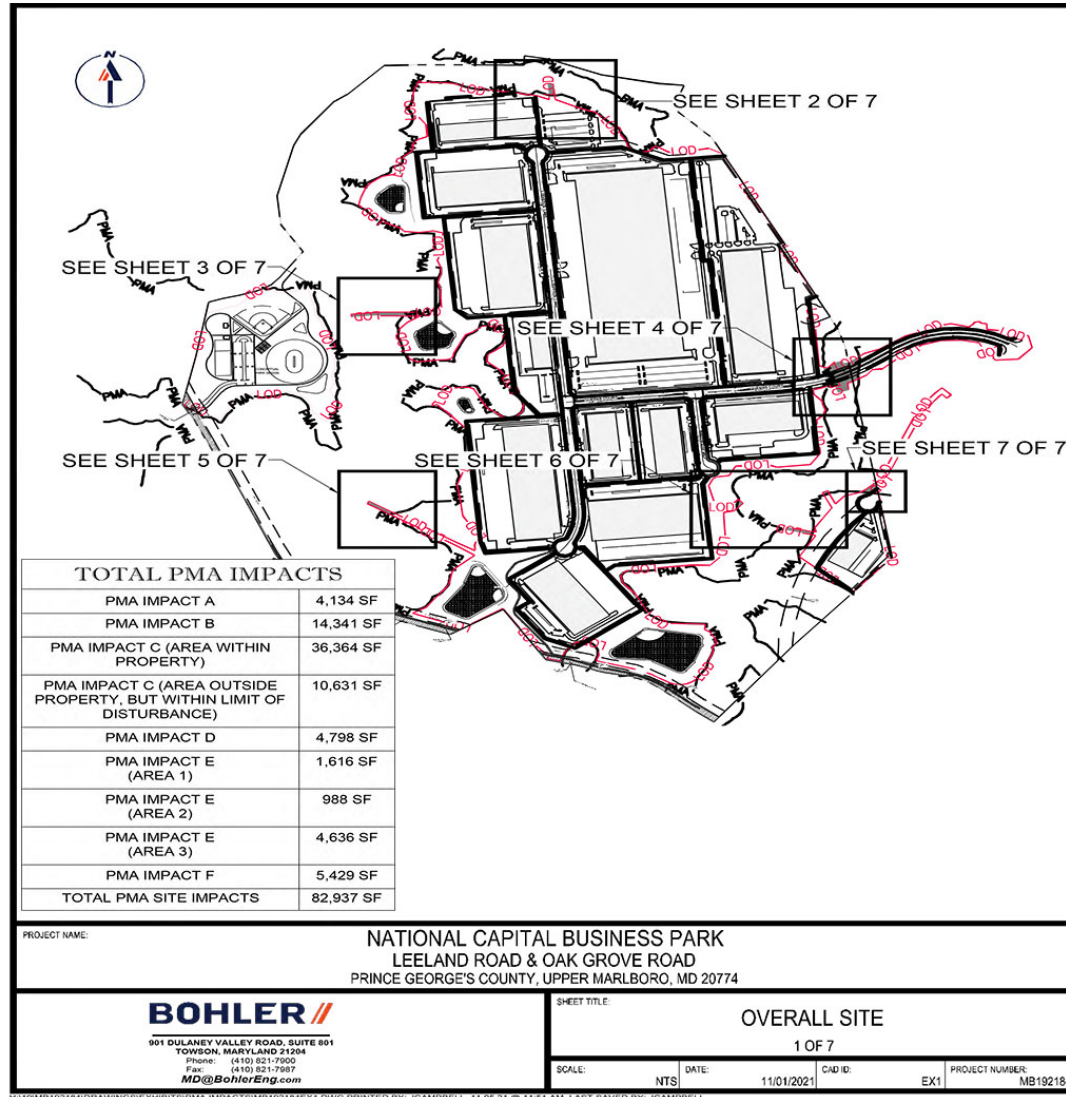


**DIRECTIONAL SIGNAGE - FOR
LOCATIONS SEE SHEETS C-312
AND C-313**

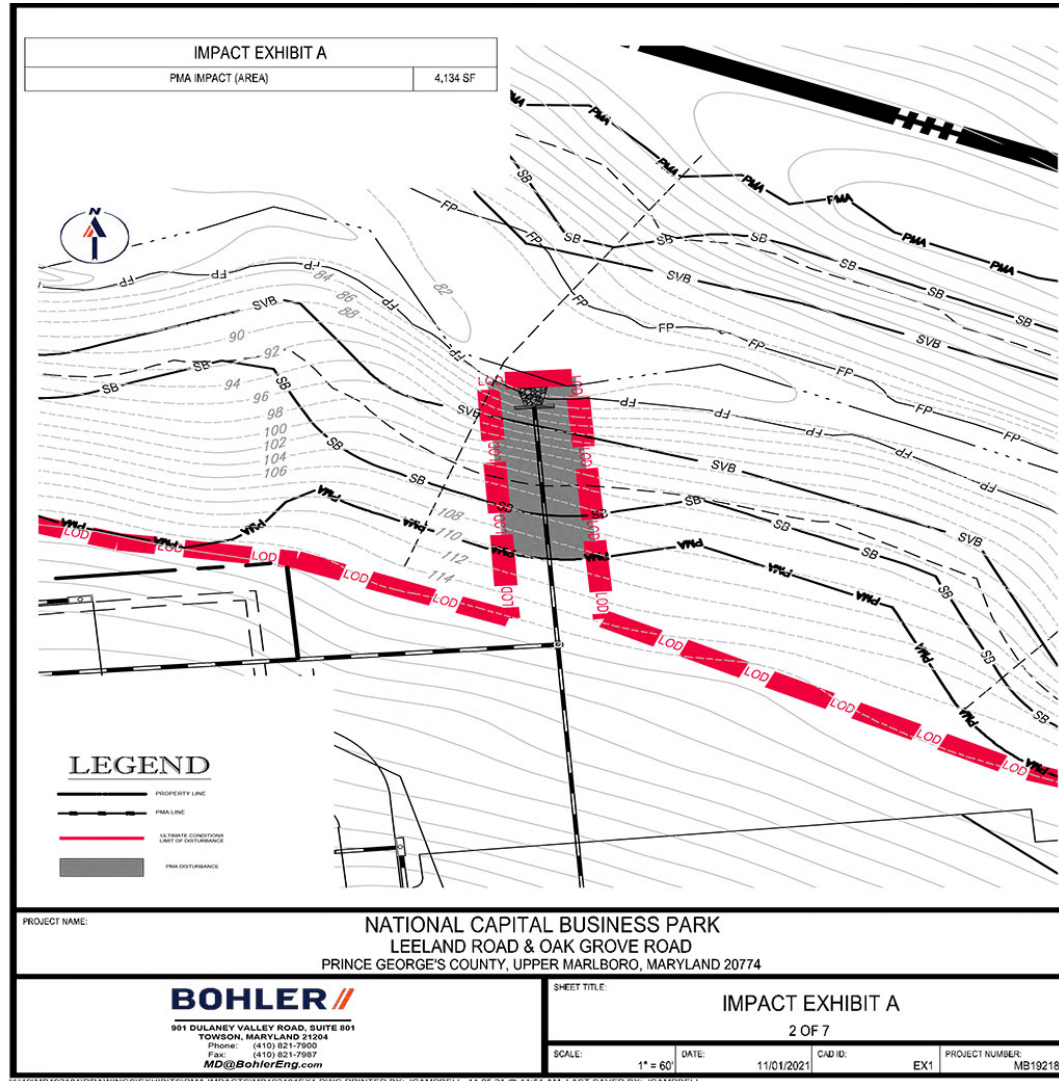
SPECIMEN TREE EXHIBIT



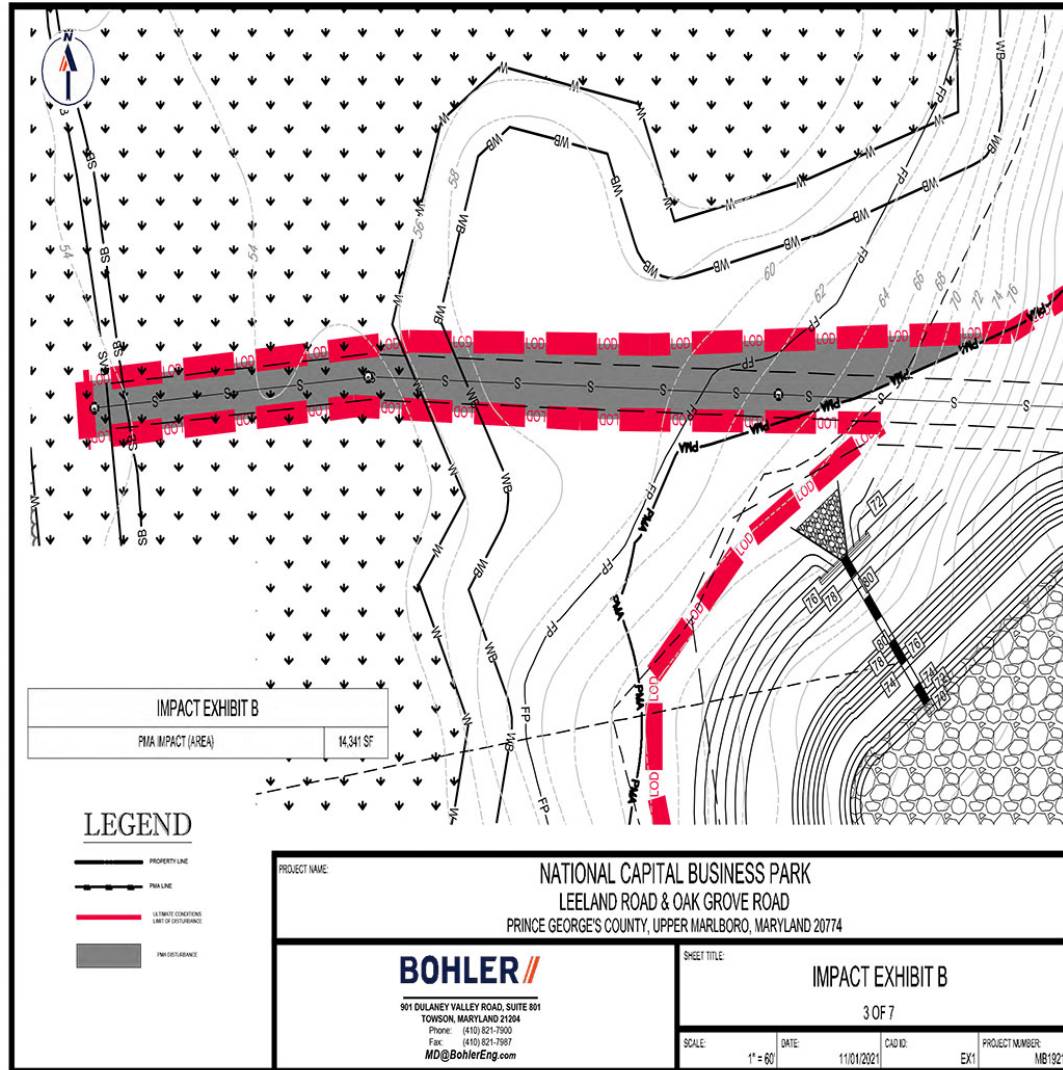
OVERALL PMA IMPACT EXHIBIT



PMA EXHIBIT A

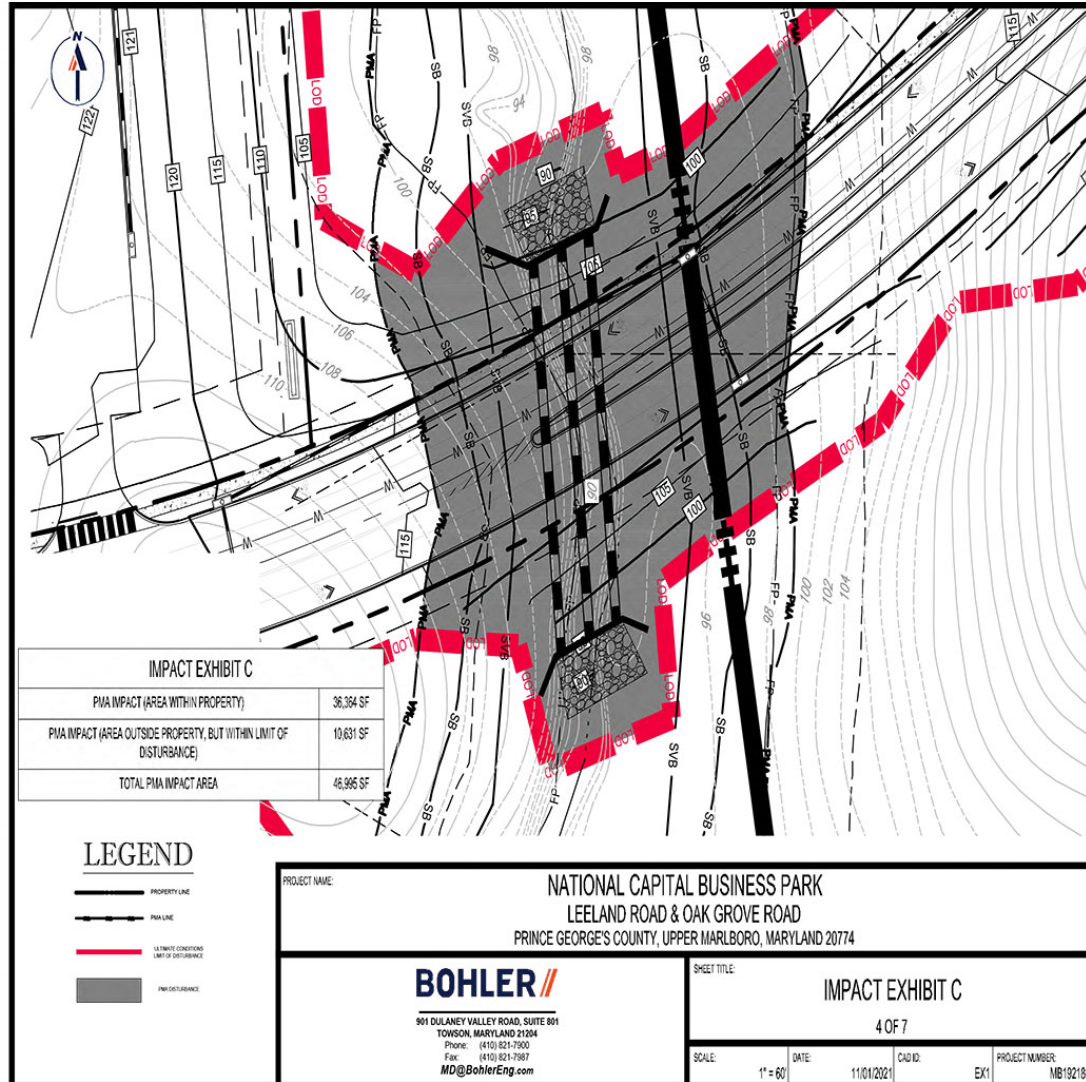


PMA EXHIBIT B



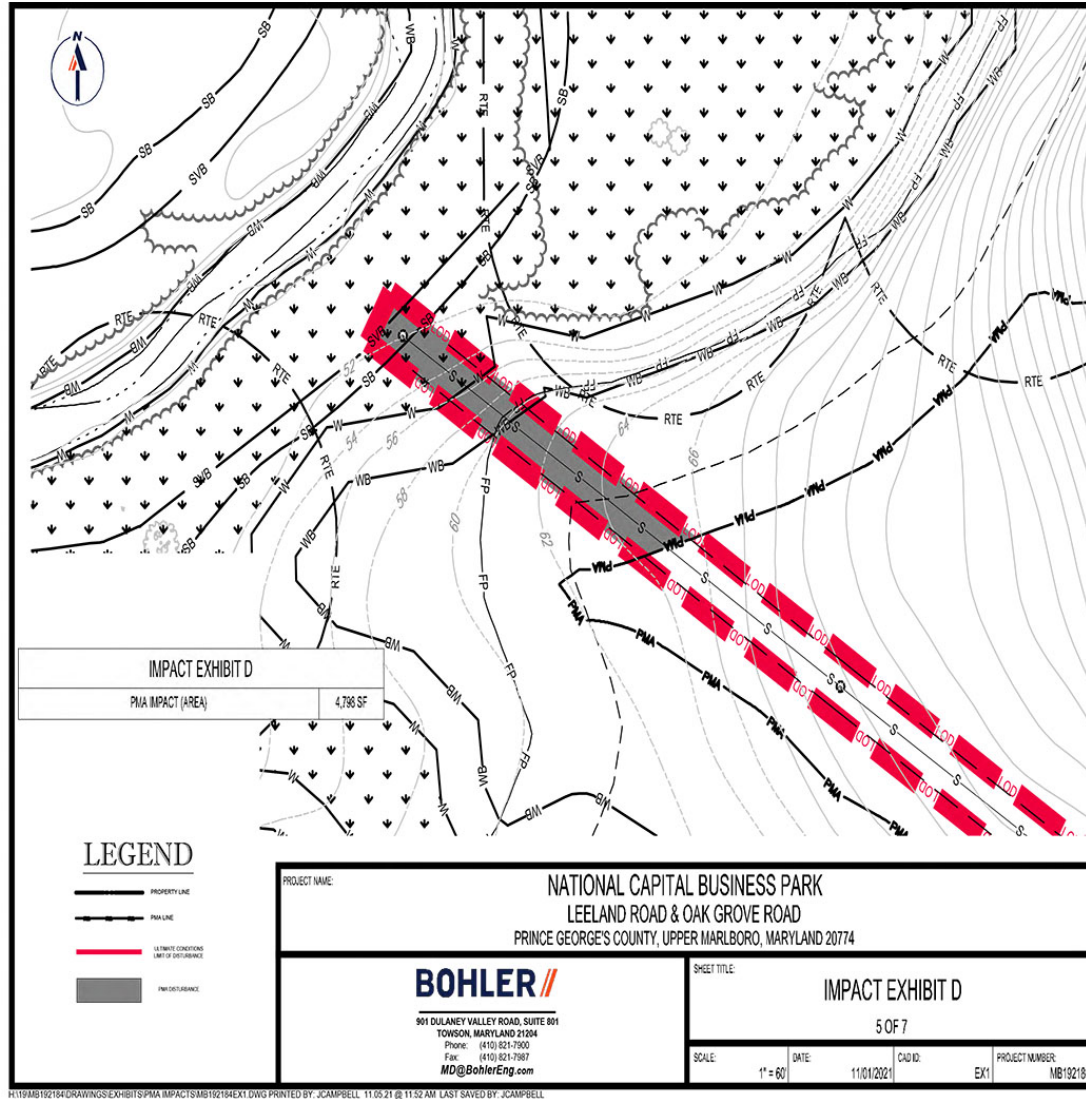
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PMA EXHIBIT C

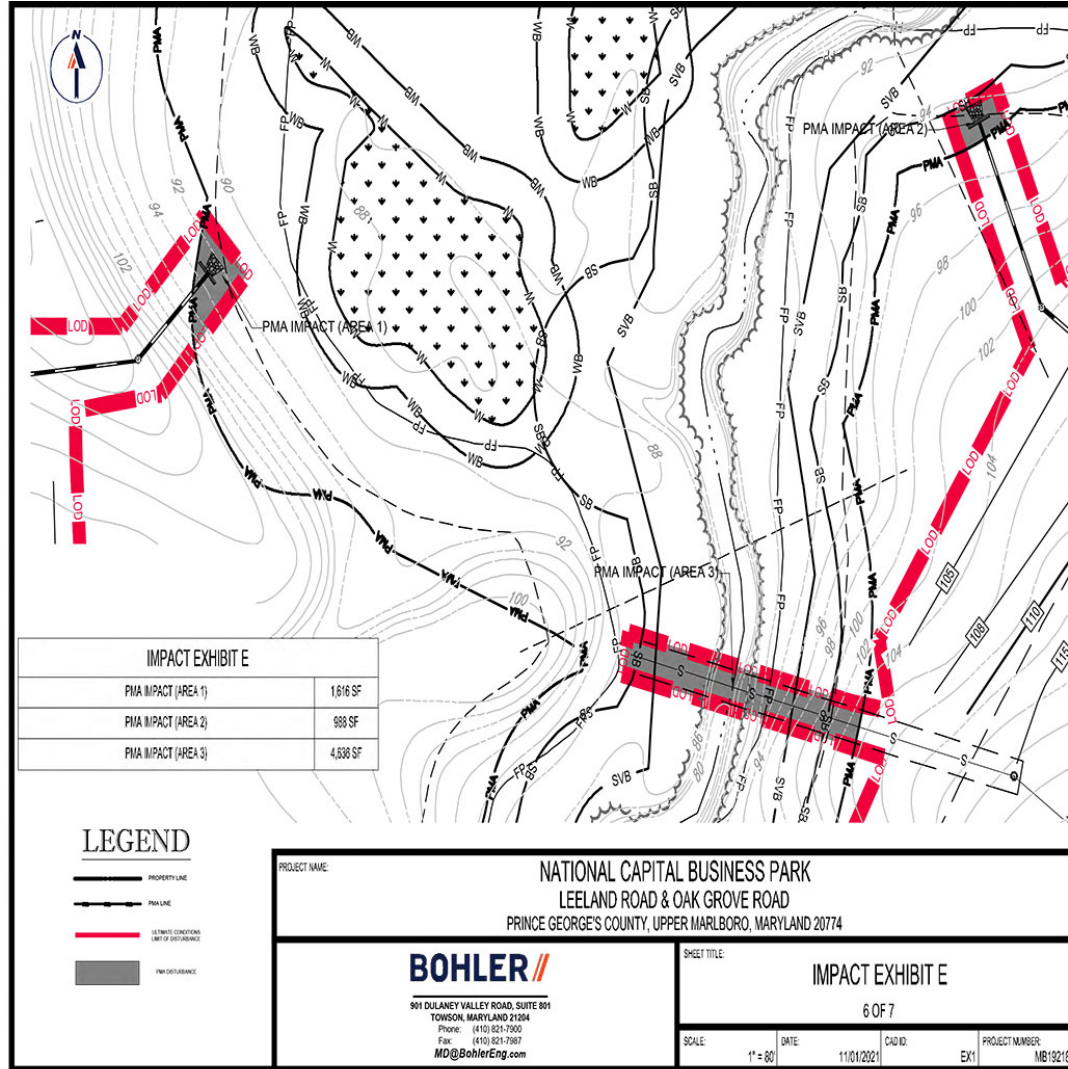


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PMA EXHIBIT D

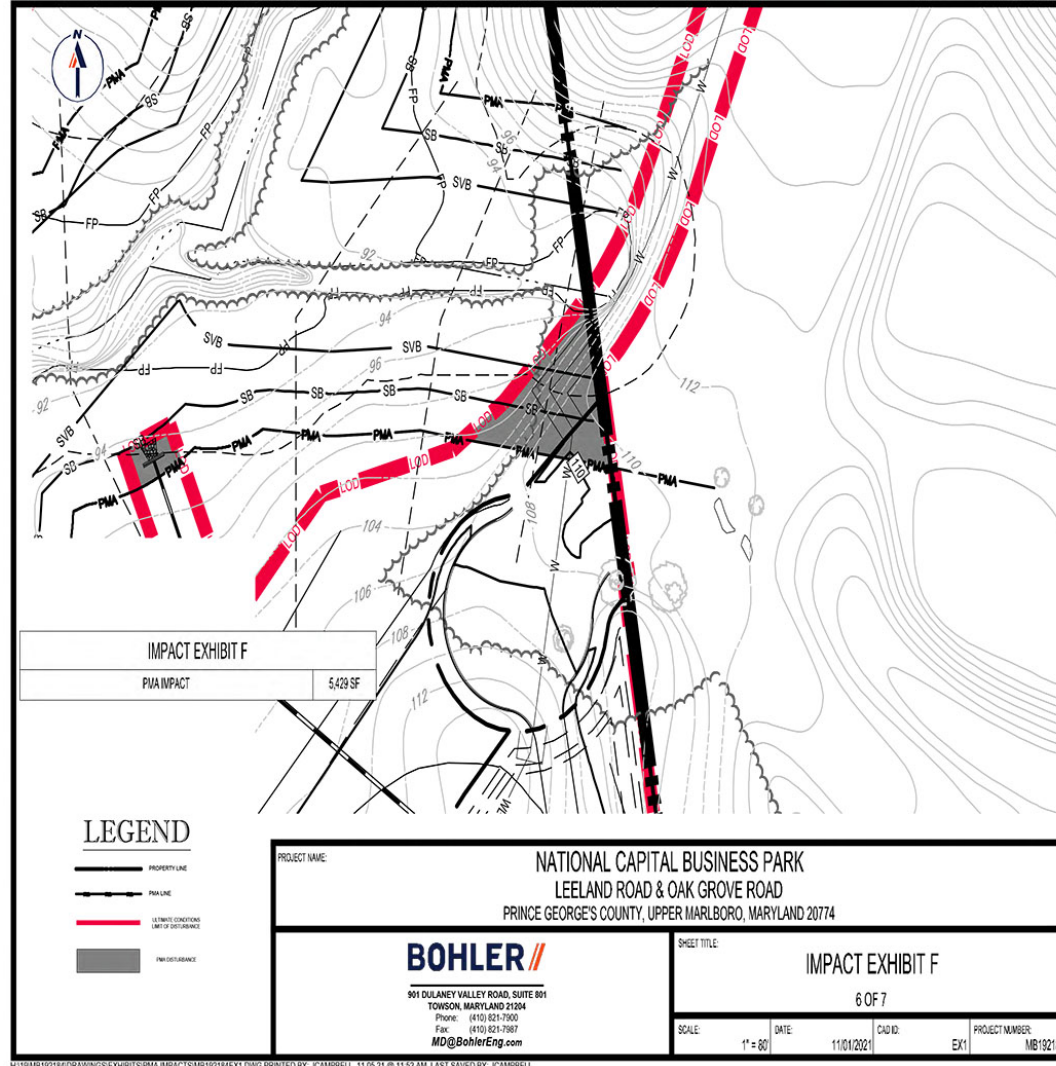


PMA EXHIBIT E



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PMA EXHIBIT F



STAFF RECOMMENDATION

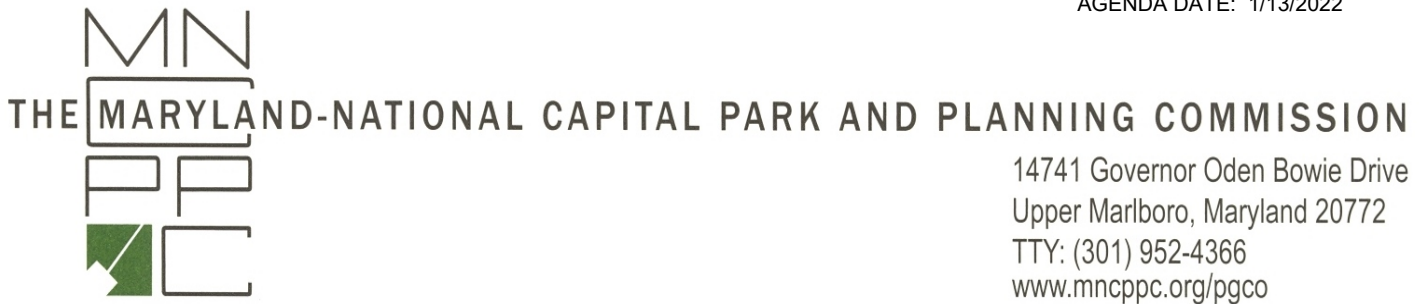
APPROVAL with conditions

[Major/Minor] Issues:

- None

Applicant Community Engagement:

-



Countywide Planning Division
Historic Preservation Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

301-952-3680

October 19, 2021

MEMORANDUM

TO: Henry Zhang, Urban Design Section, Development Review Division

VIA: Howard Berger, Historic Preservation Section, Countywide Planning Division **HSB**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

SUBJECT: SDP-1603-01 National Capital Business Park

The subject property comprises 442.30 acres located on the southbound side of US 301 and north side of Leland Road at its intersection with Oak Grove Road. The subject application proposes infrastructure, a street network, sidewalks, utilities, grading, stormwater management, retaining walls and directional signs for proposed uses. The subject property is Zoned I-1, R-A, and R-S.

A Phase I archeological survey was conducted on the subject property in 2005. As part of the review documentation submitted by the applicant concerning the archeological investigations, the Historic Preservation Section requested that more information regarding a partially collapsed barn be presented prior to acceptance of the final report. The applicant retained the services of Greenhorne & O'Mara to investigate the structure. Background historic research was 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 (MIHP) form was completed. A final technical memorandum and the completed MIHP form were received by the Historic Preservation Section on April 2, 2007.

No further archeological work is recommended by the Historic Preservation Section on the National Capital Business Park property. 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 technical report has also addressed the request of the Historic Preservation Section to provide additional documentation on the Clarke Tobacco Barn as stated in a letter dated January 10, 2007. Historic Preservation Section Staff recommend approval of SDP-1603-01 National Capital Business Park without conditions.

December 16, 2021

MEMORANDUM

TO: Henry Zhang, Urban Design Section, Development Review Division

FROM:  Glen Burton, Transportation Section, Countywide Planning Division



Countywide Planning Division

VIA:  Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: SDP-1603-01: National Capital Business Park

Proposal:

This specific design plan (SDP) application proposes the infrastructure for a previously approved development of a warehouse/distribution, office, light industrial/manufacturing, and/or institutional facility.

Prior Conditions of Approval:

The site is subject to several prior approvals, but the previous approvals and associated conditions related to transportation adequacy are provided below:

- Pursuant to PGCPB No. 2021-112, the property is subject to Preliminary Plan of Subdivision (PPS) 4-20032, approved on September 9, 2021. The development was approved with multiple conditions, including the following pertaining to transportation:
 2. *Total development within the subject property shall be limited to uses which generate no more than 1,400 AM peak-hour trips and 1,400 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.*
 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 calculated as \$1.03 (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, the applicant may 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 cost of these improvements shall not exceed \$3,593,100.00 (1989 dollars). Any improvements proposed as part of any lump sum payment shall have approval of the Maryland State Highway Association and DPIE.

11. *At the time of final plat, the applicant shall dedicate all rights-of-way, consistent with the approved preliminary plan of subdivision. The right-of-way extension for Popes Creek Drive shall only be dedicated if the final site plan design includes access to this roadway and, if the access is not included in the final design, all developable parcels shall be platted to have frontage on and direct access to an alternative public right-of-way.*
12. *Prior to approval of any building permit within the subject property, where the total density exceeds 1,475,000 square feet, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:*
 - a. *US 301 (Robert Crain Highway) at Leeland Road*
 - (1) *Provide three left turn lanes on the eastbound approach*
 - (2) *Provide two left turn lanes on the northbound approach*
13. *Prior to approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:*
 - a. *Prince George's Boulevard and Queens Court-Site Access*
 - (1) *Provide a shared through and left and a shared through and right lane on the eastbound approach.*
 - (2) *Provide a shared through and left and a shared through and right lane on the westbound approach.*
 - (3) *Provide a shared through and left and a shared through and right lane on the northbound approach.*

Staff's response:

All the conditions are linked to the construction of buildings on the site. The pending application is for infrastructure, which has no traffic-generating characteristic, and consequently will not be affected by the conditions. At the time of future SDP applications (with buildings), these conditions will be further evaluated for conformity with the approved PPS. Regarding Condition 11, the rights-of-way shown are consistent with the approved PPS.

Master Plan Compliance

The subject property is located on the north side of Leeland Road, a master planned road that functions as a dividing line between two planning areas: the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B*, and the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*. The subject property is also governed by the *Approved Countywide Master Plan of Transportation (MPOT)*, November 2009. All plans recommend Leeland Road be upgraded to the major collector (MC-600) design standards. The proposed application shows the planned facility in a location that is generally consistent with both plans. The property also fronts on the western side of US 301, a master planned arterial to be upgraded to a freeway (F-10, along with a parallel service road (A-61) which will become the future frontage road. No additional rights-of-way will be required. I-300 is a planned industrial road recommended in all three existing master plans. This future road is planned as Prince George's Boulevard extended south to Leeland Road. Approximately two thirds of this future road lies within the southeast section of the site. It is worth noting however, that recent recommendations by the District Council for a basic plan application for the subject property, has indicated an unwillingness for the continuation of this road on current and future master plans. The recommended location for I-300 will not pose a conflict with any additions that are being proposed by the applicant.

Staff Review and Comments

All of the site regarding access and circulation are deemed to be acceptable.

Transportation Staff Conclusions

Overall, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a specific design plan.

December 6, 2021

MEMORANDUM

TO: Henry Zhang, Master Planner, Urban Design Section
VIA: Sherri Conner, Supervisor, Subdivision Section *SC*
FROM: Mridula Gupta, Planner Coordinator, Subdivision Section *SC* for MG
SUBJECT: SDP-1603-01; National Capital Business Park

The applicant has submitted this amendment to SDP-1603 for infrastructure only for approximately 442.30 acres of land zoned Residential Suburban Development (R-S), Light Industrial (I-1) and Residential Agricultural (R-A) of an overall development titled National Capital Business Park (NCBP). As part of this application, the applicant requests approval of infrastructure for the development including 35 parcels, street network, sidewalks, utilities, grading, stormwater management, retaining walls and directional signage that will serve the employment and institutional uses proposed for the property.

Amendment to Basic Plan A-9968-02 was approved by the District Council on April 12, 2021 and amendment to Comprehensive Design Plan CDP-0505-01 was approved by the Planning Board on April 29, 2021 for NCBP. Subsequent to these approvals, Preliminary Plan of Subdivision (PPS) 4-20032 was approved by the Prince George's County Planning Board on September 9, 2021 (PGCPB Resolution no. 2021-112) on a 442.30-acre property zoned Residential Suburban Development (R-S), Light Industrial (I-1) Zone, and Residential-Agriculture (R-A). PPS 4-20032 approved 36 parcels for development of a 3.5 million square-foot industrial park.

On March 30, 2017, Specific Design Plan SDP-1603 (PGCPB Resolution No. 17-144) was approved for residential development on the subject property. This amendment to SDP-1603 has been filed to approve development in accordance with A-9968-02, CDP-0505-02, and PPS 4-20032.

PPS 4-20032 was approved subject to 32 conditions, of which the conditions relevant to the review of this proposed amendment are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one in plain text:

- 2. Total development within the subject property shall be limited to uses which generate no more than 1,400 AM peak-hour trips and 1,400 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.**

SDP-1603-01 has been filed for infrastructure only and does not propose any structures. This condition is not applicable.

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.**

SDP-1603-01 has been filed for infrastructure only and does not propose any structures. No residential development is proposed on the subject property.

4. **Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (42013-2020-00) and any subsequent revisions.**

The applicant submitted an approved Stormwater Management (SWM) Concept Plan (42013-2020-00) and approval letter with the subject DSP. The approved SWM Concept Plan shows a layout approved with the PPS. This SDP has been filed for approval of infrastructure only, and does not depict building structures. During the Subdivision and Development Review Committee (SDRC) meeting, Department of Permitting, Inspections and Enforcement (DPIE) stated that a separate SWM plan is not required for the development proposed in SDP-1603-01 for infrastructure only. The Environmental Planning Section should further review the SWM concept plan for conformance to Condition 4.

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.**

10-foot-wide public utility easements (PUEs) are shown along the public rights-of-way in accordance with PPS 4-20032 with the exception of Leeland Road. The required PUE is not delineated on all plan sheets and/or labeled along Leeland Road, which should be shown abutting the right-of-way dedication area.

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 automated external defibrillators (AEDs) at each building, in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.**
- c. **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.

The above requirements are provided on the SDP in General Note 25.

- 8. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following facilities and show these facilities on any submitted specific design plan, prior to its acceptance:**
 - a. Minimum 5-foot-wide sidewalks along both sides of all internal roadways.**
 - b. Perpendicular or parallel Americans with Disabilities Act accessible curb ramps at all intersections throughout the site.**
 - c. Crosswalks crossing all legs of intersections, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**
 - d. For any specific design plan containing a building, a separate and clearly marked pedestrian route from the public roadway to the entrance of each building.**
 - e. Bus-shelter ready areas at each intersection and proximate to the ends of each cul-de-sac on Road A.**
 - f. Shared-lane markings (sharrows), bikeway guide signs, D11-1/Bike Route and D1-1, D1-2, and D1-3/destination plates and R4-11/Bicycles May Use Full Lane signs be provided within all internal roadways that direct people bicycling to the proposed developments and the Collington Branch Trail, as well as highlight to motorists the potential presence of people bicycling along internal roads, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**
 - g. For any specific design plan containing a building, short-term bicycle parking near the entrances of all buildings shall be required, and long-term bicycle parking and associated facilities at an appropriate location of larger buildings shall be considered.**
 - h. A curb ramp connecting Road A and the shared-use path connecting to Leeland Road.**
 - i. A minimum 10-foot-wide shared-use path along Leeland Road.**
 - j. A minimum 10-foot-wide shared-use path connecting Leeland Road and Road A.**

The 10-foot-wide shared-use path connecting Leeland Road and Logistics Lane is shown on the SDP but is shown as reforestation area on the TCP2. The TCP2 should reflect a 16-foot-wide cleared area to account for the trail and maintenance area along both sides of the trail. The Transportation Planning Section should review the application for conformance with this condition.

- 11. At the time of final plat, the applicant shall dedicate all rights-of-way, consistent with the approved preliminary plan of subdivision. The right-of-way extension for Popes Creek Drive shall only be dedicated if the final site plan design includes access to this roadway and, if the access is not included in the final design, all developable parcels shall be platted to have frontage on and direct access to an alternative public right-of-way.**

The SDP does not reflect right-of-way extension for Popes Creek Drive, nor does it include access to this roadway in the design. All adjacent developable parcels have been reconfigured to have frontage on and direct access to Queens Court.

- 15. The applicant shall be subject to the following requirements for development of the 10-foot-wide on-site feeder trail:**
 - a. The applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, the on-site feeder trail from the southern terminus of Public Road A to the shared-use path on Leeland Road.**
 - b. The on-site feeder trail shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review of the specific design plan (SDP). Triggers for construction shall also be determined at the time of SDP.**
 - c. Prior to submission of the final plat of subdivision for any parcel, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of the on-site feeder trail, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.**
 - d. Prior to approval of building permits for a new building, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the on-site feeder trail.**
 - e. Prior to approval of the specific design plan for infrastructure, the applicant and the applicant's heirs, successors, and/or assignees shall submit to Prince George's County Department of Parks and Recreation, for review and approval, detailed construction drawings for the on-site feeder trail.**

The on-site feeder trail connecting Leeland Road and Logistics Lane is shown on the SDP. The Urban Design Section should determine triggers for construction of this on-site feeder trail with this SDP. Condition 15c and 15d will be reviewed for conformance at the time of final plat and permits. Condition 15e requires detailed construction drawings for the on-site feeder trail to be submitted to Department of Parks and Recreation (DPR) for review and

approval. These construction drawings were not part of the SDP application, and it is not clear whether the applicant submitted these drawings directly to DPR. Urban Design Section and DPR should further review the application for conformance with this condition.

- 16. Recreational facilities to be constructed by the applicant shall be subject to the following:**
- a. Prior to approval, the first specific design plan for the subject property (including for infrastructure) shall include the location and concept design details (as shown in the May 7, 2021 Concept Plan) for the 20-acre park and Collington Branch Stream Valley Trail.**
 - b. The timing for the development of the 20-acre park and Collington Branch Stream Valley Trail shall be determined with the first specific design plan for development (not including infrastructure).**
 - c. The location of the Collington Branch Stream Valley Trail shall be staked in the field and approved by the Prince George's County Department of Parks and Recreation, prior to construction.**
 - d. All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by the Prince George's County Department of Parks and Recreation.**
 - e. The handicapped accessibility of all trails shall be reviewed during the review of the specific design plan.**
 - f. The public recreational facilities shall be constructed, in accordance with the standards outlined in the Prince George's County Park and Recreation Facilities Guidelines.**
 - g. Prior to submission of any final plats of subdivision, the applicant shall enter into a public recreational facilities agreement (RFA) with the Maryland-National Capital Park and Planning Commission for construction of recreation facilities on parkland. The applicant shall submit three original executed RFAs to the Prince George's County Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plats. Upon approval by DPR, the RFA shall be recorded among the Prince George's County Land Records and the recording reference shall be noted on the final plat of subdivision prior to recordation. The RFA may be subsequently modified pursuant to specific design plan approvals, or revisions thereto, which determine the timing for construction of the 20-acre park and Collington Branch Stream Valley Trail.**
 - h. Prior to the approval of the first building permit for a new building, the applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) a performance bond, a letter of credit, or other suitable financial guarantee, for construction of the public recreation facilities,**

including the Collington Branch Stream Valley Trail, in the amount to be determined by DPR.

The Urban Design Section and DPR should review the application for conformance with Condition 16a and 16e.

- 17. The first specific design plan (including for infrastructure) shall show the conceptual location of the Collington Branch Stream Valley Trail and delineate a 16-foot-wide clear space centered along its alignment. The woodland conservation areas shall be shown to exclude this 16-foot-wide clear space.**

The SDP shows the conceptual location of the trail and a 16-foot-wide clear space for most of its length. Specifically, the northern limits of the trail does not reflect the necessary clearing on the TCP2. Environmental Planning Section and DPR should further review the application for conformance with this condition.

- 21. Development of this subdivision shall be in conformance with approved Type 1 Tree Conservation Plan (TCP1-004-2021-01). The following note shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-004-2021-01 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.”

The Environmental Planning Section should review the application for conformance with this condition.

- 26. Prior to acceptance of the first specific design plan (including for infrastructure), if conditions warrant, a detailed slope stability analysis shall be provided, and both the unmitigated and mitigated 1.5 safety factor lines shall be added to the Type 2 tree conservation plans.**

The Environmental Planning Section should determine whether this analysis is warranted and review the application for conformance with this condition.

- 32. The following road improvements shall be provided, and timing for construction of the road improvements shall be determined with the first specific design plan for development (not including infrastructure):**

- a. Queens Court and US 301 (Robert Crain Highway)**

- (1) Install a traffic signal**

- (2) Provide a double left turn and three through lanes on the northbound approach.**
- (3) Provide a double left turn and a free right turn on the eastbound approach.**

The above condition does not apply to an SDP for infrastructure and should be further reviewed by Transportation Planning Section with any SDPs for development.

Additional Plan Comments:

1. The statement of justification (SOJ) states that only the area zoned R-S (426.52 acres) is the subject of this SDP. The Zoning Sketch Map, however, includes 15+/- acres of land zoned I-1, but not the 0.78 acres zoned R-A. General Note 2 on the SDP and Site Statistics Table on sheet 1 provides the total acreage/gross tract area as 442.30 acres which includes the R-S, I-1 and R-A zoned properties. The SDP plan sheets also show right-of-way dedication for I-300 located within the area zoned I-1, as well as Parcels 19, B1, and B9 which are located in the I-1 Zone. The area subject to this SDP should be clearly defined, and the discrepancy between various plans, notes, and documents should be resolved.
2. The SOJ and General Note 5 on the SDP states that 22 parcels are proposed with this SDP. However, the Parcel Acreage Summary Table on sheet 1 of the SDP provides for 35 parcels. Of these, 19 are labeled as buildable parcels, 6 are proposed to be conveyed to M-NCPPC and 10 are parcels to be conveyed to a business owners association. General Note 5 on the SDP should be corrected to reflect 35 proposed parcels.
3. The proposed driveway to Parcel 14 is partially located on adjacent Parcel 15 within the project site. Each parcel for development shall have direct access to a public street in accordance with the Subdivision Regulations. The use of access easements was not approved at part of the PPS applicable to this site. The parcel lines should be adjusted and the front street line width for Parcel 14 should be widened to provide a direct commercial driveway access for Parcel 14.
4. General Note 22 provides a list of previous approvals for the subject property, and includes reference to PPS 4-06066, which is superseded by PPS 4-20032. The reference to the PPS applicable to this property should be corrected to list PPS 4-20032 in General Note 22.
5. The proposed right-of-way width of I-300 should be labeled on all plan sheets and include the total area of dedication.
6. Bearings and distances for multiple parcel boundary lines and parcel areas are missing from the plan sheets and should be provided.
7. The PPS approval includes conditions requiring revision prior to signature approval of the plans which has not yet been finalized. Specifically, Conditions 1, 9, and 25 of PGCPB Resolution No. 2021-112 include revisions which may also affect the SDP. Should any of those revisions require adjustments to the PPS layout, design and/or details, the SDP should be revised accordingly for consistency.

Recommended Conditions:

1. Prior to signature approval of the specific design plan, the plans shall be revised as follows:
 - a. Clarify the area subject to this SDP and revise the specific design plan and general notes to provide the correct acreage of the subject property.
 - b. Revise General Note 5 to list that 35 parcels are proposed in this SDP.
 - c. Adjust the parcel lines and the front street line width for Parcel 14 to provide sufficient frontage for a direct commercial driveway access for Parcel 14.
 - d. Revise General Note 22 to provide reference to Preliminary Plan of Subdivision 4-20032.
 - e. Label the proposed right-of-way width for I-300 on all plan sheets and label the total area for its dedication.
 - f. Along Leeland Road, clearly label the proposed right-of-way line and the 10-foot-wide public utility easement on all plan sheets.
 - g. Provide bearings and distances for all parcel boundary lines and provide the parcels areas on all plan sheets.
2. Prior to signature approval of the specific design plan, the plans shall be revised as applicable for consistency with the conditions requiring revision to the signature approved preliminary plan of subdivision 4-20032.
3. Prior to signature approval of the specific design plan, the TCP2 shall be revised to reflect a 16-foot-wide cleared area to account for the side-path and trail, and maintenance area along both sides of each, for the side-path connecting from Leeland Road to Logistics Lane and along the Collington Branch Stream Valley Trail.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. The SDP has been found to be in substantial conformance with the preliminary plan of subdivision, with the recommended conditions. All bearings and distances must be clearly shown on the SDP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: December 17, 2021

TO: Rachel Guinn, Planner Coordinator
Henry Zhang, Master Planner
Urban Design Section
Development Review Division
Planning Department

VIA: Sonja Ewing, Assistant Division Chief *SME*
Park Planning and Development Division
Department of Parks and Recreation

FROM: Tom Burke, Planner Coordinator *TB*
Land Acquisition/Management & Development Review Section
Park Planning and Development Division
Department of Parks and Recreation

SUBJECT: **SDP-1603-01 National Capital Business Park**

The Department of Parks and Recreation (DPR) has reviewed and evaluated this specific design plan (SDP) application as it pertains to public parks and recreational facilities.

PROPOSAL

This application is for the development of the infrastructure only, including the street network, sidewalks, utilities, grading, and stormwater management to support 3.5 million square feet of industrial development.

BACKGROUND:

The subject property is 442.30-acres within the Residential Suburban Development (R-S) Zone, a designated comprehensive design zone, and is located on the north side of Leeland Road in Upper Marlboro, approximately 3,178 feet west of its intersection with US 301. The proposed application is being filed in accordance with the provisions of the Prince George's County Zoning Ordinance as modified by CB-22-2020.

The site is subject to the *2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Area 71A, 71B, & 74B*, December 2013, the *2017 Land Preservation, Parks and Recreation Plan for Prince George's County*, and *Formula 2040, Functional Master*

Plan for Parks, Recreation and Open Space. This property is currently unimproved and fully wooded.

REVIEW OF PREVIOUS CONDITIONS OF APPROVAL

Sectional Map Amendment A-9968-02 was approved by the Prince George's County District Council on April 12, 2021 with the accompanying basic plan (Zoning Ordinance No. 2-2021). This ordinance amends the previous Basic Plan A-9968-01, to delete all residential uses and replaces them with employment and industrial uses and revises the conditions and considerations with 17 conditions and two considerations.

Conceptual Design Plan CDP-0505-01 was approved by the Prince George's County Planning Board on April 15, 2021 (PGCPB Res. No. 2021-50) amending the previously approved plan with five conditions, none of which relate to DPR.

Preliminary Plan of Subdivision (PPS) 4-20032 was approved by the Prince George's County Planning Board on September 9, 2021 (PGCPB Res. No. 2021-112) with 32 conditions, the following of which relate to DPR:

1. **Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to:**
 - r. **Provide the conceptual layout of the recreational facilities for the 20-acre park, as approved by the Prince George's County Department of Parks and Recreation.**
 - s. **Show and label the conceptual location of the master plan Collington Branch Stream Valley Trail, as approved by the Prince George's County Department of Parks and Recreation.**
14. **At the time of the first final plat, in accordance with Section 24-134(a)(4) of the Prince George's County Subdivision Regulations, approximately 113.28 +/- acres of parkland, as shown on the preliminary plan of subdivision, shall be conveyed to the Maryland-National Capital Park and Planning Commission (M-NCPPC). The land to be conveyed shall be subject to [standard dedication conditions a. through h. listed in the resolution].**
15. **The applicant shall be subject to the following requirements for development of the 10-foot-wide on-site feeder trail:**
 - a. **The applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, the on-site feeder trail from the southern terminus of Public Road A to the shared-use path on Leeland Road.**
 - b. **The on-site feeder trail shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the *Prince George's County Park and***

Recreation Facilities Guidelines, with the review of the specific design plan (SDP). Triggers for construction shall also be determined at the time of SDP.

- c. Prior to submission of the final plat of subdivision for any parcel, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of the on-site feeder trail, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.**
- d. Prior to approval of building permits for a new building, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the on-site feeder trail.**
- e. Prior to approval of the specific design plan for infrastructure, the applicant and the applicant's heirs, successors, and/or assignees shall submit to Prince George's County Department of Parks and Recreation, for review and approval, detailed construction drawings for the on-site feeder trail.**

A detailed construction cross section for the on-site feeder trail was provided with the SDP as an exhibit on the SDP sheets.

16. Recreational facilities to be constructed by the applicant shall be subject to the following:

- a. Prior to approval, the first specific design plan for the subject property (including for infrastructure) shall include the location and concept design details (as shown in the May 7, 2021 Concept Plan) for the 20-acre park and Collington Branch Stream Valley Trail.**

The location and the concept design details for the 20-acre park and the stream valley trail were provided with this application.

- b. The timing for the development of the 20-acre park and Collington Branch Stream Valley Trail shall be determined with the first specific design plan for development (not including infrastructure).**

This application is for infrastructure only. The timing triggers for the 20-acre park and Collington Branch Stream Valley Trail will be established with a subsequent specific design plan.

- c. **The location of the Collington Branch Stream Valley Trail shall be staked in the field and approved by the Prince George's County Department of Parks and Recreation, prior to construction.**
 - d. **All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by the Prince George's County Department of Parks and Recreation.**
 - e. **The handicapped accessibility of all trails shall be reviewed during the review of the specific design plan.**
 - f. **The public recreational facilities shall be constructed, in accordance with the standards outlined in the *Prince George's County Park and Recreation Facilities Guidelines*.**
 - g. **Prior to submission of any final plats of subdivision, the applicant shall enter into a public recreational facilities agreement (RFA) with the Maryland-National Capital Park and Planning Commission for construction of recreation facilities on parkland. The applicant shall submit three original executed RFAs to the Prince George's County Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plats. Upon approval by DPR, the RFA shall be recorded among the Prince George's County Land Records and the recording reference shall be noted on the final plat of subdivision prior to recordation. The RFA may be subsequently modified pursuant to specific design plan approvals, or revisions thereto, which determine the timing for construction of the 20-acre park and Collington Branch Stream Valley Trail.**
 - h. **Prior to the approval of the first building permit for a new building, the applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) a performance bond, a letter of credit, or other suitable financial guarantee, for construction of the public recreation facilities, including the Collington Branch Stream Valley Trail, in the amount to be determined by DPR.**
17. **The first specific design plan (including for infrastructure) shall show the conceptual location of the Collington Branch Stream Valley Trail and delineate a 16-foot-wide clear space centered along its alignment. The woodland conservation areas shall be shown to exclude this 16-foot-wide clear space.**

The Collington Branch Stream Valley Trail and the associated 16-foot-wide clear space are provided on the plans; however, the font identifying the clear space is very small. A condition to match the font size used to identify the trail

for the clear space is provided in the Recommendation section.

DISCUSSION:

Legislation was adopted by the District Council on July 14, 2020, for the purposes of allowing uses permitting in the Employment and Institutional Area (E-I-A) Zone on land in the R-S Zone pursuant to Section 27-515(b) of the Zoning Ordinance. Footnote 38 of this provision contains conditions that apply to this property including a requirement for the applicant to provide a public park of at least 20 acres. The applicant has been working with DPR to design a suitable park to meet the recreational needs of Prince George's County and provided a conceptual plan representative of these needs. The design of the park will be finalized with a Mandatory Referral. Timing triggers for the completion of the park and the trail will be established with the first non-infrastructure only specific design plan.

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. This application shows a total of 113.28 acres 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.

Additionally, the applicant is proposing to construct a ten-foot-wide feeder trail extending from the southern terminus of Road A, to the shared use path on Leeland Road. The trail will be located on building owners association (BOA) lands.

RECOMMENDATION:

The Park Planning & Development Division of DPR recommends approval of the National Capital Business Park Specific Design Plan SDP-1603-01, subject to the following condition:

1. Increase the font size used to identify the clear space to match the font used to identify the stream valley trail.

cc: Bridget Stesney
Christian Gabriel



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
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Countywide Planning Division
Transportation Planning Section

301-952-3680

December 20, 2021

MEMORANDUM

TO: Henry Zhang, Urban Design Review Section, Development Review Division

FROM: Michael Jackson, Transportation Planning Section, Countywide Planning Division
Michael Jackson

VIA: *(WTC)* Will Capers, TSP Supervisor, Transportation Planning Section, Countywide Planning Division

Tom Masog Tom Masog, TSP DRD TEAM Lead, Transportation Planning Section, Countywide Planning Division

SUBJECT: SDP-1603-01, National Capital Business Park (Infrastructure Only)

Proposal:

The referenced application is for infrastructure to support the construction of an industrial park with up to 3.5 million square feet of mostly warehouse space. The subject site is located on the north side of Leeland Road approximately 3,000 feet east of US 301/Robert Crain, Jr. Highway. Access will be provided through the adjacent Collington Business Park via an extension of Queens Court.

Prior Conditions of Approval:

There are multiple prior approvals on the subject property. These include CDP-0505-01, A-9968-02, 4-06066, and A-9968-02-C, have direct bearing on the subject application.

- A-9968-02-C (Amendment to the Basic Plan)

Condition 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.

Comment: This condition has not been satisfied.

Condition 7. A revised Plan showing parkland dedication and master plan trail shall be reviewed and approved by the Prince George's County Department of Parks and Recreation staff at the time of Comprehensive Design Plan.

Comment: This condition has been satisfied.

Condition 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.

Comment: This condition has not been satisfied.

Condition 16. The conceptual location of the Collington Branch Stream Valley Trail, its feeder trail connecting to the proposed employment uses, and the Leeland Road shared-use path shall be shown on the Comprehensive Design Plan.

Comment: This condition has been satisfied.

Consideration 2. All proposed internal streets and developments should follow complete streets 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 and changing facilities, covered transit stops, crosswalks, etc.

Comment: The subject SDP includes all of the conditioned improvements except for the short and long-term bicycle parking facilities and related amenities which will be provided and evaluated with the subsequent SDP for the warehouse development.

- PGCPB No. 2021-50 (File No. CDP-0505-01)

Condition 1. Prior to certification of this comprehensive design plan (CDP), the applicant shall:

c. Provide additional development standards governing pedestrian and bicycle facilities under Vehicular Access and Parking Section in the *National Capital Business Park-Design Guidelines*, as follows:

- (1) A minimum 5-foot-wide sidewalk along both sides of all internal roadways.

- (2) Perpendicular or parallel ADA-accessible curb ramps at all intersections.
- (3) A separate and clearly marked pedestrian route from the public roadway to the entrance of each building.
- (4) Crosswalks crossing all legs of intersections.
- (5) Adequate right-of-way space to accommodate a bus shelter and bus shelter pads at all intersections, and both cul-de-sac ends of Road "A."
- (6) Shared-lane markings (sharrows), bikeway guide signs D-11/Bike Route and D1-1, D1-2, and D1-3/destination signs and R-411/Bicycles May Use Full Lane signs be provided within all internal roadways that direct people bicycling to the proposed developments and the Collington Branch Trail as well as highlight to motorists the potential presence of people bicycling along internal roads, unless modified by the Department of Permitting, Inspections, and Enforcement with written correspondence at the time of Specific Design Plan.
- (7) Short-term bicycle parking near the entrance of all buildings.
- (8) Long-term bicycle parking including a changing room, shower, bicycle repair station, or other facilities, shall be considered at time of SDP.
- (9) A direct connection between the proposed feeder trail and bicycle facilities on Road A.

Comment: The latest SDP submission is consistent with conditions 1-3, 5-7 and 9. However, the plans are not fully consistent with condition 4 as one leg of the Queens Court and Warehouse Way intersection does not have a marked crosswalk.

Master Plan Compliance

This SDP is not subject to the 2009 *Approved Countywide Master Plan of Transportation (MPOT)* or the 2006 *Bowie and Vicinity Approved Master Plan and Sectional Map Amendment*.

Comment: The SDP is consistent with the policies of the MPOT and the 2006 *Bowie and Vicinity Approved Master Plan and Sectional Map Amendment*, notwithstanding the inapplicability of said policies to this SDP.

Transportation Planning Review:

The shared use path cross sections lack a 2-foot-wide clear zone on each side of the pathway surface as called for by DPW&T Std. 100.35 The inclusion of clear zones is crucial if path users are to benefit from the full pathway surface width.

The Bicycle and Pedestrian Circulation exhibit and the Logistics Lane and Shared Use Path Design Concept exhibit include the locations where D11-1/Bike Route signs and destination plate assemblies are to be placed. However, the destination plate information shown is a sample taken from the Maryland Manual of Uniform Traffic Control Devices and do not provide direction to destinations within and adjacent to the subject property.

The word "bicycling" is misspelled in the notes on sheets C-307, C-313, C-314, and C-317.

There is an opportunity to improve multimodal access on Leeland Road by utilizing the planned 6-foot-wide shoulders as bike lanes. Not all bicycle riders care to use shared-use paths for different reasons including a desire to pedal at speeds that are unsafe for shared-use paths, avoidance of pedestrian/bicycle conflicts and traveling in pelotons. Conversion of the shoulders into bicycle lanes would be at nominal additional cost and would be consistent with the 2009 Approved Master Plan of Transportation Policy 4, "Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 *AASHTO Guide for the Development of Bicycle Facilities*. The fourth edition of this publication, issued in 2012, is the latest edition. Staff suggest the conversion of shoulders into bike lanes be considered in future applications and development of the site, if feasible.

Sheet C-310 shows a gap between the southern end of the Collington Branch Trail and the Leeland Road Trail

Sheet C-312 shows a directional sign at the northeast corner of Logistics Lane and Queens Court and notes details can be found on sheet C-901. Sheet C-901 does not appear to be included in the applicant's latest documents submission.

The intersection of Queens Court and Warehouse Way, as shown on sheet C-312, does not include a marked cross walk on all three legs of this intersection, contrary to condition 4.

Sheet C-313 shows a marked crosswalk across Queens Court where the south side sidewalk terminates. Pedestrian crossing warning signs placed in advance of the crosswalk would improve roadway user awareness of this crossing.

Sheets C-313 and C-314 include portions of Queens Court where no south sidewalk is to be built but the roadway cross sections on these sheets indicate sidewalks on both sides of Queens Court.

Based on the findings presented above, staff conclude that the multimodal transportation site access and circulation of this plan is acceptable, consistent with conditions of approval of prior cases, the site design guidelines pursuant to Sections 27-283 and 27-274, and meets the findings required by Section 27-285(b) for a detailed site plan for multimodal transportation purposes, if the following conditions are met:

1. Prior to certification of the detailed site plan, the applicant, or the applicant's heirs, successors, and/or assigns shall revise the plans to provide:
 - a. Shared-use path cross sections showing a 2-foot-wide clear zone on each side of the pathway surface.

- b. A sheet in the SDP providing details of the bikeway signs and destination plaque assemblies to destinations within and adjacent to the subject property.
- c. Correct the spelling of the word “bicycling” in the notes on sheets C-307, C-313, C-314, and C-317.
- d. An extension of the Collington Branch Trail and the Leeland Road Trail shared-use paths so these paths intersect with each other and that sheet C-310 reflects this revision.
- e. Provide a copy of sheet C-901 as referred to in sheet C-313.
- f. A marked crosswalk crossing Queens Court at its western intersection with Warehouse Way.
- g. Modify sheets C-313 and C-314 to include a cross-section of Queens Court roadway detailing the segment where sidewalks are only provided on the north side.

301-952-3650

December 17, 2021

MEMORANDUM

TO: Henry Zhang, Master Planner, Urban Design Section, DRD

VIA: Megan Reiser, Supervisor, Environmental Planning Section, CWPD *MR*

FROM: Suzanne Nickle, Master Planner, Environmental Planning Section, CWPD *SN*

SUBJECT: **National Capital Business Park, SDP-1603-01 and TCP2-026-2021-01**

The Environmental Planning Section (EPS) has reviewed the Specific Design Plan for National Capital Business Park, received on October 14, 2021. Comments were provided in a Subdivision Development Review Committee (SDRC) meeting on October 29, 2021. Revised plans were received on November 29, 2021, December 3, 2021, and December 8, 2021. The Environmental Planning Section recommends approval of SDP-1603-01 and TCP2-026-2021-01 subject to the recommended findings and conditions found at the end of this memorandum.

Background

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
A-9968	N/A	District Council	Approved	5/22/2006	Final Decision
CDP-0505	TCP1-010-06	Planning Board	Approved	8/8/2005	PGCPB 06-273
NRI-098-05	N/A	Planning Director	Signed	12/31/2005	N/A
CR-11-2006	N/A	District Council	Approved	2/7/2006	SMA Bowie and Vicinity
NRI-098-05-01	N/A	Planning Director	Signed	12/19/2006	N/A
NRI-098-05-02	N/A	Planning Director	Signed	1/11/2007	N/A
4-06066	TCP1-010-06-01	Planning Board	Approved	2/8/2007	PGCPB No. 07-43
SDP-1603	TCP2-028-2016	Planning Board	Approved	3/30/2017	PGCPB No. 17-44
A-9968-01	NA	District Council	Approved	5/13/2019	Zoning Ordinance No. 5-2019
NRI-098-05-03	N/A	Planning Director	Signed	2/9/2020	N/A

NRI-098-05-04	N/A	Planning Director	Signed	3/3/2021	N/A
A-9968-02	N/A	District Council	Approved	4/12/2021	Zoning Ordinance No. 2-2021
CDP-0505-01	TCP1-004-2021	Planning Board	Approved	4/29/2021	PGCPB No. 2021-50
4-20032	TCP1-004-2021	Planning Board	Approved	9/30/2021	PGCPB No. 2021-112
N/A	TCP2-026-2021	Planning Director	Pending	Pending	N/A
SDP-1603-01	TCP2-026-2021-01	Planning Board	Pending	Pending	Pending

Proposed Activity

This application requests to amend the approved Specific Design Plan for a 442.30-acres site in the I-1, R-A and R-S zone to remove residential uses and add warehouse/ distribution, office, light industrial/manufacturing and/or institutional uses, and potential dedication of a public park. SDP-1603-01 is for the installation of infrastructure that would support the proposed uses.

Grandfathering

The project is subject to the current environmental regulations of Subtitles 24, 25 and 27 that came into effect on September 1, 2010, and February 1, 2012, because the application was approved with a new Preliminary Plan of Subdivision 4-20032.

Site Description

The subject application is a for a 442.30-acre site in the I-1, R-A and R-S zones, and is located on the north side of Leeland Road, east of the railroad tracks, and west of Crain Highway (US 301). There are streams, wetlands and 100-year floodplains and associated areas of steep slopes with highly erodible soils and areas of severe slopes on the property. According to the “Prince George’s County Soil Survey”, the principal soils on the site are in the Adelphia-Holmdel complex, Annapolis Fine Sandy Loam, Colemantown Silt Loam, Collington-Wist Complex, Fallsington Sandy Loam, Howell-Annapolis Complex, Issues Silt Loam, Marr-Dodon, Westphalia and Odon, and Widewater and Issue Soils. The soils range in hydrologic classes B, C and D. Marlboro clay is found to occur extensively in the vicinity of and on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), a Sensitive Species Project Review Area (SSPRA) as delineated on the SSPRA GIS layer is found to occur in the vicinity of this property. Further information received from the Wildlife and Heritage staff indicated known records related to three Rare, Threatened, or Endangered (RTE) aquatic species in Collington Branch, and the possible presence of several RTE plants. Leeland Road, a designated scenic road is adjacent to this development. This property is located in the Collington Branch watershed in the Patuxent River basin and contains the mainstem of Collington Branch along the western side of the property. The site is located within the Established Community Areas of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the

Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035 Approved General Plan. The site contains Regulated Areas, Evaluation Areas, and Network Gaps as designated on the *Countywide Green Infrastructure Plan of the Approved Prince George's Resource Conservation Plan* (May 2017).

Prior Approvals

The site was subject to prior approvals which proposed to develop a residential subdivision. The residential use will not be implemented with the development with SDP-1603-01. Previous conditions of approval are not applicable to this application because the use and site design have changed.

An amendment to the basic plan, A-9968-02 was transmitted to the Zoning Hearing Examiner to replace the previously approved residential use with warehouse/distribution, office, light industrial/manufacturing and/or institutional uses, and a potential public park. The findings, conditions, and considerations of approval for the zoning map amendment which are environmental in nature for A-9968-02 as expressed in the staff report are addressed below:

Review of Environmental Findings, Conditions and Considerations of Approval for A-9968-02

Findings

Transportation Facilities (Section 27-195(b)(1)(C))

The Transportation Planning Section referral dated January 28, 2021 (Burton to Sievers), found that the uses currently proposed will result in more trips in each peak hour than the currently approved residential uses. Based on the change in land use type and traffic intensity of development from the original basic plan, the development will generate more traffic than was projected with the approval of the original Basic Plan, A-9968. Staff finds that existing transportation facilities, when improvements are provided in the County's Capital Improvement Program (CIP), along with some additional improvements provided by the applicant, and signalization at some key intersections, will be adequate to carry the anticipated traffic generated by 3.5 million square feet of warehousing development. Furthermore, the uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved area master plan, in accordance with Section 27-195(b)(1)(c) of the Zoning Ordinance.

Staff recommends that all of the intersections evaluated with this application be subject to further analyses at the time of the CDP phase of the subject development. Alternative or additional access point(s) to the adjacent Collington Center via Popes Creek Drive and/or Prince George's Boulevard, shall be evaluated for transportation and environmental impacts at the time of CDP and/or PPS.

The alternative access point described in the finding above to extend Popes Creek Drive was provided with the PPS for review. SDP-1603-01 does not propose to develop the extension of Popes Creek Drive. If alternative or additional access points are contemplated in the future with

this development, the proposals must be submitted with the acceptance of a future SDP application, so a full analysis of any stream crossings, additional impacts to the Regulated Environmental Features (REF), including, RTEs and Marlboro Clay, is conducted with the SDP review process.

Conditions

- 9. The submission package of the comprehensive design plan shall contain a signed natural resources inventory (NRI) plan. The signed NRI plan shall be used by the designers to prepare a site layout that minimizes impacts to the regulated areas of the site.**

A valid Natural Resources Inventory Plan, NRI-098-05-03, was submitted with this application. A revision to Natural Resources Inventory, NRI-098-05-04, was approved on March 3, 2021, and shall be submitted and included in the record of SDP-1603-01.

- 10. A geotechnical study that identifies the location and elevation of the Marlboro clay layer throughout the site shall be submitted as part of the comprehensive design plan application.**

A geotechnical report dated March 22, 2021, prepared by Geo-Technology Associates, Inc., was included with the PPS application and reviewed. The approximate locations of the unmitigated and mitigated 1.5 safety factor lines are shown on the TCP2 based on this report.

- 11. A protocol for surveying the locations of all rare, threatened, and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources, prior to acceptance of the comprehensive re design plan, and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any application for preliminary plans.**

The subject site contains five (5) identified species of Rare, Threatened, or Endangered (RTE) plants and three (3) State-listed threatened or endangered fish species with the Collington Branch and/or Black Branch watersheds. A Rare, Threatened and Endangered Species Habitat Protection and Management Program was approved with the preliminary plan 4-20032. The management program was reviewed and approved at time of PPS in coordination with the Department of Natural Resources, Natural Heritage Program(DNR NHP).

The timeline presented by the applicant for the construction of the current project anticipates issuance of the first building permit in the Spring of 2022. In accordance with the Habitat Protection and Management Program report, hydrologic monitoring for a minimum of one year prior to the issuance of the first grading permit was required to establish a baseline of data. This monitoring was performed by the applicant on April 20, 2021, and June 1-2, 2021. The report was submitted to DNR and the Environmental Planning Section on September 10, 2021.

- 12. Prior to acceptance of the preliminary plan of subdivision, a revised natural**

resources inventory plan shall be submitted and approved.

A revision to Natural Resources Inventory, NRI-098-05-04, was approved on March 3, 2021, during the review period of CDP-0505-01. Prior to certification of SDP-1603-01, NRI-098-05-04 shall be submitted into the record.

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 impacts to said features.**

The development proposed with SDP-1603-01 has been determined in part by the environmental constraints of the site, including the regulated environmental features and the soils. Minimal impacts to the environmental features are proposed adjustments to the previously approved impacts and two proposed impacts will be addressed in the Environmental Review portion of this referral.

Review of Environmental Findings, Conditions and Considerations of Approval for CDP-0505-01

An amendment to the comprehensive design plan was approved by the Planning Board (PGCPB Resolution No. 2021-50) to delete all residential uses and replace with employment and industrial uses, effective April 29, 2021. The approval conditions which are environmental in nature are shown in **bold** and are addressed below.

- 2. At time of preliminary plan of subdivision submission, the applicant shall:**
 - a. Submit a revision to the Habitat Management Program to the Development Review Division that reflects the current development proposal, existing hydrologic monitoring, timing of the analysis of Rare, Threatened and Endangered (RTE) species population counts and condition, habitat characterization and condition, and the details of the habitat management program for RTE fish species: water quality monitoring, pollution prevention measures, and corrective measures, shall be updated. The monitoring program shall meet all current requirements of the Maryland Department of Natural Resources, Wildlife and Heritage Service.**
 - b. Submit a geotechnical report that reflects the current development proposal.**
 - c. Show dedication for all rights-of-way for MC-600 (Leeland Road) and I-300, as identified by the Prince George's County Planning Department.**

This condition was addressed with the acceptance of the preliminary plan of subdivision. Both a revised Habitat Management Program and geotechnical report were included with the acceptance package, and the location of the rights-of-way for MC-600 and I-300 are identified on the TCP2 plans.

- 3. Prior to certification of a Type 2 tree conservation plan for the subject development, which states specifically the location, acreage, and methodology of the woodland conservation credits, crediting of woodland conservation shown on any property to be dedicated to, or owned by the Maryland-National Capital Park and Planning Commission, is subject to written approval by the Prince George's County Department of Parks and Recreation.**

In a letter dated April 12, 2021 (Burke to Nickle) submitted with the comprehensive design plan certification, the Parks Department consented to the placement of woodland conservation on land to be dedicated to Maryland-National Capital Park and Planning Commission (M-NCPPC) park property to be placed in easements subject to the following considerations.

1. The applicant will be dedicating substantially more parkland than the normal requirement under Mandatory Dedication of Parkland.
2. The woodland conservation easement(s) proposed are primarily located in areas which are not suitable for active recreation.
3. The proposed woodland conservation easement(s) are in some cases adjacent to other protected lands or woodland conservation easements proposed by the applicant, in effect creating a larger net "forested area".
4. The proposed woodland conservation easement(s) will not be located within the right-of-way for the proposed hiker/biker trail when constructed.

The portions of the woodland conservation easement areas proposed to be conveyed to M-NCPPC are subject to the following conditions.

1. The details of the land to be dedicated to M-NCPPC, the areas of woodland conservation easement contained within that land, and the proposed hiker/biker trail will be evaluated with the review of the Type 2 Tree Conservation Plan (TCP 2).
2. A 10' clear area must be maintained from any woodland conservation to the edge of any future Trails.
3. Only lands which normally qualify for woodland preservation and reforestation through the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance shall be placed in a woodland conservation easement.

The subject application is an SDP for infrastructure only. The conceptual locations of the park amenities and Collington Branch Trail are shown on the TCP2. The details of the recreational facilities: proposed impacts to the Primary Management Area (PMA); and a variance request for additional specimen tree removal will be reviewed with future SDPs.

Review of Environmental Findings, Conditions and Considerations of Approval for 4-20032

A preliminary plan of subdivision was approved by the Planning Board (PGCPB Resolution No.

2021-112) for employment and industrial uses, effective September 30, 2021. The approval conditions which are environmental in nature with both applications are shown in **bold** and are addressed below.

4. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (42013-2020-00) and any subsequent revisions.

An approved stormwater management (SWM) concept plan and letter was submitted with SDP-1603-01. The subject SDP is for infrastructure only and the revised TCP2 is consistent with the approved stormwater concept plan.

- 15. The applicant shall be subject to the following requirements for development of the 10-foot-wide on-site feeder trail:**
- a. The applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, the on-site feeder trail from the southern terminus of Public Road A to the shared-use path on Leeland Road.**
 - b. The on-site feeder trail shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the *Prince George's County Park and Recreation Facilities Guidelines*, with the review of the specific design plan (SDP). Triggers for construction shall also be determined at the time of SDP.**
 - c. Prior to submission of the final plat of subdivision for any parcel, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of the on-site feeder trail, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.**
 - d. Prior to approval of building permits for a new building, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the on-site feeder trail.**
 - e. Prior to approval of the specific design plan for infrastructure, the applicant and the applicant's heirs, successors, and/or assignees shall submit to Prince George's County Department of Parks and Recreation, for review and approval, detailed construction drawings for the on-site feeder trail.**

The location of the feeder trail is shown on the TCP2.

- 16. Recreational facilities to be constructed by the applicant shall be subject to the following:**
 - a. Prior to approval, the first specific design plan for the subject property (including for infrastructure) shall include the location and concept design details (as shown in the May 7, 2021, Concept Plan) for the 20-acre park and Collington Branch Stream Valley Trail.**
- 17. The first specific design plan (including for infrastructure) shall show the conceptual location of the Collington Branch Stream Valley Trail and delineate a 16-foot-wide clear space centered along its alignment. The woodland conservation areas shall be shown to exclude this 16-foot-wide clear space.**

The revised TCP2 shows the conceptual locations of the park design and the Collington Branch Trail. The plans show a 10-foot-wide trail, with a 16-foot-wide cleared area. Details on the clearing, proposed impacts to the PMA or specimen tree removals to implement this trail shall be addressed with a future SDP that reviews the park layout and trail construction.

- 24. Prior to issuance of any permits which impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

This condition shall be addressed by the applicant with the permit review.

- 26. Prior to acceptance of the first specific design plan (including for infrastructure), if conditions warrant, a detailed slope stability analysis shall be provided, and both the unmitigated and mitigated 1.5 safety factor lines shall be added to the Type 2 tree conservation plans.**

The latest geotechnical/slope stability report shall be submitted with this SDP (SDP-1603-01) application. Delineation of the limits of the Marlboro clay lines and the 1.5 safety factor lines shall be added to the plan and to the legend.

- 27. Prior to approval of the first fine grading permit, the applicant shall post a rare, threatened, and endangered species monitoring bond with the Prince George's County Department of Permitting, Inspections and Enforcement, or the appropriate agency as determined by M-NCPPC, in accordance with the Habitat Protection and Management Program, as approved by the Maryland Department of Natural Resources.**

This condition shall be addressed by the applicant with the review of the fine grading permit.

ENVIRONMENTAL REVIEW

Existing Conditions/Natural Resource Inventory (NRI)

NRI, NRI-098-05-03, was submitted with the subject application. The most current approval, NRI-098-05-04, is required to be submitted into the record of the current case, SDP-1603-01. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the PMA. Marlboro Clay outcropping is on the site. Rare, Threatened and Endangered species are on and in the vicinity of the property. The TCP2 and the SDP show all required information in conformance with the current NRI.

Woodland Conservation

This site is subject to the provisions of the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the project is subject to a new preliminary plan of subdivision (4-20032). This project is subject to the WCO and the Environmental Technical Manual (ETM). TCP2-026-2021-01 has been submitted with the subject application and requires revisions to be found in conformance with TCP1-004-2021 and the WCO.

The Woodland Conservation Threshold (WCT) for this 442.32-acre property is based on a 15 percent threshold for the E-I-A (R-S) and I-1 portions of the site; and a 50 percent threshold for the R-A zone, resulting in a weighted WCT 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. The prior TCP approvals are not applicable to the new development proposal.

The National Capital Business Park project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual (ETM). The applicant has submitted a TCP2, TCP2-026-2021, for a rough grading permit which is under review. A revision to the Type 2 Tree Conservation Plan (TCP2-026-2021-01) was submitted with SDP-1603-01.

The woodland conservation worksheet shall be revised to phase the overall project, and to reflect the TCP2 submitted for rough grading as the original phase. TCP2-026-2021 shall be approved prior to the certification of the revised TCP2 submitted with the SDP-1603-01. Proposed clearing with the park dedication area shall be reflected in a future phase. Details of the recreation facilities, impacts to the PMA and the variance request for the specimen tree removal will be reviewed with a subsequent SDP.

The overall woodland conservation worksheet shows the clearing of 267.39-acres of woodland on the net tract area, and 1.09-acres in the floodplain, which based on staff's calculations results in a woodland conservation requirement of 120.34-acres. The requirement is proposed to be met with 71.04-acres of on-site woodland preservation, 21.51-acres of on-site reforestation, and 27.79-acres of off-site woodland conservation credits.

Technical revisions to the revised TCP2 are required and included in the conditions listed at the end of this memorandum.

Specimen Trees

Section 25-122(b)(1)(G) 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.”

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25, WCO provided all the required findings in Section 25-119(d) can be met. A variance must be accompanied by a Letter of Justification (LOJ) stating the reasons for the request and how the request meets each of the required findings. A Subtitle 25 Variance statement of justification (SOJ) and specimen tree exhibit in support of a variance dated December 7, 2021, were submitted on December 8, 2021.

A timber harvest permit was previously approved for the site utilizing the approved limits of disturbance on the TCPII approved for the previous residential development, Willowbrook. Within the limits of the timber harvest area were fifty (50) specimen trees. No variance was required for the removal of these specimen trees because the TCPII was approved under the 1993 Woodland Conservation Ordinance and was grandfathered from the variance requirements that were established in the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO).

The current development is subject to the 2010 WCO which requires a variance for the removal of specimen trees. A variance request was reviewed with 4-20032, and the Planning Board approved the removal of 69 specimen trees. The trees were located generally in the area proposed for development. The current SDP for infrastructure shows Specimen Trees 132 and 152, which are located in a preservation area, to be remove. It is recommended that where the development proposal and LOD has changed, specimen trees shall be retained. The TCP2 shall be revised to reflect that ST-132 and 152 are to remain.

A variance request from Subtitle 25-122(b)(1)(G) was submitted with SDP-1603-01 requesting the removal of five specimen trees (Specimen Trees - 147, 148, 150, 320, and 321). The five additional specimen trees are tulip poplars, ranging in condition rating with two in good condition, one in fair condition and two in poor condition. Tulip poplar trees have weak wood and overall poor construction tolerance. The specimen trees requested for removal are located within the most developable part of the site and are not located in the regulated environmental PMA areas. Specimen trees 320 and 321 are located within a proposed building footprint layout shown with the PPS.

Specimen trees 147, 148, and 150 are located at the eastern perimeter of the development, where their critical root zone will be impacted. The TCP2 shows ST- 147 and 150 are located off-site. Trees located outside of the boundary of the subject property cannot be granted a variance for removal with this application. The variance request for the removal of Specimen Trees-147 and 150 cannot be granted because these two trees are located off-site.

The Statement Of Justification (SOJ) and the specimen tree exhibit submitted with the variance request shall be revised and submitted prior to SDP certification. The statement incorrectly states "134 specimen trees were removed as part of a previous variance approved by preliminary plan of subdivision 4-20032 and Type 1 Tree Conservation Plan TCP1-004-2021-01." The timber harvest removed 50 specimen trees, and a variance request for the removal of an additional 69 trees was granted by the Planning board with PPS 4-20032. The total trees previously approved for removal are 119, not 134. The statement requests a variance for the removal of five specimen trees with SDP-1603-01, specifically specimen trees 147, 148, 150, 320, and 321. As stated above, specimen trees 147 and 150 are located off-site, and are not required to be included in the variance request; however, they are poplars with low construction tolerance and are supported for removal on the TCP2 outside of the variance process. The specimen tree exhibit shall be revised to reflect the specific trees approved for removal, and what process approved the removal: timber harvest permit, variance request with PPS 4-20032, or variance request with SDP-1603-01.

Staff supports the variance for the removal of the three on-site specimen trees (ST-148, 320 and 321) requested by the applicant based on the findings below. Staff recommends that the variance request for the two off-site specimen trees 147 and 150 shall be denied as they are outside of the variance process.

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

The property is 442.30- acres and contains approximately 186.15- acres of PMA comprised of streams, wetlands and 100-year floodplains and associated areas of steep slopes with highly erodible soils on the property that comprise the PMA. This represents approximately 42-percent of the overall site area. The trees are tulip poplars, which have a low tolerance for construction disturbance. These existing conditions are peculiar to the property. Specimen trees have been identified in both the upland and lowland PMA areas of the site. With this variance request, the applicant is proposing to remove only specimen trees located outside of the PMA. To further restrict development of the wooded upland areas of the site would cause unwarranted hardship.

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

The proposed warehouse/distribution, office, light industrial/manufacturing and/or institutional uses, and a potential public park align with the uses permitted in the E-I-A (R-S), I-1, and R-A zone as well as the vision for such zones as described in the Bowie and Vicinity Master Plan. Based on the unique characteristics for the property, enforcement of the requirement that all specimen trees be preserved along with an appropriate percentage of their critical root zone would deprive the applicant of rights commonly enjoyed by other property owners in similar zones. Based on the location of the trees, retaining the trees, and avoiding disturbance to the Critical Root Zones (CRZ) would have a considerable impact on the development potential of the property. Other projects in the area were allowed to remove similar trees under similar circumstances.

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

If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

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

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant.

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

The request to remove the trees does not arise from any condition on a neighboring property. The trees have grown to specimen tree size based on natural conditions and has not been impacted by any neighboring land or building uses.

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

The site is governed by the State and County SWM regulations that went into effect on May 5, 2010. All proposed land development activities will require erosion and sediment control and stormwater management (SWM) measures to be reviewed and approved by the County. The removal of the three specimen trees will not adversely affect water quality or cause degradation in the water quality. In fact, the need for impact is associated with the SWM designed for the development for the purpose of water quantity and water quality.

Regulated Environmental Features

There is Primary Management Area (PMA), comprised of Regulated Environmental Features (REF), 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 Zoning Ordinance, the plan shall demonstrate the preservation and/or restoration of the REF in a natural state to the fullest extent possible. The development proposes impacts to the PMA; a letter of justification with exhibits was submitted by the applicant on December 2, 2021, for review with the SDP-1603-01.

Section 24-130(b)(5) of the Subdivision Ordinance 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 REF 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 REF should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that

are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the REF. Stormwater management (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.

Comments were provided in a Subdivision Development Review Committee (SDRC) meeting on October 29, 2021, stating for the record that the PMA impacts shown on the TCP2 were not in conformance with the PMA impacts approved with PPS 4-20032. A Letter of Justification (LOJ) was received on December 3, 2021, for the revised impacts and the newly proposed impacts shown on the TCP2 and amended SDP. This application does not propose revision to Impacts 1, 7, 8, 9, and 10, which will remain as approved with PPS 4-20032. These proposed impacts were for roadway crossing and storm drain outfalls.

The current LOJ and associated exhibit reflect eight proposed impacts to REF associated with the proposed development totaling approximately 1.66-acres, and are described as Impacts A through F, with Impact E divided into three parts.

Impact A and part of Impact E (Areas 1 and 2) are for proposed stormwater management outfalls. Impacts B, D, and the remaining part of Impact E (Area 3) are for proposed sewer line connections. Impacts C and F are for proposed road crossings. Prior to certification of the SDP, the submitted PMA impact exhibits shall be revised to reflect the existing contours, proposed grading, and existing utility lines.

The following findings provide an evaluation of the proposed impacts outlined in the applicant's justification.

Impact A (Previously Impact 3): This impact for a proposed stormwater management outfall is a revision to Impact 3 approved with PPS 4-20032, which totaled 0.03 acres. Revised Impact A increases the impact to 0.09-acres. The increase of this impact is due to the presence of Marlboro Clays on-site, and the applicant states that in the review of the site development concept plan, DPIE and SCD required the stormwater management outfalls to be located below the Marlboro Clay outcrop. The storm drain outfalls meet best management practices for discharging water back into the stream while limiting erosion at the discharge points. The development shown on the SDP obtained preliminary approval from both DPIE and SCD.

Impact B (Previously Impact 4): This impact for a proposed sanitary sewer connection is a revision to Impact 4 approved with PPS 4-20032, which totaled 0.33 acres. The SOJ for Impact B states the area of the impact will remain the same size as previously approved (0.33-acres), but the alignment has been adjusted slightly. The utility layout for the proposed development shown on the SDP obtained preliminary approval from WSSC.

Impact C (Previously Impact 2): This impact is for a proposed road crossing providing access to the site through an extension of Queens Court and is a revision to Impact 2 approved with the PPS, which totaled 1.32-acres. The revised impact C reduces the impact to 0.83-acres. Because of a zoning restriction, the project cannot use Leeland Road as its vehicular access and is limited to providing connections from Queens Court and Prince George's Boulevard. With the applicant's collaboration with both Department of Permitting, Inspections and Enforcement (DPIE) and the Soil Conservation District (SCD), these impacts are necessary to provide access to the site and are proposed in specific locations for minimal disturbance. Much of the site cannot be accessed without crossing the PMA. The applicant located the crossings at the points where the PMA is the narrowest and designed the road to result in the smallest impact.

Impact D (Previously Impact 5): This impact is for a proposed sanitary sewer connection and is a revision to Impact 5 approved with PPS 4-20032, which totaled 0.10 acres. The revised Impact D states the area of the impact will be increased to 0.11-acres, and the alignment was adjusted slightly. The utility layout for the proposed development shown on the SDP obtained preliminary approval from WSSC.

Impact E - Area 1: This impact is for a proposed stormwater management outfall and is a new impact that was not requested with the PPS. Area 1 is for approximately 0.04-acres where the stormdrain outfall impacts the floodplain buffer. The stormdrain outfalls meet best management practices for discharging water into the stream while limiting erosion at the discharge points. The development shown on the SDP obtained preliminary approval from both DPIE and SCD.

Impact E - Area 2: This impact is for a proposed stormwater management outfall and is a new impact that was not requested with the PPS. Area 2 is an impact of approximately 0.02-acres where the stormdrain outfall impacts the expanded stream buffer. The stormdrain outfalls meet best management practices for discharging water back into the stream while limiting erosion at the discharge points. The development shown on the SDP obtained preliminary approval from both DPIE and SCD.

Impact E - Area 3 (Previously Impact 9): This impact is for a proposed sanitary sewer connection and is a revision to Impact 9 approved with PPS 4-20032, which totaled 0.11-acres. The revised impact for Area 3 states the area of the impact will remain the same (0.11-acres) but the alignment was adjusted slightly. The utility layout for the proposed development shown on the SDP obtained preliminary approval from WSSC.

The proposed PMA impacts for road crossings and utilities are considered necessary to the orderly development of the subject property. These impacts cannot be avoided because they are required by other provisions of the county and state codes. The plan shows the preservation, restoration, and enhancement, of the remaining areas of PMA.

Stormwater Management

An approved Stormwater Management (SWM) concept plan (Case 42013-2020-00 approved June 28, 2021) was submitted which shows the use of seven submerged gravel wetlands, four

underground storage treatment facilities and sand filters. The development will be subject to a site development fine grading permit and continuing reviews by the County's DPIE and Soil Conservation District. The SWM concept approval letter indicates that additional micro-scaled Environmental Site Design facilities will be evaluated when details of the development pads is proposed with later reviews.

Scenic and Historic Roads

Leeland Road is designated as a scenic road in the *Approved Countywide Master Plan of Transportation* (November 2009) and has the functional classification of a major collector. The Master Plan of Transportation (MPOT) includes a section on Special Roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway, including to conserve and enhance the viewsheds along designated roadways. Any improvements within the right-of-way of an historic road are subject to approval by the County under the Design Guidelines and Standards for Scenic and Historic Roads. The Prince George's County Landscape Manual addresses the requirements regarding buffers on scenic and historic roads. Conformance to the Landscape Manual will be reviewed by the Urban Design Section.

Soils

According to the "Prince George's County Soil Survey" the principal soils on the site are in the Adelpia-Holmdel complex, Annapolis Fine Sandy Loam, Colemantown Silt Loam, Collington-Wist Complex, Fallsington Sandy Loam, Howell-Annapolis Complex, Issues Silt Loam, Marr-Dodon, Westphalia and Odon, and Widewater and Issue Soils. Collington-Wist Complex, and Marr-Dodon soils are in hydrologic class B and are not highly erodible. Adelpia-Holmdel, Annapolis Fine Sandy Loam, Howell-Annapolis, Marr-Dodon, and Westphalia and Dodon soils are in the hydraulic class C and are moderately erodible. Colemantown Silt Loam, Fallington Sandy Loams, Widewater and Issue soils are in hydrologic class D and pose various difficulties for development due to high water table, impeded drainage, and flood hazard. Marlboro clay is found to occur extensively in the vicinity of and on this property.

The TCP2 shows two lines on the plans and in the legend, both labeled as "Marlboro Clay Soils." Prior to certification of this SDP, the latest geotechnical/slope stability report shall be submitted. Should the layout change from what was previously reviewed with respect to soils and/ or if any information provided regarding soils for the site differ from what was previously evaluated, additional soils information may be required with this application. Prior to certification of the SDP, the TCP2 shall be revised to show the location of the Marlboro Clay outcropping, the unmitigated 1.5 safety factor line, and the mitigated 1.5 safety factor line.

Erosion and Sediment Control

It has been noted that 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 (RTE) species, including fish located in the Collington Branch.

Redundant erosion and sediment control measures are also required for protection of the RTE species. Additional information, as determined by DPIE and the Soil Conservation District in their respective reviews for stormwater management and 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 Tree Conservation Plan must reflect the ultimate limits of disturbance not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including Erosion and Sediment Control measures. Prior to certification of SDP-1603-01, a copy of the Erosion and Sediment Control Technical Plan must be submitted so that the ultimate Limits of Disturbance (LOD) for the project can be verified and shown on the TCP2.

Summary of Recommended Findings and Conditions

The Environmental Planning Section has completed the review of SDP-1603-01 and TCP2-026-2021-01, and recommends approval subject to the following findings and conditions:

Recommended Findings:

1. The Regulated Environmental Features on the subject property have been preserved and/or restored to the fullest extent possible based on the level of detail provided with SDP-1603-01. The impacts are for Impacts A through E.
2. The required findings of Section 25-119(d) have been adequately addressed for the removal of specimen trees 148, 320 and 321. Staff has determined that the variance request for the removal of two specimen trees (ST- 147 and 150) cannot be considered because they are off-site to the property and outside of the TCP variance process.
3. Revised Type 2 Tree Conservation Plan, TCP2-026-2021-01 is consistent with the TCP1 approved with the PPS.

Recommended Conditions:

1. The TCP2 shall meet all of the requirements of Subtitle 25, Division 2, and the Environmental Technical Manual (ETM) prior to certification, and shall be revised as follows:
 - a. The TCP2 shall be revised to show the location of the Marlboro Clay outcropping, the unmitigated 1.5 safety factor line, and the mitigated 1.5 safety factor line following the ETM.
 - b. Add the TCP2-026-2021-01 case number to the worksheet and the Environmental Planning Section Approval Block. Remove the signature references to TCP2-028-2016. Remove references in the worksheet to DSP-06028, TCP2-083-02-01, and TCP2-083-02-02 and replace with the correct case numbers.
 - c. Remove the "Ultimate Conditions" in the title blocks of all the sheets and update the case number as "SDP-1603-01."
 - d. Permanent tree protection fencing shall be added to the plans and legend protecting the vulnerable edges of the reforestation. Temporary tree protection fencing shall be

- added to the edges of the woodland preservation.
- f. Label all retaining walls on the plans and add top and bottom of wall elevations.
 - g. Add bearings and distances to the overall property lines and to the internal property lines.
 - h. Label the proposed parcels.
 - i. Correct all references for "TCPII" to "TCP2" as the development is not grandfathered and is subject to the provisions of the 2010 Woodland and Wildlife Habitat Conservation Ordinance.
 - j. Add a sheet key map to Sheet C-300.
 - k. Show the existing and proposed contours on all sheets.
 - l. Show the specimen trees within the dedicated park area and in the Collington Branch Trail as to remain. The disposition of these specimen trees will be reviewed with a future SDP. The following note shall be added to the plan below the worksheet: "The clearing for the park and associated trails is conceptual with SDP-1603-01. Final clearing and specimen tree removal will require a revision to the TCP2."
 - m. Sheet C-300: Remove the "X" and fill out the "Owner/Applicant" information for the development.
 - n. Revise Sheet C-300 and C-301 as follows:
 - i. To have the standard Type 2 Tree Conservation Plan notes.
 - ii. Eliminate one of the sets of duplicate notes.
 - iii. Correct Note 1 to remove the "rough grading permit" reference and replace with the specific case number "SDP-1603-01."
 - iv. Correct Note 8 to reflect that Leeland Road is a major collector, not an arterial.
 - o. Revise sheet C-301 as follows:
 - i. Add the "tree preservation and retention", "phasing development," and the "off-site woodland conservation" notes.
 - ii. Add the "post development notes when woodlands and specimen trees are to remain." Remove the "Landscape Specification" notes.
 - iii. Correct the reforestation planting schedule to reflect the site stocking requirements for container grown seedling tubes (minimum caliper width 1.5") to the 500 seedlings per acre requirement in the Environmental Technical Manual.
 - iv. The Site Stocking detail is not current. Replace with the Site Stocking detail "TCP-35 on page Appendix A-60 of the Environmental Technical Manual.
 - v. Add the Tree Planting and Maintenance Calendar detail TCP-29, page Appendix A-54 of the Environmental Technical Manual.
 - p. Revise Sheet C-307 as follows:
 - i. Adjust the LOD north of the pond to follow the tree protection fencing, resulting in an increase to Preservation Area 2.
 - ii. Specimen Tree 240 shall be revised to show as to be removed. Specimen Tree 132 is located in preservation area 2 but is shown as to be removed. Revise to show that specimen trees within preservation areas are to remain.
 - q. Revise Sheet C-309 as follows: Adjust Preservation Area 15 to follow the LOD, update the totals for the label, in the charts, and worksheet accordingly.
 - r. Revise Sheet C-310 as follows: Add a note that the proposed park facilities and Collington Branch Trail shall be reviewed with a future SDP, including variance requests for the removal of specimen trees and impacts to regulated environmental features.

- s. Revise Sheet C-311 as follows:
 - i. Reforestation Area F conflicts with the contours of the submerged gravel wetland pond area. Reconcile the conflict and adjust Reforestation Area F accordingly.
 - ii. The LOD and tree protection fence on the north side of the pond shall be located to closely follow the proposed grading to increase the area included in Preservation Area 6, preserving from the LOD to the floodplain.
 - iii. Adjust the resulting reforestation and preservation area totals, update the labels, in the charts, and worksheet accordingly.
- t. Revise Sheet C-315 as follows:
 - i. Remove the Preservation Area 6 hatch from the proposed sewer easement.
 - ii. Adjust Preservation Area 7 to follow the LOD on the southern portion of the proposed sewer easement.
 - iii. Adjust the resulting preservation area totals, update the totals for the label, in the charts, and worksheet accordingly.
- u. Revise Sheet C-316 as follows:
 - i. At the bottom of this sheet, label "Reforestation Area I 4.23 ac." does not lead to a reforestation area hatch. The adjoining Sheet C-319 does not show this area of reforestation. The grading in this area appears incomplete. Additional areas of reforestation are encouraged. If this area is to be reforested, then adjust the tree protection fencing.
 - ii. Adjust the resulting reforestation area totals, update the totals for the label, in the charts, and worksheet accordingly.
- v. Revise Sheet C-317 as follows: Relocate the label for the Master Planned Road so it is not cut off.
- w. Revise Sheet C-318 as follows: Add a label for MC-600 and add the hatch pattern to the legend.
- x. Revise Sheet C-319 as follows:
 - i. Preservation Area 8 shall be adjusted to include the stream buffer and the PMA to the retaining wall. Adjust the resulting preservation area totals, update the totals for the label, in the charts, and worksheet accordingly.
 - ii. Add the permanent tree protection fencing around Reforestation Area L.
 - iii. The southeastern corner of the proposed pond shows woodland preservation area that is not labeled. This tree preservation area and tree protection fencing does not follow the LOD. Adjust the resulting preservation area totals, add the label, in the charts, and worksheet accordingly.
 - iv. Add a label for MC-600 and add the hatch pattern to the legend.
- y. Revise Sheet C-320 as follows:
 - i. Add the permanent tree protection fencing to the sheet.
 - ii. Specimen Tree 97 is shown as to be removed but is located within Preservation Area 10. The current layout shows this specimen to remain, and the plans should reflect that.
- y. Revise all tables and calculations to reflect the results of the above revisions and reconcile and inconsistencies.
- aa. Have the revised plan signed and dated by the qualified professional preparing the plan.

National Capital Business Park
SDP-1603-01 and TCP2-026-2021-01
December 17, 2021
Page 19

2. Prior to certification of SDP-1603-01, a copy of the Erosion and Sediment Control Technical Plan must be submitted so that the ultimate Limits of Disturbance (LOD) for the project can be verified and shown on the TCP2.
3. Prior to certification of SDP-1603-01, submit the current Geotech report and slope stability analysis.
4. Submit the current NRI-098-05-04 as part of the record for SDP-1603-01.

If you have any questions concerning this review, please contact me by e-mail at suzanne.nickle@ppd.mncppc.org or call 301-952-3650.



Division of Environmental Health/Disease Control

Date: October 27, 2021

To: Henry Zhang, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: SDP-1603-01, National Capital Business Park

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the specific design plan submission for the National Capital Business Park property and has the following comments / recommendations:

1. Health Department permit records indicate there are no existing carry-out/convenience store food facilities or markets/grocery stores within a ½ mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. ***The applicant should consider setting aside retail space for a tenant that would provide access to healthy food choices in the area.***
2. Scientific research has demonstrated that a high quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. ***The construction of the 20- acre park and Collington Branch Stream Valley Trail will promote pedestrian accesses to neighboring communities as well resulting in increased physical activity.***
3. Living in proximity to green space is associated with reduced self-reported health symptoms, better self-rated health, and higher scores on general health questionnaires.
4. The specific design plans should include open spaces within the 20-acre park for “pet friendly” amenities for pets and their owners. Designated park areas may consist of the appropriate safe playing grounds, signage, and fencing. Pet refuse disposal stations and



Rushera L. Baker, III
County Executive

Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health

water sources are strongly recommended at strategic locations in the designated outdoor play/ picnic areas.

5. During the construction / demolition phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
6. Indicate the noise control procedures to be implemented during the construction phase of this project. No construction noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

April 20, 2021

RE: A-9968-02-C National Capitol Business Park (Formerly "Willowbrook")
(Basic Plan Amendment)
National Capitol Business Park, Applicant

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed a copy of Zoning Ordinance No. 2 - 2021 setting forth the action taken by the District Council in this case on April 12, 2021.

CERTIFICATE OF SERVICE

This is to certify that on April 20, 2021 this notice and attached Council order were mailed, postage prepaid, to all persons of record.

Donna J. Brown
Clerk of the Council

County Administration Building
14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772



Case No.: A-9968-02-C
National Capitol Business Park
(Formerly “Willowbrook”)
(Basic Plan Amendment)

Applicant: National Capitol Business Park

COUNTY COUNCIL OF PRINCE GEORGE’S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 2 –2021

AN ORDINANCE to amend the existing Basic Plan (A-9968-01) for National Capitol Business Park, previously known as “Willowbrook” (Zoning Ordinance 5-2019), to delete all residential uses and to replace them with employment and industrial uses, and to revise conditions and considerations of Basic Plan approval, pursuant to Section 27-197(c) of the Zoning Ordinance, on approximately 442.30 acres of land, in the R-S (Residential Suburban Development) Zone, located on the north side of Leeland Road, approximately 3,178 feet west of the intersection of Leeland Road and US 301 (Robert Crain Highway), Upper Marlboro, Councilmanic District 4.

WHEREAS, the proposed amendment to the existing Basic Plan is being requested to integrate the new provisions for the R-S Zone that were adopted by the District Council in CB-22-2020; and

WHEREAS, provisions of CB-22-2020 allow certain employment and institutional uses permitted by right in the E-I-A (Employment and Institutional Area) Zone to be permitted in the R-S Zone under certain specified circumstances; and

WHEREAS, to integrate these new provisions, the amendment to the existing Basic Plan addresses: (1) a revised layout of the Basic Plan map; the new plan reflects a different development pattern which will accommodate a layout accommodating the newly-permitted employment and

institutional uses, (2) revised uses proposed to be included at the development, and (3) revisions to certain conditions of approval and consideration to reflect the new land uses and quantities, and the elimination of the formerly-proposed residential uses; and

WHEREAS, associated revisions will also be made to the Tree Conservation Plan to reflect a newly-applicable conservation threshold and new Tree Canopy Coverage requirements; and

WHEREAS, on November 12, 2020, the application was filed to amend the existing Basic Plan as approved in Zoning Ordinance 5-2019; and

WHEREAS, both Technical Staff and the Planning Board recommended approval of the application with conditions;

WHEREAS, the application was advertised and the property was duly posted prior to any public hearing; and

WHEREAS, on March 10, 2021, the Zoning Hearing Examiner held an evidentiary hearing without opposition on the application; and

WHEREAS, on March 23, 2021, the Examiner transmitted a written decision to the District Council recommending that the application should be approved subject to certain conditions and considerations; and

WHEREAS, on March 29, 2021, the District Council voted to approve the application in accordance with the Examiner's written decision; and

WHEREAS, as a basis of this final decision, the District Council adopts, and incorporates by reference, the Examiner's written decision to approve the application subject to certain conditions and considerations.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The application to amend the existing Basic Plan (A-9968-01) for National Capitol Business Park, previously known as “Willowbrook” (Zoning Ordinance 5-2019), to delete all residential uses and to replace them with employment and industrial uses, and to revise conditions and considerations of Basic Plan approval, pursuant to Section 27-197(c) of the Zoning Ordinance, on approximately 442.30 acres of land, in the R-S (Residential Suburban Development) Zone, located on the north side of Leeland Road, approximately 3,178 feet west of the intersection of Leeland Road and US 301 (Robert Crain Highway), Upper Marlboro, Councilmanic District 4, is APPROVED.

SECTION 2. Use of the subject property shall be subject to all requirements in the applicable zones and to the requirements in the conditions and considerations herein. Failure to comply with any stated condition or consideration shall constitute a zoning violation and shall constitute sufficient grounds for the District Council to annul the Basic Plan as conditionally approved; to revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; and/or to take any other action deemed necessary to obtain compliance.

SECTION 3. Approval of Basic Plan Amendment A-9968-C-02, is subject to the following Conditions and Considerations:

Conditions

1. Proposed Land 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 3.5 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 above

2. At the time of the submission of a Comprehensive Design Plan or Preliminary Plan of Subdivision, the Applicant shall provide a traffic study that analyzes the following intersections:
 - a. US 301/MD 725
 - b. US 301/Village Drive
 - c. US 301/Leeland Road
 - d. US 301/Trade Zone Avenue
 - e. US 301 SB/Wawa Crossover
 - f. US 301 NB/Wawa Crossover
 - g. US 301/Queens Court
 - h. US 301/Median Crossover
 - i. US 301/Beechtree Parkway/Swanson Road
 - j. US 301/Chrysler Drive
 - k. Prince George's Blvd./Trade Zone Avenue
 - l. Prince George's Blvd./Commerce Drive
 - m. Prince George's Blvd./Queens Court
3. At the time of Preliminary Plan of Subdivision, the Applicant shall provide the dedication for one-half of the 100 feet of dedication required to build Leeland Road (MC-600) to its ultimate cross section, per the Prince George's County Department of Public Works and Transportation standards.
4. At the time of Preliminary Plan of Subdivision, the Applicant shall dedicate 100+ acres of parkland to the Maryland-National Capital Park and Planning Commission, including the Collington Branch stream valley and 20 acres of developable land for active recreation, as shown on the Prince George's County Department of Parks and Recreation Exhibit A (Bates Stamped 62 of 63, Exhibit 28, A-9968-01).
5. The land to be conveyed to the Maryland-National Capital Park and Planning Commission shall be subject to the conditions of Exhibit B, attached to the June 21, 2005 memorandum from the Prince George's County Department of Parks and Recreation (Bates Stamped 63 of 63, Exhibit 28, A-9968-01).
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.
7. A revised Plan showing parkland dedication and master plan trail shall be reviewed and approved by the Prince George's County Department of Parks and Recreation staff at the time of Comprehensive Design Plan.
 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.
 9. The submission package of the Comprehensive Design Plan shall contain a signed Natural Resources Inventory (NRI) plan. The signed NRI plan shall be used by the designers to prepare a site layout that minimizes impacts to the regulated areas of the site.
 10. A geotechnical study that identifies the location and elevation of the Marlboro clay layer throughout the site shall be submitted as part of the Comprehensive Design Plan Application.
 11. A protocol for surveying the locations of all rare, threatened, and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources, prior to acceptance of the Comprehensive Design Plan, and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any Application for Preliminary Plans.
 12. Prior to acceptance of the Preliminary Plan of Subdivision, a Revised Natural Resources Inventory Plan shall be submitted and approved.
 13. At the time of Comprehensive Design Plan review, specific acreage of parkland dedications shall be determined. This area may include a 1.7± acre parcel of land which was not previously committed for parkland dedication. The conditions of conveyance shall be determined by appropriate staff of the Maryland-National Capital Park and Planning Commission.
 14. At the time of comprehensive Design Plan, the Applicant shall address its plan to grade a 10-acre developable portion of the dedicated parkland (including a 1.7+ acre parcel of land from the Willowbrook project area which was not previously committed for parkland dedication) on the western side of the property, east of the Pennsylvania Railroad right-of-way to accommodate ball fields and a parking lot.

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.
16. The conceptual location of the Collington Branch Stream Valley Trail, its feeder trail connecting to the proposed employment uses, and the Leeland Road shared-use path shall be shown on the Comprehensive Design Plan.
17. In the event the Applicant elects to pursue an alternative access point(s) to the adjacent Collington Center vis Popes Creek Drive and/or Prince George's Blvd., the transportation and environmental impacts of any additional access point(s) shall be evaluated at time of Comprehensive Design Plan or Preliminary Plan.

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 impacts to said features.
2. All proposed internal streets and developments should follow complete streets 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 and changing facilities, covered transit stops, crosswalks, etc.

SECTION 4. The Ordinance shall become effective upon enactment.

ENACTED this 12th day of April, 2021, by the following vote:

In Favor: Council Members Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter, Taveras, and Turner.

Opposed:

Abstained:

Absent: Council Member Franklin.

Vote: 10-0.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF THE
MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND.

By: Calvin S. Hawkins, II
Calvin S. Hawkins, II, Chair

ATTEST:

Donna J. Brown

Donna J. Brown
Clerk of the Council

**DISTRICT COUNCIL FOR PRINCE GEORGE'S COUNTY, MARYLAND
OFFICE OF THE ZONING HEARING EXAMINER**

**AMENDMENT OF BASIC PLAN
A-9968/02-C**

DECISION

Application:	Amendment of Basic Plan & Conditions
Applicant:	National Capitol Business Park
Opposition:	N/A
Hearing Date:	March 10, 2021
Hearing Examiner:	Joyce B. Nichols
Recommendation:	Approval with Conditions

NATURE OF REQUEST

- (1) A-9968/02-C is a request to amend the Basic Plan for National Capitol Business Park to delete all residential uses and to replace them with employment and industrial uses, and to revise conditions and considerations of Basic Plan approval, pursuant to §27-197(c) of the Zoning Ordinance, on approximately 442.30 acres of land, in the R-S (Residential Suburban Development) Zone, located on the north side of Leeland Road, approximately 3,178 feet west of the intersection of Leeland Road and US 301 (Robert Crain Highway), Upper Marlboro, Maryland.
- (2) Both the Technical Staff (Exhibit 32) and the Planning Board (Exhibit 34) recommended approval with conditions.
- (3) No one appeared in opposition to the instant Amendment request.
- (4) The record was kept open for several documents, upon receipt of which the record was closed on March 12, 2021.

FINDINGS OF FACT

Subject Property

- (1) The subject property is located on the north side of Leeland Road, all but 2 acres of which are east of the Popes Creek Branch of the CSX Railroad right-of-way, and approximately 3, 178 feet west of US 301 (Robert Crain Highway). Leeland Road is a master planned right-of-way, which abuts the subject property to the south and is a designated scenic road. The property is undeveloped, wooded, and contains numerous environmental features.

(2) The subject property has frontage on, and access from, Leeland Road. A new access is proposed in the instant Application, from Prince George's Boulevard via a proposed Queens Court, and, if approved, there will be no access via Leeland Road.

Neighborhood and Surrounding Uses

(3) The neighborhood is as accepted in the original Basic Plan approval (A-9968) in 2006.

(4) To the west of the subject property, across Collington Branch, are a number of tracts of unsubdivided acreage in the R-A (Rural Agriculture) (west of the Pope's Creek Branch railroad) and O-S (Open Space) (east of the Pope's Creek Branch railroad) Zones, with the Oak Creek Club planned development beyond them in the R-L (Residential Low Development) (1.0-1.5) Zone. The Locust Hill property in the R-L (1.0-1.5) Zone abuts the subject property to the west, on both sides of Leeland Road. (A-9975/01)

To the south of the subject property are single-family dwellings and an agricultural supply company on unsubdivided acreage in the R-A Zone. An undeveloped and wooded triangular portion of Parcel 36, the tract occupied by the agricultural supply company, projects into the southern edge of the subject property on the north side of Leeland Road; this triangular area is listed by the PG Atlas site as being in the E-I-A (Employment Institutional Area) Zone, although the 2006 Bowie and Vicinity Sectional Map Amendment had rezoned it from R-R (Rural Residential) to the R-S¹ Zone. Also, to the south of the subject property is the Beechtree planned development in the R-S (1.6-2.6) Zone. Beechtree contains a mix of single-family detached dwellings along Lake Forest Drive, but these are separated from Leeland Road by dense woods.

To the east of the subject property is the Collington Center planned industrial area in the E-I-A Zone. The uses which are most proximate to the subject property are the Nordstrom warehouse and distribution center, the office of the Washington Research Library Consortium, a FedEx Ground shipping distribution center, and the vacant Safeway distribution center. Also, to the east of the subject property are several single-family dwellings on odd lots and parcels in the R-R (Residential Rural) Zone.

To the north of the subject property is a portion of the Collington Branch Stream Valley Park in the O-S Zone.

Zoning History

(5) The site was rezoned from the R-A to the E-I-A Zone during the 1991 Approved Bowie-Collington-Mitchellville and Vicinity Master Plan and Sectional Map Amendment. In 2005, Zoning Map Amendment A-9968 was filed to request a rezoning of the Willowbrook property from the E-I-A Zone to R-S Zone. At that time, the approval of a new Bowie and Vicinity Master Plan and

¹ M-NCPPC, Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B (February, 2006), p. 128.

Sectional Map Amendment was underway. Basic Plan A-9968 was recommended for approval by the Prince George's County Planning Board (PGCPB Resolution No. 05-178) and was transmitted to the Prince George's County District Council for incorporation into the 2006 Bowie and Vicinity Sectional Map Amendment.

The 2006 Bowie and Vicinity Master Plan and Sectional Map Amendment was approved by Council Resolution (CR-11-2006) on February 7, 2006, which rezoned the subject property to the R-S Zone (CR-11-2006, Amendment 7, pages 18 and 31 through 34) subject to the 13 Conditions and three (3) Considerations.

(6) On April 9, 2007, a Comprehensive Design Plan, CDP-0505, subject to 34 conditions, and Type I Tree Conservation Plan, TCPI-010-06 were approved by the District Council for a total of 818 residential dwelling units, of which 602 were market rate (97 townhouse and 505 single-family detached units) and 216 units were in a mixed-retirement component (50 single-family detached, 56 townhomes, and 110 multifamily units). The CDP Conditions are not applicable to the review of this Application.

(7) On March 15, 2007, Preliminary Plan of Subdivision, PPS-4-06066, and Type I Tree Conservation Plan, TCPI-010-06-01, were approved by the Prince George's County Planning Board (PGCPB Resolution No. 07-43) subject to 31 Conditions. Subsequently a number of extensions, waivers and reconsiderations were approved by the Planning Board. Most recently on March 8, 2018 (PGCPB Resolution No. 07-43(A)) the Planning Board reconsidered the conditions to construct a roundabout at the intersection of Oak Grove Road and Church Road and convert the roundabout to a four-way signal-controlled intersection. The PPS conditions are not applicable to the review of the current Application, but the modification of the intersection is noted for informational purposes.

(8) On March 30, 2017, Specific Design Plan, SDP-1603, and associated Type II Tree Conservation Plan, TCPII-028-2016, (PGCPB Resolution No. 17-144), for Phase One (Phase I) of the 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, was approved subject to 15 conditions. The SDP Conditions are not applicable to the review of the instant Application.

(9) On May 13, 2018, A-9968-01 (Amendment of Basic Plan and Conditions) was approved by the District Council to increase the number of dwelling units, to increase the percentage of single family attached dwelling units, to change the size and location of dwelling units, and to revise conditions and considerations of Basic Plan approval.

Master Plan and Sectional Map Amendment

(10) The subject property is located in Planning Area 74A. The applicable Master Plan is the Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B, approved on February 7, 2006.

The Bowie and Vicinity Master Plan designated the subject property for “Residential Low” future land use, defined by the Bowie and Vicinity Master Plan as, “areas intended for suburban neighborhoods with single-family houses on lots ranging from 6,500 square feet to one acre in size and retirement or planned residential development”. This could yield development densities of up to 6.70 dwelling units per acre.

The February, 2006 Sectional Map Amendment rezoned the subject property from the E-I-A Zone to the R-S Zone.

The October, 2002 General Plan placed the subject property within the Developing Tier.

The Growth Policy Map in the May, 2014 General Plan (Plan 2035) placed the property in the Established Communities category, and the Generalized Future Land Use Map designated it for “Residential Low” land use.

The subject property is not within a Priority Preservation Area.

Adjoining land to the west and south is also designated by the Master Plan for “Residential Low” land use², adjoining land to the north is designated for “Parkland/Open Space” land use, and adjoining land to the east is designated for “Industrial” land use.

Neighboring Properties

(11) The subject property is located along the north side of Leeland Road, and all but two acres of it lies east of the Pope’s Creek Branch railroad. The property is undeveloped and wooded.

To the west of the subject property, across Collington Branch, are a number of tracts of unsubdivided acreage in the R-A (west of the Pope’s Creek Branch railroad) and O-S (east of the Pope’s Creek Branch railroad) Zones, with the Oak Creek Club planned development beyond them in the R-L (1.0-1.5) Zone. The Locust Hill property in the R-L (1.0-1.5) Zone also abuts the subject property to the west, on both sides of Leeland Road.

To the south of the subject property are single-family dwellings and an agricultural supply company on unsubdivided acreage in the R-A Zone. An undeveloped and wooded triangular portion of Parcel 36, the tract occupied by the agricultural supply company, projects into the southern edge of the subject property on the north side of Leeland Road; this triangular area is listed by the PGAtlas site as being in the E-I-A Zone, though the 2006 Sectional Map Amendment had rezoned it from R-R to the R-S3 Zone as a part of the Willowbrook rezoning. Also to the south of the subject property is the Beech Tree planned development in the R-S (1.6-2.6) Zone. Beech Tree contains a mix of

² Land to the south across Leeland Road is subject to the Subregion 6 Master Plan; the land use recommendation of that Plan is also “Residential Low,” though that land use classification is defined differently by the Subregion 6 Master Plan, intending it for densities of up to 3.5 dwelling units per acre.

single-family detached dwellings and townhouses; the units most proximate to the subject property are single-family detached dwellings along Lake Forest Drive, but these are separated from Leeland Road by dense woods.

To the east of the subject property is the Collington Center planned employment park in the E-I-A Zone. The uses which are most proximate to the subject property are the Nordstrom warehouse and distribution center, the office of the Washington Research Library Consortium, a FedEx Ground shipping distribution center, and the now-disused Safeway distribution center. Also, to the east of the subject property are several single-family dwellings on odd lots and parcels in the R-R Zone.

To the north of the subject property is a portion of the Collington Branch Stream Valley Park in the O-S Zone.

Applicant's Request

(12) The proposed Basic Plan Amendment is being requested to integrate the new provisions for the R-S Zone that were adopted by CB-22-2020; the Amendments of CB-22-2020 allow certain employment and institutional uses permitted by right in the E-I-A Zone to be permitted in the R-S Zone under certain specified circumstances.

To integrate these new provisions, the requested Amendment addresses: (1) A revised layout of the Basic Plan map; the new plan reflects a different development pattern which will accommodate a layout accommodating the newly-permitted employment and institutional uses. (2) Revised uses proposed to be included at the development. And (3), revisions to certain conditions of approval and consideration to reflect the new land uses and quantities, and the elimination of the formerly-proposed residential uses. Associated revisions will also be made to the Tree Conservation Plan to reflect a newly-applicable conservation threshold and new Tree Canopy Coverage requirements.

LAW APPLICABLE

(1) §27-197(c) of the Zoning Ordinance sets forth the procedures by which requests to amend an approved Basic Plan which does not involve a change in land area or an increase in land use density or intensity may be approved.

(2) Section 27-195(b) of the Zoning Ordinance sets forth the criteria which must be met prior to the approval of a request to amend an approved Basic Plan as follows:

(b) **Criteria for approval.**

(1) Prior to the approval of the Application and the Basic Plan, the Applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

(A) The proposed Basic Plan shall either conform to:

(i) The specific recommendation of a General Plan Map, Area Master Plan map; or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties; or

(ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses; or

(iii) The regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of this Code.

(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan;

(C) Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the Applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;

(D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;

(E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.

(2) Notwithstanding subparagraphs (C) and (D), above, where the Application anticipates a construction schedule of more than six (6) years (Section 27-179), public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.

* * * * *

(3) The Application must also be found to satisfy the general purposes of the Zoning Ordinance, §27-102(a), and the specific purposes of the R-S Zone, §27-511(a).

CONCLUSIONS OF LAW

(1) The instant Application satisfies the general Purposes of the Zoning Ordinance, §27-102(a), as follows:

(1) To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;

The approval of the requested Amendment to the Basic Plan for the National Capital Business Park will allow for the planning and construction of an extension to the Collington Center planned employment park which can respond to the environmental constraints of the subject property and protect the surrounding residential neighborhoods. The approval will protect and promote the health and safety of the present and future inhabitants of the County by providing sufficient buffers from environmental hazards such as floodplain, and by protecting the surrounding residents from visual and traffic impacts from the planned employment and institutional development.

Furthermore, the review process inherent in Comprehensive Design Zones provides for a higher level of both planning flexibility and public oversight to promote and protect the public health, safety and welfare.

Finally, the proposed employment and institutional uses will provide a significant contribution to the County's tax base, both through the land value and through the jobs created by the future occupants of the National Capital Business Park. This economic impact will be a significant promotion of the welfare of the present and future inhabitants of the County.

(2) To implement the General Plan, Area Master Plans, and Functional Master Plans;

This Purpose is addressed in the Zoning Ordinance by the criterion for approval of Comprehensive Design Zones found in §27-195(b)(1)(A), which section specifically provides for the ability to develop uses permitted in the E-I-A Zone at the subject property. The Bowie and Vicinity's property specific recommendations are being implemented for use of "zoning techniques that provide for flexibility in lot layout, while protecting open space and environmentally sensitive areas" and for the dedication of the right-of-way for the future extension of Prince George's Boulevard through the subject property to an ultimate intersection with Leeland Road to the east of the subject property's limits.

It is also worth discussing the past planning and zoning history of the subject property for further context: the most recent (February, 2006) Sectional Map Amendment actually rezoned the subject property from the E-I-A (Employment and Institutional Area) Zone to the R-S Zone. The property had previously been placed in the E-I-A Zone as part of the 1991 Bowie, Collington, Mitchellville & Vicinity Master Plan and Sectional Map Amendment; the Basic Plan for this center (A-9829), approved as part of the 1991 Master Plan, allowed for an FAR between .3 and .38 for a total of 3,900,000- 5,000,000 square feet of "light manufacturing, warehouse/distribution and ancillary office and retail commercial." The development cap for the proposed Amendments, however, is only 3,500,000 square feet (of which up to 100,000 square feet could be located outside of the R-S Zone limits). Thus, the effect of CB-22-2020 can be seen as the District Council

reinstating much of the planning intent of the 1991 Master Plan for the Willowbrook site, which in turn had been carrying forward planning ideas from the early 1970s.

(3) *To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;*

As with the purpose of implementing the General and Master Plans, this Purpose is largely replicated by the criteria for approval of Comprehensive Design Zones found in §27-195(b)(1)(C) and (D) addressing transportation facilities, police, fire, schools and water and sewerage; the harmony of the request for approval of Amendments to the Basic Plan with this Purpose of the Zoning Ordinance was discussed at length in the testimony of the transportation planning expert, and has been discussed by Technical Staff in the Countywide Planning referral.

(4) *To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;*

As noted in the discussion of the Purpose of protecting and promoting the public health and safety, above, the multi-stage public review process inherent in the Comprehensive Design Zones' regulations affords a higher level of guidance for the development at the property (and therefore for its contribution to the growth and development of the County as a whole). These principles are reflected in the approved Basic Plan, and the requested Amendments will not affect the review process going forward.

The development of the County and the needs of industry and business will be recognized by the approval of the requested Amendments, particularly in a significant contribution to the County's tax base, through the land value and through the jobs created by the future occupants of the National Capital Business Park. Master Plan, p. 17

For these reasons, the approval of the requested Amendments to the Basic Plan at this property will continue to be in particularly close harmony with this Purpose of the Ordinance.

(5) *To provide adequate light, air, and privacy;*

The lot standards which will be established in the Comprehensive Design Plan will ensure the provision of adequate light, air and privacy for the proposed development, and the existence of substantive wooded natural buffers will ensure the provision of adequate light, air and privacy for its neighbors. The additional standards and design guidelines for the approval of a Comprehensive Design Plan and Specific Design Plans which are required by the regulations for Comprehensive Design Zones afford additional opportunities to ensure the provision of adequate light, air and privacy. These principles are reflected in the approved Basic Plan, and the requested Amendments will not affect the adequacy of light, air or privacy; as such, approval of the requested Amendments will be in harmony with this Purpose as well.

- (6) ***To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;***

The requested Amendments to the Basic Plan will preserve the buffers to regulated environmental features and between the subject property and the adjacent development, and will protect viewshed from Leeland Road. As such, approval of the requested Amendments will be in harmony with this Purpose of the Zoning Ordinance.

- (7) ***To protect the County from fire, flood, panic, and other dangers;***

The approval of the requested Amendments will not affect the original approval of the R-S Zone at the subject property and its harmony with this Purpose of the Zoning Ordinance, as they will not affect the requirements for the proposed development to conform with regulations established in the body of the Zoning Ordinance, as well as other County Ordinances, which are intended to protect from fire, flood, panic and other dangers, namely: the floodplain regulations, stormwater management regulations, the Fire Prevention Code, the Building Code, and the Tables of Permitted Uses for the various zones.

- (8) ***To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;***

Because the subject Amendment proposes employment and institutional uses which are authorized by Section 27-515(b), this Purpose is not applicable to the subject Amendment.

- (9) ***To encourage economic development activities that provide desirable employment and a broad, protected tax base;***

Because the subject Amendment proposes employment and institutional uses which are authorized by Section 27-515(b), the subject Amendments are in harmony with this Purpose.

- (10) ***To prevent the overcrowding of land;***

The approval of the requested Amendments would be in harmony with this Purpose because the amended Plan will still require the property to be developed in conformance with regulations that are approved through a Comprehensive Design Plan to ensure the prevention of overcrowding, including height limits, setbacks, and minimum green area.

- (11) ***To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;***

The approval of the requested Amendments would be in harmony with this Purpose because of several factors.

First, as noted above, the criterion of §27-195(b)(1)(C) assures the adequacy of local public transportation facilities as a prerequisite to the approval of the Zone.

And second, the approval of the proposed Amendments would not affect the requirements for the property to be developed in accordance with the regulations established in the body of the Zoning Ordinance (and other County ordinances) which are intended to lessen the danger and congestion of traffic on roads, including the requirement for the improvement of an upgraded Leeland Road.

(12) To insure the social and economic stability of all parts of the County;

As the Zoning Ordinance is the principal tool for the implementation of the planning process by enacting legal requirements which implement the planning goals that strive to maintain the social and economic stability of the County, conformance with the requirements and regulations of the Zoning Ordinance will be prima facie evidence of the Application's harmony with this Purpose.

Beyond that, however, the approval of the requested Amendments would promote the economic and social stability of the County by allowing for an extension of the employment and institutional uses encouraged in the Collington Center planned employment park, which will in turn contribute to the tax base, and provide opportunities for new jobs in the County.

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;

The approval of the requested Amendments will have minimal impact to the protections to the County's natural features which were inherent in the original approval of the R-S Zone.

(14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space;

The approval of the requested Amendments will have minimal impact to the open space network which was proposed in the original approval of the R-S Zone; the bulk of the open space, including the buffers to regulated environmental features and the proposed public park will retain the same configuration.

The final purpose,

(15) To protect and conserve the agricultural industry and natural resources

is not directly applicable to the subject property which is located in (what was formerly known as) the Developing Tier.

(2) The instant Application satisfies the specific Purposes of the R-S Zone, §27-511(a), as follows;

- (1) ***Establish (in the public interest) a plan implementation Zone, in which (among other things):***
 - (A) ***Permissible residential density is dependent upon providing public benefit features and related density increment factors; and***
 - (B) ***The location of the Zone must be in accordance with the adopted and approved General Plan, Master Plan, Sector Plan, public urban renewal plan, or Sectional Map Amendment Zoning Change;***
 - (C) ***Applicable regulations are satisfied for uses authorized pursuant to Section 27-515(b) of this Code.***

This Purpose addresses the establishment of the R-S Zone as a zone in which achievable residential density of a proposed development is related to the provision of public benefit features; second, that the R-S Zone, like all Comprehensive Design Zones, is a Plan implementation zone, such that the Application of the zone to a tract of land must be in accordance with the adopted and approved General Plan, Master Plan, special purpose Plans or a Sectional Map Amendment; and third, to provide for employment and institutional uses if certain locational criteria and other regulations are met.

Because the subject property was placed into the R-S Zone by a Sectional Map Amendment and because the amended Basic Plan is proposing employment and institutional uses in conformance to the authorization of Section 27-515(b), the subject Amendment is in harmony with this Purpose of the R-S Zone.

- (2) ***Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, public urban renewal plans, or Sectional Map Amendment Zoning Changes) can serve as the criteria for judging individual development proposals;***

This Purpose addresses the reason for the establishment of Comprehensive Design Zones, and their function to enable the use of the Sectional Map Amendment as criteria for judgment of individual development proposals. The rezoning of the subject property to the R-S Zone by the Bowie and Vicinity Sectional Map Amendment, demonstrates that the subject Application is in harmony with this Purpose for the R-S zone.

- (3) ***Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public***

facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;

This Purpose of the R-S Zone is to assure compatibility between the proposed land uses and the surrounding land uses, and the adequacy of public facilities so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District. The discussion of the compatibility of the proposed general land use types and the surrounding land uses demonstrates that the Application is in conformance with this Purpose for the R-S zone.

(4) *Encourage amenities and public facilities to be provided in conjunction with residential development;*

This Purpose encourages the provision of amenities and public facilities in conjunction with the residential development. Because the subject Amendment proposes employment and institutional uses which are authorized by Section 27-515(b), this Purpose is not applicable to the subject Amendment.

(5) *Encourage and stimulate balanced land development;*

This Purpose of the R-S Zone requires the regulations of the zone to encourage and stimulate “balanced land development”. The development proposed by the subject Application will be balanced in its relationship to the surrounding development by acting as an extension of the Collington Center planned employment park with its uses and planned road network, and by the substantive wooded buffers which will both preserve regulated environmental features and provide for ample buffers between the employment and institutional uses and the adjacent residential development.

(6) *Improve the overall quality and variety of residential environments in the Regional District.*

Because the subject Amendment proposes employment and institutional uses which are authorized by Section 27-515(b), this Purpose is not applicable to the subject Amendment, except that the substantive wooded buffers will be in harmony with this Purpose by providing for ample buffers between the proposed employment and institutional uses and the adjacent residential environment.

(7) *Allow qualifying properties in the R-S Zone to develop with uses in the E-I-A Zone pursuant to Section 27-515(b) of this Code.*

Because the subject Amendment specifically proposes employment and institutional uses which are authorized by Section 27-515(b), the proposed Amendment is in harmony with this Purpose of the R-S Zone.

In conclusion, the subject Application, A-9968/02, is in conformance with the requirements for approval as laid out in Section 27-195(b) of the Zoning Ordinance and with the purposes of the relevant Zone.

(3) The subject property is in conformance with Section 27-195(b)(1)(A)(iii) of the Zoning Ordinance, as it is subject to the regulations applicable to land zoned R-S and will be developed with uses permitted in the E-I-A Zone as authorized, pursuant to Section 27-515(b) and CB-22-2020 (DR-2).

Approximately 15 acres of the overall property included in the Basic Plan is designated for light industrial land use. The I-1-zoned portion of the property is located along the southeast portion of the site between the adjacent former Safeway Distribution Center (northwest quadrant of US 301/Leeland Road) and the residentially zoned portion of the National Capital Business Park.

Preliminary Plan of Subdivision (PPS) 4-06066 and Type 1 Tree Conservation Plan TCP1-10-06-01 were approved by the Prince George's County Planning Board on November 3, 2016, for the former residential subdivision (Willowbrook) proposed on the property (PGCPB Resolution No. 07-43). A new PPS will be submitted in the future for the warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses proposed with the subject Basic Plan Amendment, in order to demonstrate conformance with all adequate public facilities requirements contained in Subtitle 24 of the Prince George's County Code. Further, the Applicant has included a Traffic Impact Analysis as part of their SOJ that clearly demonstrates that all transportation facilities, either existing and/or proposed to be constructed by the Applicant, which will be adequate to carry the anticipated traffic generated by the proposed development. The future PPS and revision to the prior approved Comprehensive Design Plan CDP-0505 will provide more in-depth data concerning adequacy of public facilities.

Master Plan analysis is contained in the Community Planning Division's referral dated February 4, 2021 (McCray to Sievers), which finds that pursuant to Section 27-195(b)(1)(A)(iii), the proposed Basic Plan conforms to the approved CB-22-2020 and Section 27 195(b)(1)(A)(iii), the regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized, pursuant to Section 27-515(b) of this Code.

(4) Section 27-515(b) is the Table of Uses for Comprehensive Design Zones. The Table provides that, "where not otherwise specifically permitted, any use allowed in the E-I-A Zone (excluding those permitted by Special Exception)" is permitted in the R-S Zone if the provisions of Footnote 38 are met.

That Footnote provides that:

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.*
- (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.
- (c) *Regulations in the R-S Zone shall not apply to uses developed pursuant to this Section.*
- (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 subsections of Section 27-515(b), Footnote 38 are discussed as follows:

- (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;*

As discussed *supra*, the subject property is a portion of a parcel that was rezoned from the E-I-A and R-A Zones to the I-1 and R-S Zones by the approval of Change Number 7 in the Bowie and Vicinity Sectional Map Amendment, which was approved on February 7, 2006.

(ii) contains at least 400 acres and adjoins a railroad right-of-way;

As discussed *supra*, the subject property contains 441.302 acres (of which 426± acres is zoned R-S), and adjoins the right-of-way of the Pope's Creek Branch railroad.

and (iii) is adjacent to an existing employment park developed pursuant to the E-I-A Zone requirements.

As discussed *supra*, the subject property is adjacent to the Collington Center employment park which was developed pursuant to the E-I-A Zone requirements.

(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.

Conformance with this provision of Footnote 38 will necessarily be evaluated on a lot-by-lot basis at the time of the Specific Design Plans for each lot. It is to be noted, however, that the amended Basic Plan does depict green area outside of the development pods amounting to more than one-third of the net tract area of the R-S-zoned area.

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

This requirement is noted.

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

(i) Street connectivity shall be through an adjacent employment park;

The proposed amended Basic Plan illustrates the street connectivity for the proposed development to be an extension of a new street off of Prince George's Boulevard (to be called Queens Court) in the adjacent Collington Center employment park. Alternative access is also noted on the Basic Plan as being available from Popes Creek Drive and/or Prince George's Boulevard. The proposed amended Basic Plan shows no direct access from Leeland Road, though the proposed amended Basic Plan does show the extension of Prince George's Boulevard, a Master-planned industrial roadway, through the subject property to allow for its ultimate planned connection to Leeland Road east of the subject property.

(ii) A public park of at least 20 acres shall be provided.

The proposed amended Basic Plan continues to propose the 20-acre public park in the western part of the site which had been shown on the currently-approved Basic Plan.

The requested Amendments will thus continue or improve the existing Basic Plan's conformance with the land use recommendations and development guidelines of the Bowie Master Plan. §27-195(b)(1)(A)

(5) The instant Application does not propose retail or commercial uses §27-195(b)(1)(B).

(6) The Transportation Planning Section referral dated January 28, 2021 (Burton to Sievers), found that the uses currently proposed will result in more trips in each peak hour than the

currently approved residential uses. Based on the change in land use type and traffic intensity of development from the original Basic Plan, the development will generate more traffic than was projected with the approval of the original Basic Plan, A-9968. Staff finds that existing transportation facilities, when improvements are provided in the County's Capital Improvement Program (CIP), along with some additional improvements provided by the Applicant, and signalization at some key intersections, will be adequate to carry the anticipated traffic generated by 3.5 million square feet of warehousing development. Furthermore, the uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved area master plan, in accordance with Section 27-195(b)(1)(c) of the Zoning Ordinance.

Staff recommends that all of the intersections evaluated with this Application be subject to further analyses at the time of the CDP phase of the subject development. Alternative or additional access point(s) to the adjacent Collington Center via Popes Creek Drive and/or Prince George's Boulevard, shall be evaluated for transportation and environmental impacts at the time of CDP and/or PPS. A condition to this effect has been included. §27-195(b)(1)(C)

(7) Subtitle 24 of the County Code provides the only methodology for testing adequate public facilities to ensure that the development will be adequately served. The Countywide Planning Section referral dated February 5, 2021 (Thompson to Sievers), provided analysis of adequate public facilities including water and sewer, fire, rescue, recreation, schools, and police. Per Subtitle 24 of the County Code, the methodology for testing adequate public facilities occurs at the time of PPS review.

The public facilities which are either existing, under construction, or fully funded within the County's CIP, will be adequate for the warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses proposed in this Application. It should be noted that the County's CIP provides full funding (within its six-year funding window) for intersections along US 301 (including the signalization of the Queens Court intersection), and a new Beechtree Fire/EMS station located along Leeland Road near its intersection with US-301. The proposed development is within the service area for Police District II – Bowie. This police facility will adequately serve the uses proposed in this Application and will be further evaluated at the time of PPS review. §27-195(b)(1)(D)

The requested Amendments will thus continue or improve the existing Basic Plan's conformance with the land use recommendations and development guidelines of the Bowie Master Plan. §27-195(b)(1)(A)

(8) As set forth in the Applicant's SOJ and the Environmental Planning Section referral dated February 1, 2021 (Nickle to Sievers), the environmental impacts are envisioned to be within the limits of the previously approved development envelopes of the applicable CDP-0505 (PGCPB Resolution No. 06-273) and PPS 4-06066 (PGCPB Resolution No. 07-43). Appropriate conditions and considerations exist in the original approval to ensure this analysis is done at later

stages of development. Staff recommends that the previously approved conditions and considerations be brought forward with the subject Application, unless otherwise stated.

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012. The requested change in use will not result in a change to the Woodland Conservation threshold, which is currently 15 percent for the E-I-A, R-S, and I-1 zoned portions of the site, and 50 percent for the R-A Zone. There is an approved TCP1 and Type 2 Tree Conservation Plan on the overall development. All future Applications will require tree conservation plans in accordance with the current regulations.

Leeland Road, which borders the site on the south, is a designated scenic road. No direct vehicular access is proposed from the National Capital Business Park to Leeland Road. The Applicant states that upon completion of the development, the Oak Grove Road/Leeland Road corridor will retain its character as a prominent scenic roadway in the County. The Applicant proposes to delete Condition 2 of A-9968-01. Staff is in support of the removal of this condition, as buffering for special roadways should be determined on future development Applications. §27-195(b)(1)(E)

(9) The anticipated construction schedule for the instant Application does not exceed 6 years. §27-195(b)(2)

(10) The instant Application does not include the V-M (Village-Medium), V-L (Village-Low) or L-A-C Zone. §27-195(b)(3) and (4)

RECOMMENDATION

Approval of A-9968-C-02 subject to the following Conditions and Considerations:

Conditions

1. Proposed Land 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 3.5 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 above

2. At the time of the submission of a Comprehensive Design Plan or Preliminary Plan of Subdivision, the Applicant shall provide a traffic study that analyzes the following intersections:
 - a. US 301/MD 725
 - b. US 301/Village Drive
 - c. US 301/Leeland Road
 - d. US 301/Trade Zone Avenue
 - e. US 301 SB/Wawa Crossover
 - f. US 301 NB/Wawa Crossover
 - g. US 301/Queens Court
 - h. US 301/Median Crossover
 - i. US 301/Beechtree Parkway/Swanson Road
 - j. US 301/Chrysler Drive
 - k. Prince George's Blvd./Trade Zone Avenue
 - l. Prince George's Blvd./Commerce Drive
 - m. Prince George's Blvd./Queens Court
3. At the time of Preliminary Plan of Subdivision, the Applicant shall provide the dedication for one-half of the 100 feet of dedication required to build Leeland Road (MC-600) to its ultimate cross section, per the Prince George's County Department of Public Works and Transportation standards.
4. At the time of Preliminary Plan of Subdivision, the Applicant shall dedicate 100+ acres of parkland to the Maryland-National Capital Park and Planning Commission, including the Collington Branch stream valley and 20 acres of developable land for active recreation, as shown on the Prince George's County Department of Parks and Recreation Exhibit A (Bates Stamped 62 of 63, Exhibit 28, A-9968-01).
5. The land to be conveyed to the Maryland-National Capital Park and Planning Commission shall be subject to the conditions of Exhibit B, attached to the June 21, 2005 memorandum from the Prince George's County Department of Parks and Recreation (Bates Stamped 63 of 63, Exhibit 28, A-9968-01).
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.

7. A revised Plan showing parkland dedication and master plan trail shall be reviewed and approved by the Prince George's County Department of Parks and Recreation staff at the time of Comprehensive Design Plan.
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.
9. The submission package of the Comprehensive Design Plan shall contain a signed Natural Resources Inventory (NRI) plan. The signed NRI plan shall be used by the designers to prepare a site layout that minimizes impacts to the regulated areas of the site.
10. A geotechnical study that identifies the location and elevation of the Marlboro clay layer throughout the site shall be submitted as part of the Comprehensive Design Plan Application.
11. A protocol for surveying the locations of all rare, threatened, and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources, prior to acceptance of the Comprehensive Design Plan, and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any Application for Preliminary Plans.
12. Prior to acceptance of the Preliminary Plan of Subdivision, a Revised Natural Resources Inventory Plan shall be submitted and approved.
13. At the time of Comprehensive Design Plan review, specific acreage of parkland dedications shall be determined. This area may include a 1.7± acre parcel of land which was not previously committed for parkland dedication. The conditions of conveyance shall be determined by appropriate staff of the Maryland-National Capital Park and Planning Commission.
14. At the time of comprehensive Design Plan, the Applicant shall address its plan to grade a 10-acre developable portion of the dedicated parkland (including a 1.7+ acre parcel of land from the Willowbrook project area which was not previously committed for parkland dedication)

on the western side of the property, east of the Pennsylvania Railroad right-of-way to accommodate ball fields and a parking lot.

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.
16. The conceptual location of the Collington Branch Stream Valley Trail, its feeder trail connecting to the proposed employment uses, and the Leeland Road shared-use path shall be shown on the Comprehensive Design Plan.
17. In the event the Applicant elects to pursue an alternative access point(s) to the adjacent Collington Center vis Popes Creek Drive and/or Prince George's Blvd., the transportation and environmental impacts of any additional access point(s) shall be evaluated at time of Comprehensive Design Plan or Preliminary Plan.

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 impacts to said features.
2. All proposed internal streets and developments should follow complete streets 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 and changing facilities, covered transit stops, crosswalks, etc.

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on April 15, 2021, regarding Comprehensive Design Plan CDP-0505-01 for National Capital Business Park, the Planning Board finds:

- Request:** The subject comprehensive design plan (CDP) application is to amend the previously approved plan to remove all residential uses and replace them with up to 3.5 million square feet of employment and institutional uses, as permitted in the Employment and Institutional Area (E-I-A) Zone, as authorized pursuant to Section 27-515(b), Footnote 38, of the Prince George’s County Zoning Ordinance.

2. Development Data Summary:

	PREVIOUSLY	APPROVED
Zone(s)	R-S	R-S
Use(s)	Residential	Employment and Institutional
Gross Acreage	426.52	426.52
Employment and Institutional Uses (Gross Floor Area)	0	3.5 million sq. ft.

- Location:** The subject property is a large tract of land that consists of wooded and undeveloped land, located on the north side of Leeland Road, approximately 3,178 feet west of the intersection of Leeland Road and US 301 (Robert Crain Highway). The site is also in Planning Area 74A and Council District 4.
- Surrounding Uses:** The site is bounded to the north by undeveloped properties in the Reserved Open Space and Open Space (O-S) Zones; to the west by a CSX railroad right-of-way and undeveloped properties in the Residential Low Development, Residential-Agricultural (R-A) and O-S Zones, including the Collington Branch Stream Valley; to the south by Leeland Road and beyond by Beech Tree, a residential subdivision in the R-S (Residential Suburban Development) Zone and undeveloped property in the R-A Zone; and to the east by the existing Collington Center, an employment center, in the E-I-A Zone.
- Previous Approvals:** The site was rezoned from the R-A Zone to the E-I-A Zone during the 1991 *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie-Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A, and 74B*

(The Bowie-Collington-Mitchellville and Vicinity Master Plan and SMA). The rezoning was contained in Zoning Map Amendment (Basic Plan) A-9829. In 2005, A-9968 was filed to request a rezoning of the property from the E-I-A Zone to the R-S Zone. At that time, the approval of a new Bowie and Vicinity Master Plan and Sectional Map Amendment was underway. A-9968 was recommended for approval by the Prince George's County Planning Board (PGCPB Resolution No. 05-178) and was transmitted to the Prince George's County District Council for incorporation into the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B* (Bowie and Vicinity Master Plan and SMA).

The Bowie and Vicinity Sectional Map Amendment 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.

On January 4, 2007, CDP-0505 was approved by the Planning Board (PGCPB Resolution No. 06-273) and Type I Tree Conservation Plan (TCPI-010-06) was approved for a total of 818 residential dwelling units, of which 602 were market rate (97 townhouses and 505 single-family detached units) and 216 units were in a mixed-retirement component (50 single-family detached, 56 townhomes, and 110 multifamily units), on approximately 427 acres of land with 34 conditions. The Planning Board's decision with conditions was affirmed by the District Council on April 9, 2007.

On March 15, 2007, PPS-4-06066 and TCPI-010-06-01 was approved by the Planning Board (PGCPB Resolution No. 07-43) subject to 31 conditions. Subsequently, a number of extensions, waivers, and reconsiderations were approved by the Planning Board. The last of which the Planning Board approved on March 8, 2018 (PGCPB Resolution No. 07-43(A)), a reconsideration of the conditions to construct a roundabout at the intersection of Oak Grove Road and Church Road, and convert the roundabout to a four-way, signal-controlled intersection. The PPS conditions are not applicable to the review of the current application, but the modification of the intersection is noted for informational purposes.

On March 30, 2017, Specific Design Plan SDP-1603 and associated TCPII-028-2016, (PGCPB Resolution No. 17-144), for Phase One 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, was approved subject to 15 conditions. No construction has been started on the property.

On May 13, 2019, the District Council (Zoning Ordinance No. 5-2019) approved a revision to A-9968 to add 313 dwelling units, with 23 conditions and 5 considerations. The originally approved dwelling unit range was 627-826 total dwelling units. The approved dwelling unit range of A-9968-01 increased to 624-1,139 dwelling units.

On March 23, 2021, the Zoning Hearing Examiner (ZHE) approved A-9968-02, which is a revision to A-9968 and A-9968-01, to replace the previously approved residential land use patterns on the subject site, with employment and institutional uses permitted in the E-I-A Zone, as authorized, pursuant to Section 27-515(b), in the R-S Zone, with 16 conditions and 2 considerations. A-9968-02 supersedes the approvals of both A-9968 and A-9968-01 and governs the future development of the subject site for employment and institutional uses, as generally permitted in the E-I-A Zone, without any residential component. The District Council affirmed the ZHE's decision on April 12, 2021.

6. **Design Features:** This CDP amendment is to remove all residential components in the future development of the 426.52-acre property, known as National Capital Business Park (NCBP). The entire tract of land is in three different zones, including approximately 15 acres of land in the Light Industrial (I-1) Zone, 0.78 acre of land in the R-A Zone, and 426.52 acres of land in the R-S Zone, but this CDP is only applicable to the R-S Zone. The proposed development of up to 3.5 million square feet of employment uses such as warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses will be mainly on the R-S-zoned section in the middle of the larger property. Only a small portion of the above uses will be on the I-1-zoned property in the southeast portion of the site, of which many are permitted by-right. Proposed open space will occupy most of the I-1-zoned section of the subject site. In addition, approximately one third of the entire site, surrounding the Collington Branch Stream Valley in the west, will be preserved in open space, with a potential public park identified adjacent to the CSX railroad track in the west.

Vehicular access to the subject site will be provided via an extension of the existing Queens Court within the adjacent Collington Center. Queens Court intersects with Prince George's Boulevard, which is a spine road running through Collington Center, and then connects beyond to US 301 in the east. The Queens Court extension intersects in a "T shape" with a proposed internal spine road in the middle of the subject site. The internal spine road is in a north-south orientation with cul-de-sacs on both ends. The proposed development will be located on both sides of the spine road and Queens Court extension. The proposed building blocks of this development includes interconnecting streets and complimentary conceptual building and parking envelopes. In addition, a significant green area network, which substantially surrounds the proposed development, has been proposed that accounts for more than one third of the entire site. This includes utilization of the adjacent stream valley to define the western edge of the proposed development area and additional proposed open space on the I-1-zoned property, along with numerous on-site stormwater facilities throughout the site. The project has been designed to be a compact development that will minimize impacts to sensitive environmental features and preserve priority woodland area along the stream valley corridor and other sensitive environmental areas.

The CDP phase of the three-phase Comprehensive Design Zone (CDZ) process requires the submission of a plan that establishes the general location, distribution, and sizes of buildings and roadways. The plan includes several drawings, the schedule for development of all or portions of the proposal, and standards for height, open space, public improvements, and other design features. The regulations for any of the CDZs are at the same time more flexible and more rigid

than those of other zones in Prince George's County. The zones are more flexible in terms of permitted uses, residential densities, and building intensities. They are more rigid because some of the commitments made by a developer carry the force and effect of zoning law once approved by the Planning Board and the District Council. This application, however, does not have any residential components and only proposes employment and institutional uses permitted in the E-I-A Zone. Given the R-S Zone was envisioned for residential development only, there are not any standards that are applicable to the proposed development. All development standards including the density (which is in total gross floor area (GFA) in this application) will be established through the approval of this CDP.

Comprehensive design guidelines (entitled *National Capital Business Park-Design Guidelines*, as included in Exhibit A, incorporated herein by reference) have been submitted with this CDP. The design guidelines are organized into nine sections, including structure, general architecture design, building design, views, vehicular access and parking, landscape concept, signage design guidelines, internal and external compatibility, and lighting guidelines. Those design guidelines will be the basis for future review and approval of SDPs for this development project. However, the applicant can request amendments to those design guidelines/development standards and the Planning Board can approve alternative design options at the time of SDPs, if the Planning Board can find that the alternative designs are beneficial to the development project and will not be detrimental to the approved CDP.

COMPLIANCE WITH EVALUATION CRITERIA

- 7. Zoning Map Amendment (Basic Plan) Application A-9968 and amendments:** A-9968 was approved by the Planning Board and was included in the approval of the Bowie and Vicinity Master Plan and SMA by District Council's Resolution CR-11-2006, which has 13 conditions and 3 considerations, for a residential development up to 826 dwelling units, including both a market-rate and mixed-retirement components. All conditions and considerations are related to residential development and not applicable to the current CDP amendment.

The District Council approved a revision to A-9968 on May 13, 2019, with 23 conditions and 5 considerations. A-9968-01 was to increase the number of dwelling units, to increase the 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, pursuant to Section 27-197(c) of the Zoning Ordinance. Once again, all conditions and considerations are related to residential development and not applicable to this CDP amendment.

A-9968-02 proposes to remove all previously approved residential uses in both A-9968 and A-9968-01, and to allow up to 3.5 million square feet of employment and institutional uses, generally permitted in the E-I-A Zone. A-9968-02 was heard by the Zoning Hearing Examiner on March 10, 2021, and they issued an approval with 17 conditions and 2 considerations that supersedes both A-9968 and A-9968-01. The ZHE's decision on A-9968-02 was affirmed by the District Council on April 12, 2021. Conditions and considerations attached to the approval of A-9968-02 that are relevant to the review of this CDP warrant discussion, as follows:

1. Proposed Land 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 natural resource inventory

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 3.5 million square feet *

Open Space

Public active open space: 20± acres

Passive open space: 220± acres

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

This CDP proposes up to 3.5 million square feet of employment uses including warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses that are generally permitted in the E-I-A Zone and meets this condition.

2. At the time of the submission of a comprehensive design plan or preliminary plan of subdivision, the applicant shall provide a traffic study that analyzes the following intersections:

- a. US 301/MD 725**
- b. US 301/Village Drive**
- c. US 301/Leeland Road**
- d. US 301/Trade Zone Avenue**
- e. Oak Grove Road/Church Road**
- f. Oak Grove Road/MD 193**

A traffic impact analysis study has been submitted that includes all relevant/appropriate intersections as part of this application.

5. **The land to be conveyed to Maryland-National Capital Park and Planning Commission shall be subject to the conditions of Exhibit B, attached to the June 21, 2005, memorandum from the Prince George's County Department of Parks and Recreation. (Bates Stamped 63 of 63, Exhibit 28, A-9968/01).**

In accordance with the statement of justification (SOJ), the applicant is committed to dedicating 20 acres of suitable land for active recreation purposes, as required by the relevant provisions of Section 27-515(b), Footnote 38. The specific details about the dedication will be worked out at the time of preliminary plan of subdivision (PPS) review.

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 general locations of the two trails have been shown on the submitted Circulation and Utility Plan, which is a component of the CDP application. Detailed alignment and the design details will be determined at the time of either PPS or SDP.

7. **A revised plan showing parkland dedication and master plan trail shall be reviewed and approved by the Prince George's County Department of Parks and Recreation staff at the time of comprehensive design plan.**

The conceptual locations for the 10-foot-wide master plan hiker/biker trail along the Collington Branch Steam Valley, and the 10-foot-wide feeder trail to the employment uses are properly reflected on the CDP. Prince George's County Department of Parks and Recreation (DPR) staff met with the applicant in the field and are in the process of determining a final alignment.

9. **The submission package of the comprehensive design plan shall contain a signed natural resources inventory (NRI) plan. The signed NRI plan shall be used by the designers to prepare a site layout that minimizes impacts to the regulated areas of the site.**

A signed Natural Resources Inventory plan, NRI-098-05-03, has been submitted with this CDP, and a revision to NRI-098-05-04 was approved on March 3, 2021, during the review period of CDP-0505-01, satisfying this condition.

10. **A geotechnical study that identifies the location and elevation of the Marlboro clay layer throughout the site shall be submitted as part of the comprehensive design plan application.**

A draft geotechnical report, in conformance with this condition, dated September 17, 2020 and prepared by Geo-Technology Associates, Inc. was included with this application and has been forwarded to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) for review. The approximate locations of the unmitigated 1.5 safety factor lines are shown on the TCP1. Additional information, as determined by DPIE in their review, may be required, prior to certification of the CDP. A finalized report is required with the PPS submission, as conditioned herein.

11. **A protocol for surveying the locations of all rare, threatened, and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources, prior to acceptance of the comprehensive design plan, and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any application for preliminary plans.**

The subject site contains five identified species of rare, threatened, or endangered (RTE) plants and three state-listed threatened or endangered fish species with the Collington Branch and/or Black Branch watersheds. An RTE Species Habitat Protection and Management Program was conceptually approved with the prior PPS 4-06066, and the details of the program were approved with the prior SDP-1603. Original Habitat Protection and Management Program reports were prepared individually in 2007 for the subject site (then referred to as Willowbrook) and another development referred to as Locust Hill. In 2016, the two reports were combined because the two projects were under a single ownership and were anticipated to move along similar timeframes for construction. The Locust Hill project has been under development, in accordance with the 2016 report; however, the subject site is now proposed for a significantly different development pattern from what was last evaluated. The 2016 Management Program was resubmitted with this application and forwarded to the Maryland Department of Natural Resources (DNR), Wildlife and Heritage Service for review. An updated Habitat Protection and Management Program must be prepared for the current project.

The timeline presented by the applicant for the construction of the current project anticipates issuance of the first building permit in the fall of 2021. In accordance with the existing Habitat Protection and Management Program report, hydrologic monitoring for a minimum of one year prior to issuance of the first grading permit was required to establish a baseline of data. The updated report must include not only the data regarding the on-site monitoring required by the 2016 report, but must also meet all current requirements of DNR, Wildlife and Heritage Service regarding the presence and protection of RTE species including, but not limited to, timing of the analysis of RTE population counts and condition, habitat characterization and condition, and the details of the habitat management program for RTE fish species: water quality monitoring, pollution prevention measures, and corrective measures. This requirement has been conditioned herein.

- 13. At the time of comprehensive design plan review, specific acreage of parkland dedications shall be determined. This area may include a 1.7± acre parcel of land which was not previously committed for parkland dedication. The conditions of conveyance shall be determined by appropriate staff of the Maryland-National Capital Park and Planning Commission.**

The 1.7± acre parcel is an isolated section of the property on the west side of the railroad right-of-way and is not currently included as part of the parkland dedication. The CDP shows the 20-acre community park consistent with requirements of Section 27-515(b), Footnote 38.

- 14. At the time of comprehensive design plan, the applicant shall address its plan to grade a 10-acre developable portion of the dedicated parkland (including a 1.7± acre parcel of land from the Willowbrook project area which was not previously committed for parkland dedication) on the western side of the property, east of the Pennsylvania Railroad right-of-way to accommodate ball fields and a parking lot.**

The applicant and DPR staff have participated in public meetings with two area community homeowners' associations (Beech Tree and Oak Creek) to obtain input on specific park facility needs for local residents. DPR staff are currently evaluating this input and the needs for this section of the County. Further details on this plan will be reviewed with the future PPS and SDPs.

- 16. The conceptual location of the Collington Branch Stream Valley Trail, its feeder trail connecting to the proposed employment uses, and the Leeland Road shared-use path shall be shown on the comprehensive design plan.**

The submitted CDP includes a Circulation and Utility Plan that includes the conceptual locations of the shared-use path along Leeland Road, the Collington Branch Stream Valley Hiker/Biker trail, and the feeder trail connecting the employment use with the

Collington Branch Stream Valley Trail. Details of those facilities will be further reviewed at the time of either PPS or SDP.

- 17. In the event the Applicant elects to pursue an alternative access point(s) to the adjacent Collington Center vis Popes Creek Drive and/or Prince George's Blvd., the transportation and environmental impacts of any additional access point(s) shall be evaluated at time of Comprehensive Design Plan or Preliminary Plan.**

The submitted CDP includes a Circulation and Utility Plan that shows access to a development area in the I-1-zoned portion of the property via Prince George's Boulevard. Transportation and environmental impacts for this access point were evaluated with this application and will be further reviewed with the PPS.

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 impacts to said features.**

The development proposed with CDP-0505-01 has been determined in part by the environmental constraints of the site, including the regulated environmental features and the soils. Minimal impacts to the environmental features are proposed and they will be further analyzed with the PPS.

- 2. All proposed internal streets and developments should follow complete streets 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 and changing facilities, covered transit stops, crosswalks, etc.**

The submitted application neither follows complete streets principles, nor encourages multimodal transportation. The Planning Board disagrees with the assertion that facilities to encourage multimodal transportation are inappropriate for an employment use. Walking, bicycling, and transit use are important modes for residents and employees in the County, particularly for people who do not have ready access to a private automobile or may not be able to operate a motor vehicle. In these instances, safe access to these modes is often the determinant in whether someone can work or visit an area in the County, and the onus of owning and operating a vehicle should not prevent future employment within this subject area. A condition has been included in this resolution to require the applicant to provide additional development standards related to pedestrian and bicycle facilities under the Vehicular Access and Parking Section in the *National Capital Business Park-Design Guidelines*.

8. Prince George’s County Zoning Ordinance: This application has been reviewed for conformance with the requirements of the Zoning Ordinance governing development in the R-S Zone, as follows:

- a. **Uses:** The R-S Zone, which is one of the nine comprehensive design zones, is envisioned as a moderate density suburban residential zone that will provide flexibility and imaginative utilization of the land to achieve a balance and high-quality residential development that cannot be achieved through conventional zoning designation. The general principle for land uses in this zone is that uses should be either residential in nature, or necessary to serve the dominant residential uses. These latter uses shall be integrated with the residential environment without disrupting the residential character or residential activities. All prior approvals under the project name of Willowbrook were obtained to fulfill the residential vision of the zone.

Through the adoption of Prince George’s County Council Bill CB-22-2020, the District Council expanded the uses permitted in the R-S Zone to allow nonresidential uses that are generally permitted in the E-I-A Zone, specifically in accordance with the following:

Section 27-511 (a)

- (7) Allow qualifying properties in the R-S Zone to develop with uses in the E-I-A Zone pursuant to Section 27-515(b) of this Code.**

The subject CDP was filed in accordance with this provision to introduce up to 3.5 million square feet of employment and institutional uses generally permitted in the E-I-A Zone, as listed on the use table of Section 27-515 (b), and in accordance with Footnote 38, which 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 subject property is more than 400 acres, is adjacent to the Collington Trade Center, which was developed pursuant to the E-I-A Zone, and was rezoned by the Bowie and Vicinity Master Plan and SMA.

- (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 subject CDP notes it will provide 10 percent green area and shows conformance to all E-I-A Zone regulations.

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

The subject CDP does not adhere to the R-S Zone regulations, as allowed.

- (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 subject CDP shows a public park dedication in excess of 20 acres and shows street connectivity through the adjacent Collington Trade Center.

- b. **Density Increments:** Since no nonresidential uses were previously envisioned in the R-S-Zone, there are no density increment factors for any nonresidential uses. This CDP does not request any density increments and is consistent with A-9968-02, in terms of the total GFA of the proposed development, which is up to 3.5 million square feet.
- c. **Development Standards:** A comprehensive set of development standards has been included in this CDP for the entire development, as discussed in above Finding 6. The proposed development standards are acceptable and will guide the future development of the NCBP if approved with this CDP.

The applicant indicates in the SOJ that green building and development techniques will be utilized in the development and gave a few examples of green techniques, such as using “Tilt Wall” design in future buildings and instituting the use of low impact development techniques and environmental site design in the handling of stormwater runoff, to the maximum extent practicable. However, no guidelines on green building or

sustainable site development have been included in the *National Capital Business Park-Design Guidelines*. Given the scale of the proposed development and its long-lasting impacts on the environment, The Planning Board believes that detailed green building and sustainable site development guidelines are warranted and requires that the applicant provide a separate guidelines section on the green building and sustainable site design techniques to specifically require those techniques be provided at the site, building, and equipment levels, as conditioned herein.

In addition, the CDP also includes design guidelines on landscaping that are not sufficient to guide all possible development scenarios. The Planning Board requires that the landscaping standards in the 2010 *Prince George's County Landscape Manual* (Landscape Manual) be utilized as reference when dealing with similar situations as encompassed in the manual. Specific text to this extent should be added under the Landscaping Section in the *National Capital Business Park-Design Guidelines*, as conditioned herein.

- d. Section 27-521, Required Findings for Approval in Comprehensive Design Zones, of the Zoning Ordinance requires the Planning Board to find conformance with the following findings for approval of a CDP:

- (1) The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

The proposed CDP amendment is in general conformance with A-9968-02, which was heard by the Zoning Hearing Examiner on March 10, 2021 and is pending final approval. The proposed development seeks approval of employment and institutional uses permitted in the E-I-A Zone, as authorized, pursuant to Section 27-515(b).

The E-I-A Zone is intended for a concentration of nonretail employment and institutional uses such as medical, manufacturing, office, religious, educational, and warehousing. The property was previously placed in the E-I-A Zone as part of the Bowie-Collington-Mitchellville and Vicinity Master Plan and SMA, which referred to this land area as the "Willowbrook Business Center." The basic plan for this previously planned center (A-9829) was approved as part of the Master Plan and allowed for an FAR between 0.3 and 0.38 for a total of 3,900,000–5,000,000 square feet of "light manufacturing, warehouse/distribution, ancillary office and retail commercial" uses. This application includes up to 3.5 million square feet of GFA and meets this finding.

- (2) **The proposed plan would result in a development with a better environment than could be achieved under other regulations;**

The proposed CDP will provide for a balanced land development that will respect existing environmental conditions on the site, while creating an employment area adjacent to the Collington Center immediately to the north and east of the property. The proposed up to 3.5 million square feet of employment and institutional uses will create additional vitality to the existing employment center that cannot be achieved under other regulations of the Zoning Ordinance.

- (3) **Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**

The CDP application contains comprehensive design guidelines consisting of nine sections that provide guidance to the design of all facilities, buildings, and amenities on the larger employment campus. The CDP proposes a land use pattern that will include all the necessary facilities to meet the needs of employees and guests of the NCBP project. Given the scale of the proposed development and its long-lasting impacts on the environment, the Planning Board also requires that additional guidelines on green building and sustainable site development techniques be added and those landscaping standards included in the Landscape Manual be referenced in the *National Capital Business Park-Design Guidelines* to provide sufficient design guidance to the proposed development.

- (4) **The proposed development will be compatible with existing land uses, zoning, and facilities in the immediate surroundings;**

The proposed development is an organic extension of the existing uses in the Collington Center, which is located to the east of the proposed NCBP site. The proposed uses are compatible with existing land uses, zoning, and facilities in the immediate surroundings. The development of the site with such uses as permitted in the E-I-A Zone will also create additional synergy with the existing Collington Center. Since the NCBP will not be utilizing Leeland Road as an access point for any of its vehicular trips, the balance of the Leeland Road corridor will remain appropriate for low-density residential development.

- (5) **Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

- (A) **Amounts of building coverage and open space;**
- (B) **Building setbacks from streets and abutting land uses; and**
- (C) **Circulation access points;**

The land uses and facilities covered by the CDP will be guided by the proposed comprehensive design standards known as *National Capital Business Park-Design Guidelines* in Exhibit A. With the implementation of the comprehensive guidelines in each stage of the development, the land uses and facilities in this application will be compatible with each other in relation to the amount of building coverage, open space, building setbacks from streets, abutting land uses, and circulation access points. The proposed CDP amendment shows planned building and parking envelopes to support the creation of a maximum of 3.5 million square feet of employment and institutional uses. These uses will potentially include warehouse/ distribution, office, light industrial/manufacturing, and/or institutional uses, and will be a natural extension of the existing adjacent Collington Center. The NCBP will be accessed by the extension of Queens Court from the adjacent Collington Center. The proposed internal street network, and the design guidelines set forth in Exhibit A, will allow for the forthcoming uses within the NCBP to be compatible with one another both in scale and appearance.

(6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;

The proposed NCBP is planned to include up to three phases ranging in size from approximately 500,000 square feet to approximately 1.5 million square feet each. The actual phasing will be determined by market demand. Each phase will potentially include the following amount of employment and institutional uses:

Phase 1:	942,000 square feet
Phase 2:	1,607,000 square feet
Phase 3:	547,000 square feet

According to the SOJ provided by the applicant, it is estimated that these phases in totality will create at least 5,000 new jobs within the County.

The aforementioned phasing program is subject to change at the time of SDP when specific uses and site information are available.

(7) The staging of development will not be an unreasonable burden on available public facilities;

The CDP application will not be an unreasonable burden on public facilities because the applicant will construct the extension of Queens Court leading directly into the adjacent Collington Center, in order to start the development. This CDP amendment will also result in a significant reduction of vehicular trips using Leeland Road. Moreover, the conversion of the predominant uses on this site from residential to employment and institutional uses will eliminate impacts

to the public school system, while at the same time significantly increasing the County's commercial tax base. The applicant will also be required to contribute financially to the improvements of the US 301/Queens Court intersection.

- (8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**
- (A) The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting;**
 - (B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**
 - (C) The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;**

This project does not include an adaptive reuse of any historic site. Therefore, this criterion does not apply.

- (9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d); and**

This CDP includes comprehensive design standards known as *National Capital Business Park-Design Guidelines* in Exhibit A that incorporates the applicable design guidelines set forth in Section 27-274. There is no residential use included in this application.

- (10) The Plan is in conformance with an approved Type 1 Tree Conservation Plan;**

The CDP also includes TCP1-004-2021. The Planning Board finds this CDP is in conformance with the applicable requirements of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), if revised as conditioned herein.

- (11) The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130-(b)(5);**

The CDP is consistent with the approved land use quantities as included in A-9968-02 to preserve more than half of the entire site in the natural state. As such, this CDP meets this finding at this time. However, with more detail information regarding the development of this site at the time of PPS and SDP, conformance with this finding will be further evaluated.

- (12) Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

Section 27-226(f)(4) of the Zoning Ordinance is the District Council procedure for approving a comprehensive design zone application as part of an SMA. This provision is not applicable to the subject application because the property was rezoned through Zoning Map Amendment (basic plan) application, not through the SMA process.

- (13) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

This provision is not applicable to the subject application because NCBP is not a regional urban community.

- 9. Comprehensive Design Plan CDP-0505:** The District Council approved the original CDP-0505 for 818 residential dwelling units, of which 602 were market rate (97 townhouses and 505 single-family detached units) and 216 units were in a mixed-retirement component (50 single-family detached, 56 townhomes, and 110 multifamily units), in the R-S Zone, on property known as Willowbrook, on April 9, 2007, with 34 conditions. Since no nonresidential uses were included in the original approval, most of the conditions are not applicable to the review of this CDP. Only a few of the conditions related to this site are relevant to the review of this CDP amendment, as follows:

- 2. Applicant and the applicant's heirs, successors, and/or assignees shall construct the master plan trail along the subject site's portion of Collington Branch. Park dedication and alignment of the trail shall be coordinated with the Department of Parks and Recreation.**

The applicant is fully aware of this condition and the said trail has been shown conceptually on the CDP plan. Specific alignment and design details of the trail will be decided at the time of future review of either PPS or SDP.

- 4. Standard sidewalks shall be provided along both sides of all internal roads, unless modified by DPW&T.**

This condition has been included in the condition of approval for this CDP that requires the applicant to add new development standards related to pedestrian and bicycle facilities under the Vehicular Access and Parking Section in the *National Capital Business Park-Design Guidelines*.

10. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:

The project is subject to the provisions of the WCO because the subject property is more than 40,000 square feet in size, has more than 10,000 square feet of woodland on-site, and has previously approved TCPs for the overall property. TCP1-004-2021 was submitted with the CDP application.

The requested change in use will not result in a change to the woodland conservation threshold, which is currently 15 percent for the R-S and I-1-zoned portions of the site, and is 50 percent for the R-A Zone. There is an approved TCP1 and TCP2 on the overall development related to the prior residential subdivision, which are grandfathered under the 1991 Woodland Conservation Ordinance. The prior TCP approvals are not applicable to the new development proposal for the NCBP.

The TCP1 describes the site with 339.73 acres of existing woodland in the net tract area and 82.93 acres in the floodplain. The woodland conservation threshold shown on the TCP1 as submitted is 15 percent; however, staff’s calculation of the threshold is 15.08 percent, or 52.40 acres. The threshold is calculated based on the acreage within each zone. The woodland conservation worksheet shows the removal of 267.24 acres of woodland on the net tract area, and 1.09 acres in the floodplain, which based on staff’s calculations results in a woodland conservation requirement of 120.30 acres. This requirement is proposed to be met with 71.40 acres of on-site woodland preservation, 18.30 acres of reforestation, and 30.60 acres of off-site woodland conservation credits.

On October 26, 2020, the Office of the Attorney General issued an Opinion regarding forest mitigation banking under the Maryland Forest Conservation Act (FCA – 105 Md. Op. Attorney General. 66). Under the FCA, which is codified in Sections 5-1601 to 5-1613 of the Natural Resources Article of the Maryland Code, forest mitigation banking is defined as “the intentional restoration or creation of forests undertaken expressly for the purpose of providing credits for afforestation or reforestation requirements with enhanced environmental benefits from future activities.” The Opinion addressed whether an off-site existing forest that was not intentionally created or restored but was, nevertheless, encumbered with a protective easement could qualify as a forest mitigation bank. The Office of the Attorney General determined that it could not.

As a result of this Opinion and the lack of any valid credits at the time of this referral, off-site woodland conservation credits are not available for purchase at any established woodland conservation bank within the County. The woodland conservation banking program is a private market in the County and M-NCPPC does not guarantee that credits will be available for purchase. Prior to issuance of any permits for this project, the off-site woodland conservation

requirements shown on the TCP shall be met in accordance with the Conservation Method Priorities established in Section 25-122(c) of the Prince George's County Code.

Because of this site's prominent location on a designated primary and secondary corridor of the Bowie and Vicinity Master Plan, the use of Collington Branch as a significant flyway linking the Belt Woods, located to the north, to the Patuxent River and the high quality of woodland present on the site, additional effort should be made to provide the woodland conservation requirements on-site, particularly along the Collington Branch Stream Valley.

Overall, the plan addresses the spirit of the WCO and the 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* by providing for the conservation of large contiguous woodlands along the stream valleys and in priority conservation areas. In addition, woodland conservation is proposed on lands to be dedicated to DPR. Woodland conservation cannot be shown on land to be dedicated to DPR without prior written permission. The TCP1 must be revised to remove woodland conservation from land to be dedicated to DPR. Should DPR provide written permission during the review process, the TCP under review at that time should reflect the update.

The location of the RTE habitat sites for the plants is shown on the plans. In review of the Habitat Protection and Management Program for the RTE species that are located on the property, a revision to this report is required, prior to acceptance of the PPS. The current management program is for both the former Willowbrook and Locust Hill projects. The NCBP shall separate out its property into its own management program and update the information on timing and evaluation of the RTE habitat as conditioned herein.

11. Further Planning Board Findings and Comments from Other Entities: The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

- a. **Community Planning**—The Planning Board adopts a memorandum dated March 15, 2021 (McCray to Zhang), included herein by reference, which provided that pursuant to Section 27-521(a)(4), the proposed development will be compatible with existing land use, zoning, and facilities in the immediate surrounding because the District Council approved CB-22-2020 for the purpose of permitting certain employment and institutional uses permitted by right in the E-I-A Zone to be permitted in the R-S Zone, under certain specified circumstances.
- b. **Historic Preservation**—The Planning Board adopts a memorandum dated January 15, 2021 (Stabler and Smith to Zhang), included herein by reference, which found that the subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources. All archeological investigations have been completed and no additional work was previously recommended.

- c. **Environmental Planning**—The Planning Board adopts a memorandum dated March 15, 2021 (Nickle to Zhang), included herein by reference, which provided a comprehensive review of this CDP application’s conformance with applicable environmental planning regulations and governing plans. Some comments have been included in the findings above and additional summarized findings are as follows:

Specimen Trees

Section 25-122(b)(1)(G) 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.”

There are 224 specimen trees identified on the property. The proposed development shown on the TCP1 proposes the conceptual removal of specimen trees; however, no variance application was submitted with the CDP. Prior to certification of the CDP, revise the TCP1 to show all specimen trees on the plan and in the specimen tree table to remain. A variance request for the removal of specimen trees shall be submitted with the acceptance of the PPS or SDP, as appropriate.

Stormwater Management

An approved site development concept was submitted, which reflects the prior development proposal. An update to this site development concept will need to be submitted to DPIE to reflect the current development proposal. The updated stormwater concept plan shall be submitted for review with the acceptance of the PPS.

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 on special roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway, including to conserve and enhance the viewsheds along designated roadways. Any improvements within the right-of-way of an historic road are subject to approval by the County under the Design Guidelines and Standards for Scenic and Historic Roads.

The Landscape Manual addresses the requirements regarding buffers on scenic and historic roads in Section 4.6. These provisions will be evaluated at the time of the review of the applicable SDP. Landscaping is a cost-effective treatment, which provides a significant visual enhancement to the appearance of an historic road. The scenic road buffer must be located outside of the right-of-way and public utility easements, and preferably by the retention of existing good quality woodlands, when possible.

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 TCP1 shows the approximate location of the unmitigated 1.5 safety factor line, in accordance with a geotechnical report dated September 17, 2020 and prepared by Geo-Technology Associates, Inc. Additional information, as determined by DPIE in their review, may be required, prior to certification of the CDP and acceptance of the PPS.

- d. **Subdivision**—The Planning Board adopts a memorandum dated March 15, 2021 (Heath to Zhang), included herein by reference which noted that this proposed amendment to CDP-0505 will require a new PPS. All bearings and distances must be clearly shown on the CDP and must be consistent with the record plats or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.
- e. **Transportation Planning**—The Planning Board adopts a memorandum dated March 19, 2021 (Burton to Zhang), included herein by reference, which provided a review of the background and prior approvals and plans governing this application, as well as the traffic impact study (TIS) based on the predetermined scope that includes previously identified intersections, with the following summarized comments:

Analysis of Traffic Impacts

The subject property is currently unimproved and is located within Transportation Service Area (TSA) 2, as defined in the *Plan Prince George's 2035 Approved General Plan*.

Based on the District Council's prior approvals, the maximum density allowed was a range of 625–1,139 dwelling units. That density had the potential of generating 741 AM peak-hour trips, and 889 PM peak-hour trips. The current application proposes a change in land use to approximately 3.5 million square feet of employment and institutional development, generating 1,400 trips during each peak hour. Pursuant to Section 27-195(b)(1)(C) of the Zoning Ordinance, the criteria for approval of a basic plan, as they relate to transportation, are as follows:

Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program (CIP), within the current State Consolidated Transportation Program, or will be provided by the applicant,

will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;

To meet the legal threshold cited above, the applicant provided an October 2020 TIS. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the Planning Board, consistent with the “2012 Transportation Review Guidelines, Part 1” (Guidelines). The table below shows the intersections deemed to be critical, as well as the levels of service, representing existing conditions. It is worth noting that one of the provisions of recent CB-22-2020 is that no traffic from this proposed development should be oriented to and from Leeland Road to the south of the subject property. As a result of this mandate by the council, the TIS did not consider any intersections along Leeland Road. The following represents the intersections deemed critical for the proposed development:

EXISTING CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
US 301 @ Trade Zone Avenue	A/895	B/1022
US 301 @ Queens Court: Right-in, Right-Out (RIRO)	No delay	No delay
US 301 @ Median Crossover Minor street volume *	No delay <100 vehicles	No delay <100 vehicles
US 301 @ Leeland Road	A/668	A/818
US 301 @ Beechtree Parkway-Swanson Road	B/1012	D/1351
US 301 @ Village Drive	A/766	B/1021
US 301 @ MD 725	A/961	D/1312
US 301 @ Chrysler Drive	A/823	D/1357
Prince George’s Boulevard @ Trade Zone Avenue *	<50 seconds	<50 seconds
Prince George’s Boulevard @ Commerce Drive *	<50 seconds	<50 seconds
Prince George’s Boulevard @ Queens Court *	<50 seconds	<50 seconds
*Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the Guidelines, all three tests must fail in order to require a signal warrant study.		

The traffic study identified 13 background developments whose impact would affect some or all of the study intersections. In addition, a growth of one percent over six years was also applied to the traffic volumes. A second analysis depicting background traffic conditions was done, yielding the following results:

BACKGROUND CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
US 301 @ Trade Zone Avenue	C/1164	E/1511
US 301 @ Queens Court: Right-in, Right-Out (RIRO)	No delay	No delay
US 301 @ Median Crossover Minor street volume *	No delay <100 vehicles	No delay <100 vehicles
US 301 @ Leeland Road	A/891	D/1357
US 301 @ Beechtree Parkway-Swanson Road	C/1222	F/1677
US 301 @ Village Drive	A/965	D/1347
US 301 @ MD 725	C/1196	F/1658
US 301 @ Chrysler Drive	B/1020	F/1659
Prince George's Boulevard @ Trade Zone Avenue *	<50 seconds	<50 seconds
Prince George's Boulevard @ Commerce Drive *	<50 seconds	<50 seconds
Prince George's Boulevard @ Queens Court *	<50 seconds	<50 seconds
* Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the Guidelines, all three tests must fail in order to require a signal warrant study.		

Using the trip rates from the Guidelines, the study indicated that the subject application represents the following trip generation:

Table 1 - Trip Generation							
		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Warehouse (FAR 0.3, County rates)	3.5 million sq. ft.	1,120	280	1,400	280	1,120	1,400
Total new trips		1,120	280	1,400	280	1,120	1,400

The table above indicates that the proposed development will be adding 1,400 trips during both peak hours. The analysis under existing conditions assumes several unsignalized intersections. Under future conditions, the intersection of US 301 at Queens Court is assumed to be signalized. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS <i>with CIP improvements</i>		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
US 301 @ Trade Zone Avenue	A/984	D/1308
US 301 @ Queens Court: Right-in, Right-Out (RIRO)	B/1132	C/1280
US 301 @ Median Crossover Minor street volume *	No delay <100 vehicles	No delay <100 vehicles
US 301 @ Leeland Road <i>With additional improvement</i>	C/1212 B/1145	E/1577 D/1427
US 301 @ Beechtree Parkway-Swanson Road	B/1070	D/1423
US 301 @ Village Drive	A/859	B/1069
US 301 @ MD 725	A/987	D/1359
US 301 @ Chrysler Drive	A/776	D/1331
Prince George's Boulevard @ Trade Zone Avenue *	<50 seconds	<50 seconds
Prince George's Boulevard @ Commerce Drive *	<50 seconds	<50 seconds
Prince George's Boulevard @ Queens Court * Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	>50 seconds >100 vehicles A/833	>50 seconds >100 vehicles A/755
* Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the Guidelines, all three tests must fail in order to require a signal warrant study.		

The results under total traffic conditions show that the intersections will all operate adequately, with the exception of US 301 at Leeland Road. To that end, the applicant has agreed to provide an additional left turn lane (for a total of three lefts) on the eastbound approach, resulting in an acceptable level of service (LOS) for that intersection.

The TIS assumed improvements involving the upgrade to US 301 between MD 214 in the north and MD 4 to the south. Specifically, the improvements would involve a widening of US 301 from 4 to 6 through lanes. This improvement appears in the current (FY 2021-2026) County Capital Improvement Program (CIP) with full funding within six years. There is a provision in the CIP (4.66.0047) that the overall cost of \$32,000,000.00 (1989 dollars) will be borne by developer contribution. The TIS provides a tabular representation of the applicant's pro-rata share of the CIP-funded improvements. For each intersection, a determination is made of the overall excess capacity that is created by CIP improvements. The amount of that excess capacity that is needed to get to LOS D is then calculated and expressed as a percentage. The average percentage for both peak hours for all critical intersections along US 301 is then determined. The result of these analyses show that an average of 14.5 percent of the total capacity created by CIP improvements will be required by this development to meet the department's adequacy

threshold. The Planning Board supports this methodology and its conclusion. Because the projected price tag in the current CIP is set at \$32,000,000, the applicant's pro-rata share will be $32,000,000 \times 0.145 = \$4,640,000.00$. Based on a proposed development of 3.5 million square feet of GFA, the fee would be $\$4,640,000/3,500,000 = \1.33 per square foot of GFA. This amount does not include the cost of an additional improvement at the intersection of Leeland Road and US 301. The applicant will be required to provide a triple left turn lane on Leeland Road to achieve LOS D.

The Planning Board concurs with the TIS's findings and conclusions. In addition, the TIS was referred out to County and State agencies for review and comment; however, as of this resolution, no comments have been received from the County agencies. In a February 25, 2021 letter (Rigby to Lenhart) from the Maryland State Highway Administration (SHA), SHA concurred with the study findings. It is worth noting that the most recent basic plan approval for this development showed that the site could be generating 741 AM peak-hour trips, and 889 PM peak-hour trips. That proposal was predicated on the mostly residential development having two access points on Leeland Road. The pending application, if approved, would generate 1,400 trips in each peak hour, with only a single point of access. While this development would increase the trip generation by over 70 percent over both peak hours, the single point of access is projected to operate adequately. And while a second point of access would have been highly desirable to enhance the circulation on-site, the single-entry road (future Queens Court extended) will be dualized for its entire length. This will have some mitigating value in the event that the sole entry point is blocked in an emergency. These analyses were all predicated on the limited-movement intersection of Queens Court at US 301 be upgraded to a full-movement intersection (open median) and signalized. SHA, in its response letter, has agreed to signalization.

Master Plan

The subject property is located on the north side of Leeland Road, a master-planned road that functions as a dividing line between two planning areas: The Bowie and Vicinity Master Plan and SMA and the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*. The subject property is also governed by MPOT. All plans recommend Oak Grove Road-Leeland Road be upgraded to a major collector (MC-600) standard. The proposed application shows the planned facility in a location that is generally consistent with both plans. I-300 is a planned industrial road recommended in all three existing master plans. This future road is planned as Prince George's Boulevard extended south to Leeland Road. Approximately two-thirds of this future road lies within the southeast section of the site. At the time of PPS for the subject property, the applicant will be required to dedicated right-of-way for the portion that occupies the site. Dedication along Leeland Road will be required.

The Planning Board concludes that the development will not be an unreasonable burden on available public facilities, as required by Section 27-521, if the application is approved with three conditions that have been included in this resolution.

- f. **Pedestrian and Bicycle Facilities**—The Planning Board adopts a memorandum dated March 16, 2021 (Jackson to Zhang), included herein by reference, the which provided a review of this CDP’s conformance with prior approvals, requirements of Zoning Ordinance, and the MPOT. Relevant comments have been included in the findings of the report with additional summary, as follows:

The proposed CDP amendment includes a master plan trail connection to a potential public park site, as well as a pedestrian and bicycle connection from the proposed shared-use path along Leeland Road to proposed Road “A” and the employment use. The interior of the subject site includes three proposed roadways: Road “A,” Road “B,” and an extension of Queen’s Court, which will connect to the rest of the Collington Center.

The submitted application includes a proposed design guidelines document that will dictate the details of the future development applications within the subject property. While there is no specific section dedicated to pedestrian, bicycle, or transit transportation, page 6 of the document introduces vehicular access and parking. The architectural section includes mention of “pedestrian friendly buffers with sidewalk planting strips.” However, the document includes a cross section for the Queens’s Court extension with a 5-foot-wide sidewalk along the north side of the roadway, and a proposed cross section for the internal roadways without any sidewalks.

The Planning Board requires that all streets within the subject site include minimum 5-foot-wide sidewalks on both sides and that the design guidelines be revised to incorporate sidewalks both sides of all streets.

The proposed design guidelines also include landscaping guidance for parking lots, which recommends the use of bermed islands to discourage pedestrian traffic. However, there is no discussion of pedestrian facilities to access proposed buildings. The Planning Board requires that a clearly marked and separate pedestrian route from the public roadway to the building entrance of all proposed buildings be provided, and that the guidelines be revised to include this pedestrian connection.

The submitted guidelines do not provide any direction for roadway crossings within the subject site. The Planning Board requires that crosswalks be provided to cross all legs of the intersections of Queen’s Court and Road “A,” and Queen’s Court and Road “B.” In addition, the Planning Board requires perpendicular and parallel ADA-accessible ramps be provided throughout the subject site.

The submitted guidelines also do not provide any direction for accommodating transit within the subject site. The neighboring Collington Center is currently served by Washington Metropolitan Area Transit Authority Metrobus and the County’s “Call-A-Bus” service. The Planning Board requires that sufficient right-of-way be provided at both intersections within the subject site and at both culs-de-sac ends of Road “A” to provide for a bus shelter pad for a potential bus stop.

Lastly, the submitted guidelines do not provide direction for bicycle facilities. The Planning Board requires that bicycle facilities along Roads “A” and “B” and the extension of Queen’s Court be provided. Moreover, a seamless and direct connection from the proposed feeder trail to Road “A” should be provided. In addition, both short- and long-term bicycle parking be provided at all proposed buildings of the subject site. Short-term bicycle parking is characterized by outdoor and uncovered bicycle parking racks that provide two points of contact to support and secure a parked bicycle. Long-term bicycle parking is characterized by indoor or covered bicycle parking to protect bicycles from theft, vandalism, or weather and should include a changing room, a shower, and a fix-it station for minor repairs, etc. These facilities play an important role in supporting bicycle transportation to work sites. Showers and changing facilities provide bicycle commuters confidence that they can wash odor from their bodies and change from bicycling clothes to attire more appropriate for work. As part of this application, a portion of the Collington Branch Stream Valley trail will be built, which when complete will provide a valuable connection between MD 214 and MD 725 that links together several neighborhoods and other commercial areas.

The Planning Board finds that the submitted application, along with the facilities above, will meet the necessary findings for a CDP. Providing comprehensive pedestrian and bicycle facilities that connect the proposed building of the site, the roads throughout the site, and the greater pedestrian and bicycle facilities in the area via Leeland Road and the Collington Branch Stream Valley Trail will support complete streets and multimodal transportation. In addition, it will provide development that will accommodate the future needs of employees, connect to the surrounding area, meet design guidelines, and create a better environment than what would be achieved through other regulations.

The Planning Board concludes that this CDP meets the necessary requirements for approval, per Section 27-521 from the standpoint of pedestrian and bicycle transportation, and includes one condition requiring the *National Capital Business Park-Design Guidelines* be amended to include standards related to pedestrian and bicycle facilities. This condition has been included in this resolution.

- g. **Department of Parks and Recreation (DPR)**—In a memorandum dated March 19, 2021 (Burke to Zhang), included herein by reference, DPR reviewed this CDP application for conformance with the governing prior approval that has been incorporated into the findings of this report. This development project is required to dedicate 20 acres of the property for a public park, in addition to provision of the master plan trails along the Collington Branch Stream Valley. The details of the parkland dedication, the master plan trail, and the feeder trail will be reviewed in detail at the time of PPS and SDP.

The Park Planning and Development Division of DPR recommends approval of CDP-0505-01.

- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of this resolution, comments regarding the subject project have not been received from DPIE.
- i. **Prince George’s County Police Department**—At the time of this resolution, comments regarding the subject project have not been received from the Police Department.
- j. **Prince George’s County Health Department**—In a memorandum dated March 19, 2021 (Adepoju to Zhang), included herein by reference, the Health Department provided two comments, as follows:
 - During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements, as specified in Subtitle 19 of the County Code.
 - During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

The applicant is fully aware of the two general requirements. At the time of SDP review, the applicant shall include the two requirements into site plan notes.
- k. **Maryland State Highway Administration (SHA)**—At the time of this resolution, comments regarding the subject project have not been received from SHA.
- l. **The City of Bowie**—In an email dated March 17, 2021 (Meinert to Zhang), the City of Bowie indicated that they have no comments on this application, as it is neither within nor proximate to their municipal boundary.

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 1 Tree Conservation Plan TCP1-004-2021, and further APPROVED Comprehensive Design Plan CDP-0505-01 for the above described land, subject to the following conditions:

1. Prior to certification of this comprehensive design plan (CDP), the applicant shall:
 - a. Provide a separate section in the *National Capital Business Park-Design Guidelines*, specifically on guidelines for green building and sustainable site development techniques to be implemented at the site, building, and equipment levels, to be reviewed by the Urban Design Section, as designee of the Planning Board.

- b. Add text under the Landscaping Standards Section in the *National Capital Business Park-Design Guidelines* to reference the requirements in the 2010 *Prince George's County Landscape Manual* as additional landscape design standards to guide the proposed development.
- c. Provide additional development standards governing pedestrian and bicycle facilities under Vehicular Access and Parking Section in the *National Capital Business Park-Design Guidelines*, as follows:
 - (1) A minimum 5-foot-wide sidewalk along both sides of all internal roadways.
 - (2) Perpendicular or parallel ADA-accessible curb ramps at all intersections.
 - (3) A separate and clearly marked pedestrian route from the public roadway to the entrance of each building.
 - (4) Crosswalks crossing all legs of intersections.
 - (5) Adequate right-of-way space to accommodate a bus shelter and bus shelter pads at all intersections, and both cul-de-sac ends of Road "A."
 - (6) Shared-lane markings (sharrows), bikeway guide signs D-11/Bike Route and D1-1, D1-2, and D1-3/destination signs and R-411/Bicycles May Use Full Lane signs be provided within all internal roadways that direct people bicycling to the proposed developments and the Colington Branch Trail as well as highlight to motorists the potential presence of people bicycling along internal roads, unless modified by the Department of Permitting, Inspections, and Enforcement with written correspondence at the time of Specific Design Plan.
 - (7) Short-term bicycle parking near the entrance of all buildings.
 - (8) Long-term bicycle parking including a changing room, shower, bicycle repair station, or other facilities, shall be considered at time of SDP.
 - (9) A direct connection between the proposed feeder trail and bicycle facilities on Road A.
- d. Revise the Type 1 tree conservation plan (TCP1), as follows:
 - (1) Revise the plan to graphically show the master-planned rights-of-way as "Woodland Retained – Assumed Cleared" for I-300 and MC-600, and account for the clearing in the worksheet.
 - (2) Add the TCP1-004-2021 case number to the worksheet and the EPS Approval Block.

- (3) Show all specimen trees on the plan and in the specimen tree table to remain. Variance requests for removal of specimen trees shall accompany the preliminary plan application.
 - (4) Relabel the limits of disturbance (LOD) in the legend as a conceptual LOD.
 - (5) Revise the TCP1 notes, as follows:
 - (a) Revise General Note 9 to reflect that the property is adjacent to Leeland Road, which is classified as a major collector roadway. Remove the rest of Note 9.
 - (b) Revise General Note 10 to reflect that the plan is not grandfathered by Prince George's County Council Bill CB-27-2010, Section 25-119(G) of the Prince George's County Code. Remove the rest of Note 10.
 - (c) Renumber the last two notes of General Notes from 9 and 10 to 11 and 12.
 - (d) Add the following note: "No impacts to Regulated Environmental Features were approved with CDP-0505-01."
 - (6) Revise the plan and the worksheet to remove woodland conservation from land to be dedicated to the Prince George's County Department of Parks and Recreation, unless written confirmation is provided by the Parks Department.
 - (7) Correct the worksheet to reflect a woodland conservation threshold of 15.08 percent.
 - (8) Have the revised plan signed and dated by the qualified professional preparing the plan.
2. At time of preliminary plan of subdivision submission, the applicant shall:
- a. Submit a revision to the Habitat Management Program to the Development Review Division that reflects the current development proposal, existing hydrologic monitoring, timing of the analysis of Rare, Threatened and Endangered (RTE) species population counts and condition, habitat characterization and condition, and the details of the habitat management program for RTE fish species: water quality monitoring, pollution prevention measures, and corrective measures, shall be updated. The monitoring program shall meet all current requirements of the Maryland Department of Natural Resources, Wildlife and Heritage Service.
 - b. Submit a geotechnical report that reflects the current development proposal.

- c. Show dedication for all rights-of-way for MC-600 (Leeland Road) and I-300, as identified by the Prince George's County Planning Department.
3. Prior to certification of a Type 2 tree conservation plan for the subject development, which states specifically the location, acreage, and methodology of the woodland conservation credits, crediting of woodland conservation shown on any property to be dedicated to, or owned by the Maryland-National Capital Park and Planning Commission, is subject to written approval by the Prince George's County Department of Parks and Recreation.
4. 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, a fee calculated as \$1.33 (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. The fee set forth above shall be modified at the time of approval of the preliminary plan of subdivision to reflect the project cost in the adopted Prince George's County Public Works & Transportation Capital Improvement Program.
5. Unless modified at the time of preliminary plan, prior to approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. US 301 at Leeland Road
 - (1) Provide three left turn lanes on the eastbound approach.
 - (2) Provide two left turn lanes on the northbound approach.
 - b. Prince George's Boulevard at Queens Court-Site Access
 - (1) Provide a shared through and left and a shared through and right lane on the eastbound approach.
 - (2) Provide a shared through and left and a shared through and right lane on the westbound approach.
 - (3) Provide a shared through and left and a shared through and right lane on the northbound approach.


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 Hewlett voting in favor of the motion at its regular meeting held on Thursday, April 15, 2021, in Upper Marlboro, Maryland.

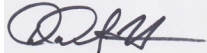
Adopted by the Prince George's County Planning Board this 29th day of April 2021.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:HZ:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: April 23, 2021

R E S O L U T I O N

WHEREAS, Manekin is the owner of a 442.30-acre parcel of land known as Tax Parcel 30, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Residential Suburban Development (R-S), Light Industrial (I-1) Zone, and Residential-Agriculture (R-A); and

WHEREAS, on June 16, 2021, Manekin filed an application for approval of a Preliminary Plan of Subdivision for 36 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-20032 for National Capital Business Park was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on September 9, 2021, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on September 9, 2021, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-004-2021-01, and APPROVED a Variance from Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-20032 for 36 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to:
 - a. Provide dimension of all sidewalks on each plan sheet as minimum 5-foot wide.
 - b. Delete all parking, front, and building setback lines and labels from all plan sheets.
 - c. Revise General Note 6 to provide corrected acreages for existing environmentally regulated and unregulated areas.
 - d. Revise General Note 19 to provide the approval date of the applicable stormwater management concept plan.
 - e. Revise General Note 26 with the Type 1 tree conservation plan number associated with this Preliminary Plan of Subdivision 4-20032.

- f. Revise General Note 39 to include dedication for I-300 (Prince George's Boulevard) and road improvements, as required as part of the development of this project.
- g. Remove approval blocks from the lower right corner of the plan sheets.
- h. Have the plans signed and sealed by a licensed land surveyor or a property line surveyor who prepared them.
- i. Remove the two parcels labeled as Parcel 22 and incorporate their area into an adjoining parcel having frontage on a public street. The total approved parcel count shown on the plans shall be reduced accordingly.
- j. Include the unlabeled strip of land (show with a conceptual driveway), located to the east of Parcels 22 and 16, into the area of an adjoining parcel, so that all proposed parcels have frontage on and direct access to a public street.
- k. On Sheet 2, show dedication of I-300 as a 70-foot-wide right-of-way, and correct the boundaries of Parcels 33 and 34 accordingly.
- l. Revise the limit of disturbance as necessary after removing primary management area Impacts 6 and 15.
- m. Remove the delineated 40-foot-wide scenic buffer along Leeland Road.
- n. Provide an exhibit to demonstrate that at front street line widths for Parcels 7, 23, 2, 14, and 15 are adequate to provide a commercial driveway, in accordance with Prince George's County Department of Public Works and Transportation standard details.
- o. Revise the plans to assign a number to all development parcels and an alpha designation to all open space parcels. For example, designate all open space parcels to be dedicated to the Maryland-National Capital Park and Planning Commission as Parcel A, Parcel A2, and all open space parcels to be dedicated to a business owner's association as Parcel B1, Parcel B2.
- p. Remove the open space designation for parcels on which development is proposed and revise the Parcel Table on Sheet 2 of the plans accordingly.
- q. Correct the northern and western boundaries of proposed Parcel 21 to be a single line instead of a double line.
- r. Provide the conceptual layout of the recreational facilities for the 20-acre park, as approved by the Prince George's County Department of Parks and Recreation.

- s. Show and label the conceptual location of the master plan Collington Branch Stream Valley Trail, as approved by the Prince George's County Department of Parks and Recreation.
 - t. Provide bearings and distances for all boundary lines and label the distances on all proposed lot lines.
 - u. Revise General Note 47 on the cover sheet of the plans to require that any existing structures are to be razed and all existing wells and septic systems are to be properly abandoned, per Prince George's County Health Department regulations before approval of the grading permit.
 - v. Label the dedication of additional right-of-way along the property's frontage of Leeland Road to be a minimum of 50 feet from the road centerline.
2. Total development within the subject property shall be limited to uses which generate no more than 1,400 AM peak-hour trips and 1,400 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.
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.
4. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (42013-2020-00) and any subsequent revisions.
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.
 - b. The applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a business owner's association has been established for the subdivision. The draft covenants shall be submitted to the Subdivision Section to ensure that the rights of the Maryland-National Capital Park and Planning Commission are included. The Liber/folio of the declaration of covenants shall be noted on the final plat, prior to recordation.
 - c. The final plat of the subdivision shall contain a note reflecting denial of vehicular access along the frontage of Leeland Road, save and except for the public park proposed on the north side of Leeland Road and any temporary construction entrance(s) needed for the project.
 - d. The dedication of public right-of-way for Queens Court on adjoining Lot 5, Block D, shall be completed.

6. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the business owner's association land, as identified on the approved preliminary plan of subdivision. Land to be conveyed shall be subject to the following:
 - a. A copy of the recorded deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division.
 - b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operations that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
 - d. Any disturbance of land to be conveyed to the association shall be in accordance with an approved site plan and tree conservation plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division.
 - f. The covenants for the business owner's association shall contain adequate provisions to ensure retention and future maintenance of the property to be conveyed.
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 automated external defibrillators (AEDs) at each building, in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.
 - c. 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.

8. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following facilities and show these facilities on any submitted specific design plan, prior to its acceptance:
 - a. Minimum 5-foot-wide sidewalks along both sides of all internal roadways.
 - b. Perpendicular or parallel Americans with Disabilities Act accessible curb ramps at all intersections throughout the site.
 - c. Crosswalks crossing all legs of intersections, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.
 - d. For any specific design plan containing a building, a separate and clearly marked pedestrian route from the public roadway to the entrance of each building.
 - e. Bus-shelter ready areas at each intersection and proximate to the ends of each cul-de-sac on Road A.
 - f. Shared-lane markings (sharrows), bikeway guide signs, D11-1/Bike Route and D1-1, D1-2, and D1-3/destination plates and R4=11/Bicycles May Use Full Lane signs be provided within all internal roadways that direct people bicycling to the proposed developments and the Collington Branch Trail, as well as highlight to motorists the potential presence of people bicycling along internal roads, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.
 - g. For any specific design plan containing a building, short-term bicycle parking near the entrances of all buildings shall be required, and long-term bicycle parking and associated facilities at an appropriate location of larger buildings shall be considered.
 - h. A curb ramp connecting Road A and the shared-use path connecting to Leeland Road.
 - i. A minimum 10-foot-wide shared-use path along Leeland Road.
 - j. A minimum 10-foot-wide shared-use path connecting Leeland Road and Road A.
9. Prior to signature of approval of the preliminary plan of subdivision (PPS), the applicant shall:
 - a. Revise the roadway cross sections so that the sidewalk and the bike lane do not occupy the same space and show shared lane markings (sharrows), unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.
 - b. Revise General Note 48 to read, "Standard sidewalks shall be provided along both sides of all internal roads unless modified by DPIE with written correspondence."

- c. Revise the label of the feeder trail on the submitted plans from “potential connection” to “Shared-Use Path Connection Leeland Road to Road A.”
 - d. Remove the label, “Asphalt Trail” along the railroad right-of-way on Sheet 12.
 - e. Provide the name of the roadway represented in typical Sections 1–5 on Sheet 14 and relabel the 10-foot sidewalk as a 10-foot-wide shared-use path.
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 calculated as \$1.03 (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, the applicant may 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 cost of these improvements shall not exceed \$3,593,100.00 (1989 dollars). Any improvements proposed as part of any lump sum payment shall have approval of the Maryland State Highway Association and DPIE.

11. At the time of final plat, the applicant shall dedicate all rights-of-way, consistent with the approved preliminary plan of subdivision. The right-of-way extension for Popes Creek Drive shall only be dedicated if the final site plan design includes access to this roadway and, if the access is not included in the final design, all developable parcels shall be platted to have frontage on and direct access to an alternative public right-of-way.
12. Prior to approval of any building permit within the subject property, where the total density exceeds 1,475,000 square feet, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:
- a. US 301 (Robert Crain Highway) at Leeland Road
 - (1) Provide three left turn lanes on the eastbound approach
 - (2) Provide two left turn lanes on the northbound approach
13. Prior to approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:

- a. Prince George's Boulevard and Queens Court-Site Access
 - (1) Provide a shared through and left and a shared through and right lane on the eastbound approach.
 - (2) Provide a shared through and left and a shared through and right lane on the westbound approach.
 - (3) Provide a shared through and left and a shared through and right lane on the northbound approach.

14. At the time of the first final plat, in accordance with Section 24-134(a)(4) of the Prince George's County Subdivision Regulations, approximately 113.28 +/- acres of parkland, as shown on the preliminary plan of subdivision, shall be conveyed to the Maryland-National Capital Park and Planning Commission (M-NCPPC). The land to be conveyed shall be subject to the following conditions:
 - a. An original, special warranty deed for the property to be conveyed, (signed by the Washington Suburban Sanitary Commission Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, Upper Marlboro, along with the application of first final plat.
 - b. The applicant and the applicant's heirs, successors, and/or assignees shall demonstrate any liens, leases, mortgages, or trusts have been released from the land to be conveyed to M-NCPPC.
 - c. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to application of the first building permit.
 - d. The boundaries, lot or parcel identification, and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
 - e. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Prince George's County Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair, or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.

- f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled, and underground structures shall be removed. DPR shall inspect the site and verify that land is in an acceptable condition for conveyance, prior to dedication.
 - g. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Prince George's County Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement, prior to issuance of grading permits.
 - h. In general, no stormwater management facilities, tree conservation, or utility easements shall be located on land owned by, or to be conveyed to, M-NCPPC. However, the Prince George's County Department of Parks and Recreation (DPR) recognizes that there may be need for conservation or utility easements in the dedicated M-NCPPC parkland. Prior to the granting of any easements, the applicant must obtain written consent from DPR. DPR shall review and approve the location and/or design of any needed easements. Should the easement requests be approved by DPR, a performance bond, maintenance and easement agreements may be required, prior to issuance of any grading permits.
15. The applicant shall be subject to the following requirements for development of the 10-foot-wide on-site feeder trail:
- a. The applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, the on-site feeder trail from the southern terminus of Public Road A to the shared-use path on Leeland Road.
 - b. The on-site feeder trail shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the *Prince George's County Park and Recreation Facilities Guidelines*, with the review of the specific design plan (SDP). Triggers for construction shall also be determined at the time of SDP.
 - c. Prior to submission of the final plat of subdivision for any parcel, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of the on-site feeder trail, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.
 - d. Prior to approval of building permits for a new building, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the on-site feeder trail.

- e. Prior to approval of the specific design plan for infrastructure, the applicant and the applicant's heirs, successors, and/or assignees shall submit to Prince George's County Department of Parks and Recreation, for review and approval, detailed construction drawings for the on-site feeder trail.
16. Recreational facilities to be constructed by the applicant shall be subject to the following:
- a. Prior to approval, the first specific design plan for the subject property (including for infrastructure) shall include the location and concept design details (as shown in the May 7, 2021 Concept Plan) for the 20-acre park and Collington Branch Stream Valley Trail.
 - b. The timing for the development of the 20-acre park and Collington Branch Stream Valley Trail shall be determined with the first specific design plan for development (not including infrastructure).
 - c. The location of the Collington Branch Stream Valley Trail shall be staked in the field and approved by the Prince George's County Department of Parks and Recreation, prior to construction.
 - d. All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by the Prince George's County Department of Parks and Recreation.
 - e. The handicapped accessibility of all trails shall be reviewed during the review of the specific design plan.
 - f. The public recreational facilities shall be constructed, in accordance with the standards outlined in the Prince George's County *Park and Recreation Facilities Guidelines*.
 - g. Prior to submission of any final plats of subdivision, the applicant shall enter into a public recreational facilities agreement (RFA) with the Maryland-National Capital Park and Planning Commission for construction of recreation facilities on parkland. The applicant shall submit three original executed RFAs to the Prince George's County Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plats. Upon approval by DPR, the RFA shall be recorded among the Prince George's County Land Records and the recording reference shall be noted on the final plat of subdivision prior to recordation. The RFA may be subsequently modified pursuant to specific design plan approvals, or revisions thereto, which determine the timing for construction of the 20-acre park and Collington Branch Stream Valley Trail.
 - h. Prior to the approval of the first building permit for a new building, the applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR)

a performance bond, a letter of credit, or other suitable financial guarantee, for construction of the public recreation facilities, including the Collington Branch Stream Valley Trail, in the amount to be determined by DPR.

17. The first specific design plan (including for infrastructure) shall show the conceptual location of the Collington Branch Stream Valley Trail and delineate a 16-foot-wide clear space centered along its alignment. The woodland conservation areas shall be shown to exclude this 16-foot-wide clear space.
18. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - a. The specimen tree table shall be updated to note in the disposition box which trees were removed with the timber harvest approval and which trees are requested for removal with the PPS.
 - b. Add the standard Subtitle 25 variance note under the Specimen Tree Table or woodland conservation worksheet identifying with specificity the variance decision consistent with the decision of the Prince George's County Planning Board:

“NOTE: This plan is in accordance with the following variance(s) from the strict requirements of Section 25-122(b)(1)(G) as approved by the Planning Board on (ADD DATE) for the removal of the following specimen trees: 25, 26, 38, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77a, 78, 97, 98, 132, 133, 134, 135, 136, 137, 139, 140, 141, 142, 143, 144, 145, 149, 151, 152, 156, 157, 158, 201, 204, 205, 211, 213, 214, 239, 240, 241, 307, 308, 309, 311, 312, 314, 317, 318, and 319.”
 - c. The entire worksheet shall be shown on the plan and not be cut off.
 - d. Update the plan to graphically reflect which trees are to remain, which trees have been removed, and which trees are to be removed under the PPS variance approval.
 - e. Update the limits of disturbance line to the current development proposal.
 - f. Remove primary management area Impacts 6 and 15 from the TCP1 and revise the limit of disturbance and worksheet, as necessary.
 - g. Show the conceptual layout of the recreational facilities for the 20-acre park, as approved by the Prince George's County Department of Parks and Recreation.
 - h. Show and label the conceptual location of the master plan Collington Branch Stream Valley Trail, as approved by the Prince George's County Department of Parks and Recreation.

- i. Have the TCP1 worksheet signed by the qualified professional who prepared it.
 - j. Have the plans signed and dated by the qualified professional who prepared them.
19. Prior to signature approval of the preliminary plan of subdivision, the applicant shall submit a revised statement of justification and exhibit for the variance request for specimen tree removal, to reflect the correct number of specimen trees to be removed.
 20. Prior to signature approval of the preliminary plan of subdivision, the applicant shall submit a revised letter of justification and exhibits for impacts to regulated environmental features, to reflect the correct limit of disturbance associated with the approved impacts.
 21. Development of this subdivision shall be in conformance with approved Type 1 Tree Conservation Plan (TCP1-004-2021-01). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-004-2021-01 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.”
 22. Prior to 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.”
 23. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:

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

24. Prior to issuance of any permits which impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
25. Prior to signature approval of the preliminary plan of subdivision, the final unmitigated 1.5 safety factor line shall be determined through revising the geotechnical report to address the following:
 - a. Include a table showing boring numbers, slope location (section numbers), slope height, and factor of safety in the report body.
 - b. It is not clear which borings were utilized to perform each of the slope stability analysis. Specify borings (at least two, one on top and one at the bottom of the slope) and delineate subsurface conditions (soil layers and groundwater) in cross section for each analysis.
 - c. The lab testing indicates that the residual friction angles derived from direct shear testing range from 8 to 14 degrees; however, only 11 degrees was used in the entire slope analyses. Reflect the lower shear friction angles on the property ranging from 8 to 10 degrees ,or provide adequate justification for the use of 11. The resulting unmitigated 1.5 safety factor line shall be updated on both the Type 1 tree conservation plan and the preliminary plan of subdivision.
 - d. Specify the purpose of 50 lb/ft² to 2000 lb/ft² of surcharge loads (that is, traffic load or building load).
26. Prior to acceptance of the first specific design plan (including for infrastructure), if conditions warrant, a detailed slope stability analysis shall be provided, and both the unmitigated and mitigated 1.5 safety factor lines shall be added to the Type 2 tree conservation plans.
27. Prior to approval of the first fine grading permit, the applicant shall post a rare, threatened, and endangered species monitoring bond with the Prince George's County Department of Permitting, Inspections and Enforcement, or the appropriate agency as determined by M-NCPPC, in accordance with the Habitat Protection and Management Program, as approved by the Maryland Department of Natural Resources.
28. All existing wells on-site must be backfilled and sealed, in accordance with COMAR 26.04.04, a licensed well driller as part of the grading permit. Location of the wells shall be located on the preliminary plan of subdivision.
29. Any existing septic tank and septic field on-site must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit.
30. A raze permit is required prior to removal of any of the structures on-site. Any hazardous materials located in any structures on-site must be removed and properly stored or discarded, prior to the structures being razed.

31. Prior to signature approval of the preliminary plan of subdivision, the public right-of-way dedication for the cul-de-sac extension of Popes Creek Drive shall be shown. The property boundaries of the adjoining parcels shall be adjusted accordingly. Any parcel fronting on the cul-de-sac shall be provided with an adequate front lot width to accommodate a standard commercial driveway.
32. The following road improvements shall be provided, and timing for construction of the road improvements shall be determined with the first specific design plan for development (not including infrastructure):
 - a. Queens Court and US 301 (Robert Crain Highway)
 - (1) Install a traffic signal
 - (2) Provide a double left turn and three through lanes on the northbound approach.
 - (3) Provide a double left turn and a free right turn on the eastbound approach.

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

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject site is a 442.30-acre property known as Tax Parcel 30 and is further described as Parcels A and B by deed in the Prince George's County Land Records in Liber 35350 at folio 319. Parcel A is a larger tract of land, approximately 440.21 acres in area, and Parcel B is a 2.09-acre tract of land separated from Parcel A by the right-of-way of a railway line. The subject property has never been the subject of a final plat of subdivision. The subject property is located in multiple zones; 426.52 acres are located in the Residential Suburban Development (R-S) Zone, 15 acres in the Light Industrial (I-1) Zone, and 0.78 acre in the Residential-Agriculture (R-A) Zone. The property is subject to the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B* (Bowie and Vicinity Master Plan and SMA).

This preliminary plan of subdivision (PPS) application includes 36 parcels for development of up to 3.5 million square feet of industrial use. The proposed development is in accordance with the provisions of the Prince George's County Zoning Ordinance, as modified by Prince George's County Council Bill CB-22-2020. This legislation was adopted by the Prince George's County District Council on July 14, 2020, for the purpose of permitting certain employment and institutional uses permitted by-right in the Employment and Institutional Area (E-I-A) Zone, to be permitted in the R-S Zone under certain specified circumstances, as defined by Footnote 38 in Section 27-515 of the Zoning Ordinance. The Council Bill also provided procedures for the amendment of approved basic plans to guide the development of such uses.

PPS 4-06066 for Willowbrook was approved by the Prince George’s County Planning Board on February 8, 2007 for the subject property, for residential use. The proposal to change the land use and quantities, lot configurations, and prior conditions of PPS 4-06066 (PGCPB Resolution No. 07-43(A)) relating to residential development requires the approval of a new PPS and a new determination of adequacy. This application supersedes PPS 4-06066 for the subject property and includes 36 parcels for industrial use.

3. **Setting**—The subject site is located on Tax Maps 76, 77, and 85 in Grids F3, F4, A2, A3, A4, B1, B2, B3, B4, C3, and C4, and is within Planning Area 74A. The site is located on the north side of Leeland Road, approximately 3,000 feet west of its intersection with US 301 (Robert Crain Highway), in Upper Marlboro. The site is bounded to the north by undeveloped properties in the Reserved Open Space, Open Space (O-S), and E-I-A Zones; to the west by a CSX railroad right-of-way, and undeveloped properties in the Residential Low Development, R-A, E-I-A and O-S Zones, including the Collington Branch Stream Valley; to the south by vacant E-I-A-zoned property and Leeland Road and beyond by Beech Tree, a residential subdivision in the R-S Zone, and undeveloped property in the R-A Zone; and to the east by the existing Collington Center, an employment center, in the E-I-A Zone, and two single-family dwellings in the Rural Residential Zone.

The site is currently undeveloped and predominantly wooded. The site is characterized by extensive environmental resources associated with the Collington Branch stream valley system. The PPS concentrates development in the northeast portion of the property, in order to avoid impacts to the more environmentally sensitive areas of the site.

4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	R-S/I-1/R-A	R-S/I-1/R-A
Use(s)	Vacant	Industrial
Acreage	442.30	442.30
Gross Floor Area	0	3.5 million
Parcels	2	36
Lots	0	0
Outlots	0	0
Variance	No	Yes Section 25-122(b)(1)(G)
Variation	No	No

It is noted that though the deed of recordation for the subject property, Liber 35350 folio 319, provides the total acreage to be 441.98 acres, the certified boundary survey submitted by the applicant reflects the total tract area as 442.30 acres. Pursuant to Section 24-119(d)(2) of the

Prince George's County Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on July 9, 2021.

5. **Previous Approvals**—The site was rezoned from the R-A to the E-I-A Zone during the 1991 *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie-Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A, and 74B* (Bowie-Collington-Mitchellville and Vicinity Master Plan and SMA). The rezoning was contained in Zoning Map Amendment (Basic Plan) A-9829.

Basic Plan A-9968

In 2005, A-9968 was filed to request a rezoning of the property from the E-I-A Zone to the R-S Zone. At that time, the approval of a new Bowie and Vicinity Master Plan and SMA was underway. A-9968 was approved by the District Council as part of the 2006 Bowie and Vicinity Master Plan and SMA by the adoption of CR-11-2006 on February 7, 2006, which rezoned the subject property from the E-I-A and R-A Zone to the R-S Zone.

Basic Plan Amendment A-9968-01

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.

Council Bill CB-22-2020

On July 14, 2020, Council Bill CB-22-2020 was enacted for the purpose of permitting certain employment and institutional uses permitted by-right in the E-I-A Zone to be permitted in the R-S Zone under certain specified circumstances, and provided procedures for the amendment of approved basic plans to guide the development of such uses. These specified circumstances are provided in Footnote 38 of Section 27-515(b), which is the Table of Uses for Comprehensive Design Zones:

Footnote 38

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.**

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

Basic Plan Amendment A-9968-02

Subsequent to the enactment of CB-22-2020, A-9968-02 for National Capital Business Park was approved for the subject property 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-C-02 was subject to 17 Conditions and 2 comprehensive design plan (CDP) considerations. The following Condition 1 of A-9968-02 established the types and quantities of land use permitted for the subject property:

1. Proposed Land Use Types and Quantities

Total area:	442.30 +/- acres
Total area (I-1 Zone):	15 +/- acres (not included in density calculation)
Total area (R-A Zone):	0.78 +/- acres (not included in the 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 3.5 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 above**

Comprehensive Design Plan CDP-0505

CDP-0505 for Willowbrook was approved by the Planning Board 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.

Comprehensive Design Plan Amendment CDP-0505-01

On April 15, 2021, the 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 A-9968-02. The remainder of the subject 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.

This PPS has been reviewed for conformance to the relevant conditions of A-9968-02 and CDP-0505-01, as further discussed within this resolution.

Preliminary Plan of Subdivision 4-06066

An overall 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. Development proposed via A-9968-02 and CDP-0505-01 requires a new PPS to establish the parcels for nonresidential development. PPS 4-20032 supersedes PPS 4-06066 for the subject property. The conditions of PPS 4-06066 remaining relevant to the subject property have been carried forward, or modified as needed.

Specific Design Plan SDP-1603

On March 30, 2017, Specific Design Plan SDP-1603 (PGCPB Resolution No. 17-144) was approved for Phase One 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. The SDP conditions are not applicable to the review of this PPS. A new SDP application will be required to approve development, in accordance with A-9968-02, CDP-0505-02, and this PPS application.

- 6. Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the master plan are evaluated, as follows:

Plan 2035

Plan 2035 places the subject property in the Established Communities Growth Policy Area. Established communities are most appropriate for context-sensitive infill and low- to medium-density development (Map 1, Prince George's County Growth Policy Map, pages 18-20).

Master Plan

The master plan for Planning Areas 71A, 71B, 74A, and 74B reclassified the subject property into the R-S Zone and recommends Residential, Low land uses on the subject property. This area is intended for suburban neighborhoods with single-family houses on lots ranging from 6,500 square feet to one acre in size and retirement or planned residential development.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, the District Council approved CB-22-2020 for the purpose of permitting certain employment and institutional uses permitted by-right in the E-I-A Zone to be permitted in the R-S Zone, rendering the land use recommendations of the master plan no longer applicable.

7. **Stormwater Management**—An approved Stormwater Management (SWM) Concept Plan and Approval Letter (42013-2020-00) has been submitted, which will expire on June 28, 2024. The SWM concept plan shows the use of seven submerged gravel wetlands, four underground storage treatment facilities, and sand filters. The development will be subject to a site development fine grading permit and continuing reviews by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) and the Prince George’s County Soil Conservation District. Additional micro-scaled environmental site design (ESD) facilities will be evaluated at these later reviews.

In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with SWM concept approval and any subsequent revisions, to ensure that no on-site or downstream flooding occurs.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the subject subdivision is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development. However, legislation was adopted by the District Council on July 14, 2020, for the purpose of allowing uses permitted in the E-I-A Zone on land in the R-S Zone, pursuant to Section 27-515(b). Footnote 38 of this provision contains conditions that apply to this property, including a requirement for the applicant to provide a public park of at least 20 acres. The applicant has been working with the Prince George’s County Department of Parks and Recreation (DPR) to design a suitable park to meet the recreational needs of Prince George’s County and provided a conceptual plan representative of these needs. The design of the park will be finalized with a mandatory referral, and the park will be developed by the applicant following established timeframes .

A-9968-02 mandates that the applicant dedicate additional land in the Collington Branch stream valley and construct the master plan Collington Branch Stream Valley Trail. This PPS shows a total of 113.28 acres to be dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC), inclusive of the 20-acre park, and includes a conceptual layout of the trail, which will be developed in concurrence with the 20-acre park. Exhibit B, showing the conceptual location of the master plan Collington Branch Stream Valley Trail, was provided with this application, and is incorporated by reference herein.

In addition, the applicant has proposed to construct a 10-foot-wide feeder trail extending from the southern terminus of Road A to the shared-use path on Leeland Road. This trail will be located on business owners association (BOA) lands.

Review of Previous Conditions of Approval

A-9968-02 was approved with 17 conditions and 2 considerations, of which the following conditions relate to the dedication of parkland to M-NCPPC:

- 4. At the time of Preliminary Plan of Subdivision, the Applicant shall dedicate 100+ acres of parkland to the Maryland-National Capital Park and Planning Commission, including the Collington Branch stream valley and 20 acres of developable land for active recreation, as shown on the Prince George's County Department of Parks and Recreation Exhibit A (Bates Stamped 62 of 63, Exhibit 28, A-9968-01).**

The PPS shows 113.28 acres to be dedicated to M-NCPPC, in conformance with this condition.

- 5. The land to be conveyed to the Maryland-National Capital Park and Planning Commission shall be subject to the conditions of Exhibit B, attached to the June 21, 2005 memorandum from the Prince George's County Department of Parks and Recreation (Bates Stamped 63 of 63, Exhibit 28, A-9968-01).**

The land area designated for dedication purposes complies with DPR's standard requirements for the conveyance of land, including the dedication of 20 acres for active recreation, as required by the relevant provisions of Section 27-515(b), Footnote 38.

- 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 conceptual location of the master plan Collington Branch Stream Valley trail and the feeder trail from the employment uses have been evaluated. A final master plan trail location will be determined with a mandatory referral, in conjunction with development of the 20-acre park. Since the areas to be dedicated to M-NCPPC shall be reviewed at the time of SDP for compliance to the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, an adequate area should be shown on the SDP to include the conceptual location of the master plan trail and associated clearing for construction and maintenance. The SDP should delineate a 16-foot-wide clear space centered along the conceptual trail alignment, so that any proposed woodland

conservation areas can be established to accommodate the trail. The final location and details of the feeder trail will be approved with the SDP for infrastructure.

7. **A revised Plan showing parkland dedication and master plan trail shall be reviewed and approved by the Prince George's County Department of Parks and Recreation staff at the time of Comprehensive Design Plan.**

A revised plan showing parkland dedication and the master plan trail was provided with the CDP.

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.**

A list of recreational facilities including a dog park, pickleball courts, a cricket pitch, a playground, restrooms, trails, an exercise circuit, a picnic shelter, a baseball/softball field, and all associated infrastructure was provided with this application based on guidance offered by DPR staff.

The PPS shows a conceptual layout of the park as it was proposed with the Willowbrook subdivision and does not represent the listed facilities. Exhibit A, showing a conceptual layout of the park consisting of the listed recreational facilities was submitted by the applicant, and is incorporated by reference herein. The conceptual layout of recreational features, as described in the applicant's list, shall be shown on the PPS prior to certification.

CDP-0505-01 was approved with five conditions, none of which relate to parkland dedication.

Based on the preceding finding, the PPS conforms to the parks and recreation requirements of Council Bill CB-22-2020 and A-9968-02 adopted by the District Council.

9. **Pedestrian and Bicycle Transportation**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the area master plan, and the Subdivision Regulations to provide the appropriate pedestrian and bicycle transportation facilities.

Previous Conditions of Approval

There are multiple prior approvals on the subject property. These include CDP-0505, 4-06066, and SDP-1603. These applications do not have any bearing on the subject PPS and will be replaced by subsequent applications.

A-9968-02 and CDP-0505-01 were recently approved and are considered with this application.

A-9968-02

Approval of A-9968-C-02 is subject to the following conditions and considerations, which relate to pedestrian and bicycle transportation:

- 3. At the time of preliminary plan of subdivision, the applicant shall provide the dedication for one-half of the 100 feet of dedication required to build Leeland Road (MC-600) to its ultimate cross section, per the Prince George's County Department of Public Works and Transportation Standards.**

The submitted plans include a label for Leeland Road that notes, "Ultimate R/W to be 100." Notes on sheets 8, 12, 15, and 16 read, "Master Plan R/W Leeland Road MC-600 Variable Width." This is ambiguous in terms of providing one-half of the 100 feet of dedication required to build Leeland Road to its ultimate width. Dedication of 50-feet from the center line of the Leeland Road right-of-way shall be provided; this will provide sufficient space to construct the roadway and a shared use path.

- 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 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 above noted feeder trail is shown as a shared-use path connecting Leeland Road and Road A on the PPS.

- 7. A revised plan showing parkland dedication and master plan trail shall be reviewed and approved by the Prince George's County Department of Parks and Recreation staff at the time of comprehensive design plan.**

This condition has been satisfied.

- 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 details of the Leeland Road shared-use path shall be depicted on the SDP, prior to its acceptance.

- 16. The conceptual location of the Collington Branch Stream Valley Trail, its feeder trail connecting to the proposed employment uses, and the Leeland Road shared-use path shall be shown on the comprehensive design plan.**

This condition has been satisfied. The submitted plan shows a “potential connection” to Leeland Road from Road A on Sheet 15. This shall be revised to say, “Shared-Use Path Connection Leeland Road to Road A.”

CDP-0505-01

Approval of CDP-0505-01 is subject to the following conditions which relate to requirements of pedestrian and bicycle transportation:

- 1. Prior to certification of this comprehensive design plan (CDP), the applicant shall:**
 - c. Provide additional development standards governing pedestrian and bicycle facilities under Vehicular Access and Parking Section in the *National Capital Business Park-Design Guidelines* as follows:**
 - (1) A minimum 5-foot-wide sidewalk along both sides of all internal roadways.**
 - (2) Perpendicular or parallel ADA-accessible curb ramps at all intersections.**
 - (3) A separate and clearly marked pedestrian route from the public roadway to the entrance of each building.**
 - (4) Crosswalks crossing all legs of intersections.**
 - (5) Adequate right-of-way space to accommodate a bus shelter and bus shelter pads at all intersections, and both cul-de-sac ends of “Road A”.**
 - (6) Shared-lane markings (sharrows), bikeway guide signs D-11/Bike Route and D1-1, D1-2, and D1-3/destination signs and R-411/Bicycles May Use Full Lane signs be provided within all internal roadways that direct people bicycling to the proposed developments and the Collington Branch Trail as well as highlight to motorists the potential presence of people bicycling along internal roads, unless modified by the Department of Permitting, Inspections, and Enforcement with written correspondence at the time of Specific Design Plan.**
 - (7) Short-term bicycle parking near the entrance of all buildings.**
 - (8) Long-term bicycle parking including a changing room, shower, bicycle repair station, or other facilities, shall be considered at the time of SDP.**

(9) A direct connection between the proposed feeder trail and bicycle facilities on Road A.

The applicant complied with Condition 1.c. of PGCPB Resolution No. 2021-50 (CDP-0505-01) by adding the following language to the Vehicular Access and Parking Section in the National Capital Business Park-Design Guidelines, which was certified on June 11, 2021:

“Pedestrian and Multimodal Circulation

A well thought out pedestrian circulation plan has been provided. Pedestrian circulation will be safe, efficient, and convenient. Pedestrian access to the site is provided with a 5’ sidewalk connection to existing Collington Center along Queen’s Court Extension. All internal roads will have 5’ sidewalks on both sides (see Sketch C). Crosswalks and ramps will be provided at all intersections. Pedestrian connections to future buildings will be provided with clearly marked paths from the public right of way to the building entrances. Adequate room exists within the public right of way for future bus shelters. Exact number and locations to be determined. Sharrows, bikeway guide signs, bike route and destination signs shall be provided within all internal roadways, unless otherwise modified in writing by DPIE at the time of SDP. Short term bicycle parking near the entrances to all buildings will be provided. Long term bicycle parking including a changing room, shower, bicycle repair station, or other facilities shall be considered where appropriate. A direct connection between the proposed feeder trail and bicycle facilities on Road A shall be provided.”

These facilities will need to be provided as part of the SDP. Details of the proposed pedestrian, bicycle, and transit facilities shall be depicted on the SDP, prior to its acceptance.

Internal Sidewalks and Bike Infrastructure

The proposed development includes the following features:

- a. Note 48 on the cover sheet of PPS 4-20032 stating “Standard sidewalks shall be provided along both sides of all internal roads unless modified by DPIE.”
- b. Space for bus stop pads at all intersections and at both cul-de-sac ends of Road A.
- c. An exhibit showing bus shelter detail on Sheet 13.
- d. Depiction of a potential path connection between Leeland Road and Road A on Sheet 15.
- e. Depiction of a conceptual location of the required Collington Branch Trail on Sheet 2
- f. Depiction of the required M-NCPPC active recreation park on Sheets 2 and 12.

- g. An apparent mislabeling of the Pennsylvania Railroad track as an “Asphalt Trail” on Sheet 12.
- h. Location of the required master plan Leeland Road Trail on Sheet 15.
- i. Depiction of 5-foot-wide bike lanes in the industrial road cross sections, but also shows the bike lanes and the sidewalks occupying the same space.

General Note 48 on the PPS cover sheet shall be revised to state, “Standard sidewalks shall be provided along both sides of all internal roads unless modified by DPIE with written correspondence.” The cross sections on the submitted plans shall also be revised to show shared lane makings on the roadways and to eliminate the bicycle lanes that are shown to occupy the same space as the sidewalks. Lastly, the word “potential” shall be removed from the label for the feeder trail between Leeland Road and Road A.

Pursuant to Section 24-121(a)(9), the PPS provides sidewalks within right-of-way space, which is at least 10 feet wide through all blocks over 750 feet long.

Pursuant to Section 24-123(a)(6) of the Subdivision Regulations, the PPS indicates the location of all land for bike trails and pedestrian circulation systems that are indicated on a master plan, County trails plan, or abutting existing or dedicated trails.

Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to the Collington Business Park and is connected to this development by way of a proposed extension of Queens Court.

The provided pedestrian and bicycle improvements associated with the proposed development will support pedestrian, bicycle, and public transit travel to and within the National Capital Business Park. These improvements provide an extension of the Collington Branch Trail, construction of a segment of the master plan Leeland Road shared-use path, nonmotorized access to the subject site via a feeder trail connecting the proposed Leeland Road master plan trail with Road A.

On-site Improvements (Master Plan Compliance and Prior Approvals)

The Complete Streets element of the MPOT reinforces the need for these recommendations and includes the following policies regarding sidewalk and bikeway construction and the accommodation of pedestrians and bicyclists (MPOT, pages 9–10):

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

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

POLICY 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

POLICY 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The master plan includes the following recommendations applicable to the subject site:

Provide a safe, affordable, and efficient multimodal transportation system that improves access within neighborhoods, communities, and the region (page 50).

Review and fully exploit opportunities to incorporate non-motorized transportation modes (such as pedestrian and bicycle trails) into the county's transportation system (page 50).

Incorporate appropriate pedestrian-oriented development (POD) features in all new development and improve pedestrian safety in existing development (page 51).

Develop bicycle-friendly roadways in conformance with the latest standards and guidelines (page 51).

The cross sections of the industrial roadways are not consistent with General Note 48 on the cover sheet of the PPS calling for standard-width sidewalks on both sides of all streets. The applicant shall provide updated street cross sections showing sidewalks on both sides of the roadways.

The following facilities shall be provided: minimum 5-foot-wide sidewalks on both sides of all roads, Americans with Disabilities Act (ADA) accessible curb ramps and crosswalks crossing all legs of all intersections, bus shelter ready areas near intersections and at the ends of each cul-de-sac on Road A, shared-lane markings and appropriate signage on all internal roads, and short- and long-term bicycle parking. These facilities will ensure consistency with the approved master plans. Lastly, the applicant shall clarify the name of the roadway represented in typical Sections 1–5 on PPS Sheet 14 and relabel the 10-foot sidewalk as a 10-foot-wide shared-use path.

Based on the preceding findings, adequate pedestrian and bicycle transportation facilities will exist to serve the PPS, as required, in accordance with Section 24-124 of Subdivision Regulations.

- 10. Transportation**—The applicant is proposing 3.5 million square feet of employment/ institutional uses (and any other use permitted in the E-I-A Zone). It is anticipated that a majority of the uses on the property will be warehouse uses.

Background

The property is the subject of A-9968-C-02, which was approved with two transportation-related conditions which are relevant to the review of this PPS, as shown below:

2. At the time of the submission of a Comprehensive Design Plan or Preliminary Plan of Subdivision, the Applicant shall provide a traffic study that analyzes the following intersections:

- a. US 301/MD 725
- b. US 301/Village Drive
- c. US 301/Leeland Road
- d. US 301/Trade Zone Avenue
- e. US 301 SB/Wawa Crossover
- f. US 301 NB/Wawa Crossover
- g. US 301/Queens Court
- h. US 301/Median Crossover
- i. US 301/Beechtree Parkway/Swanson Road
- j. US 301/Chrysler Drive
- k. Prince George's Blvd./Trade Zone Avenue
- l. Prince George's Blvd./Commerce Drive
- m. Prince George's Blvd./Queens Court

In conformance with this condition, the applicant provided a Traffic Impact Study (TIS) dated October 12, 2020 and revised on May 21, 2021.

3. At the time of Preliminary Plan of Subdivision, the Applicant shall provide the dedication for one-half of the 100 feet of dedication required to build Leeland Road (MC-600) to its ultimate cross section, per the Prince George's County Department of Public Works and Transportation standards.

This condition was carried over as Condition 2.c. of approved CDP-0505-01.

The property is the subject of CDP-0505-01, which was approved with several transportation-related conditions relevant to the review of this PPS, as shown below:

2. At time of preliminary plan of subdivision submission, the applicant shall:

- c. Show dedication for all rights-of-way for MC-600 (Leeland Road) and I-300, as identified by the Prince George's County Planning Department.

4. 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, a fee calculated as \$1.33 (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. The fee set forth above shall be modified at the time of approval of the preliminary plan of subdivision to reflect the project cost in the adopted Prince George's County Public Works & Transportation Capital Improvement Program.

5. **Unless modified at the time of preliminary plan, prior to approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
 - a. **US 301 at Leeland Road**
 - (1) **Provide three left turn lanes on the eastbound approach.**
 - (2) **Provide two left turn lanes on the northbound approach.**
 - b. **Prince George's Boulevard at Queens Court-Site Access**
 - (1) **Provide a shared through and left and a shared through and right lane on the eastbound approach.**
 - (2) **Provide a shared through and left and a shared through and right lane on the westbound approach.**
 - (3) **Provide a shared through and left and a shared through and right lane on the northbound approach.**

Analysis of Traffic Impacts

The subject property is currently unimproved and is located within Transportation Service Area (TSA) 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and Signalized Intersections: Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation per Section 24-124(a)(6) is permitted at signalized intersections within any TSA subject to meeting the geographical criteria in the 2012 Transportation Review Guidelines, Part 1 (Guidelines).

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections, a three-part process is employed:
 (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed.

For all-way stop-controlled intersections, a two-part process is employed:
 (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

To evaluate the impact of the proposed development, the applicant provided a TIS dated October 12, 2020 and revised on May 21, 2021. The findings outlined below are based upon a review of these materials and analyses conducted, consistent with the Guidelines. The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions. It is worth noting that one of the provisions of recent Council legislation (CB-22-2020) is that no traffic from this proposed development should be oriented to and from Leeland Road to the south of the subject property. As a result of this mandate by the District Council, the TIS did not consider any intersections along Leeland. The following represents the intersections deemed critical for the proposed development:

EXISTING CONDITIONS		
Intersections	AM (LOS/CLV) delay	PM (LOS/CLV) delay
US 301 SB @ Wawa Crossover	A/838	C/1158
US 301 NB @ Wawa Crossover	A/934	B/1066
US 301 @ Trade Zone Avenue	A/895	B/1022
US 301 @ Queens Court: Right-in, Right-Out (RIRO)*	No delay	No delay
US 301 @ Median Crossover* Minor street volume	No delay <100 vehicles	No delay <100 vehicles
US 301 @ Leeland Road	A/668	A/818
US 301 @ Beechtree Parkway-Swanson Road	B/1012	D/1351
US 301 @ Village Drive	A/766	B/1021
US 301 @ MD 725	A/961	D/1312
US 301 @ Chrysler Drive	A/823	D/1357
Prince George's Boulevard @ Trade Zone Avenue*	<50 seconds	<50 seconds
Prince George's Boulevard @ Commerce Drive*	<50 seconds	<50 seconds
Prince George's Boulevard @ Queens Court*	<50 seconds	<50 seconds
* Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the Guidelines, all three tests must fail in order to require a signal warrant study.		

The traffic study identified 13 background developments whose impact would affect some or all of the study intersections. In addition, a growth of 1.1 percent over six years was also applied to the traffic volumes. In addition to the inclusion of background developments and regional growth, the TIS assumed improvements involving the upgrade to US 301 between MD 214 in the north and MD 4 to the south. Specifically, the improvements would involve a widening of US 301 from 4 to 6 through lanes. This improvement appears in the current county Capital Improvement Program (CIP) with full funding within six years. There is a provision in the CIP that the overall cost of \$24.78 million will be borne by developer contribution. This applicant has agreed to provide his/her commensurate share, which will be addressed later in this referral. Using the trip rates from the Guidelines, the study has indicated that the subject PPS represents the following trip generation:

Table 1 - Trip Generation							
		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Warehouse (FAR 0.3, County rates)	3,500,000 sq. ft	1,120	280	1,400	280	1,120	1,400
Total new trips		1,120	280	1,400	280	1,120	1,400

The table above indicates that the proposed development will be adding 1,400 trips during both peak hours. The analysis under existing conditions assumes several unsignalized intersections. Under future conditions, the following intersections are assumed to be signalized:

- US 301 SB @ Wawa Crossover
- US 301 NB @ Wawa Crossover
- US 301 @ Queens Court

A second analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS with CIP improvements		
Intersections	AM (LOS/CLV) delay	PM (LOS/CLV) delay
US 301 SB @ Wawa Crossover	A/976	C/1175
US 301 NB @ Wawa Crossover	A/872	B/1178
US 301 @ Trade Zone Avenue	A/984	D/1308
US 301 @ Queens Court	B/1132	C/1280
US 301 @ Median Crossover* Minor street volume	No delay <100 vehicles	No delay <100 vehicles
US 301 @ Leeland Road <i>With additional improvement</i>	C/1212 B/1145	E/1577** D/1427
US 301 @ Beechtree Parkway-Swanson Road	B/1070	D/1423

Intersections	AM	PM
US 301 @ Village Drive	A/859	B/1069
US 301 @ MD 725	A/987	D/1359
US 301 @ Chrysler Drive	A/776	D/1331
Prince George's Boulevard @ Trade Zone Avenue*	<50 seconds	<50 seconds
Prince George's Boulevard @ Commerce Drive*	<50 seconds	<50 seconds
Prince George's Boulevard @ Queens Court* Tier 1: HCS Delay test Tier 2: Minor Street Volume Tier 3: CLV	>50 seconds >100 vehicles A/833	>50 seconds >100 vehicles A/755
Prince George's Boulevard @ Popes Creek Drive*	<50 seconds	<50 seconds
Prince George's Boulevard @ 2 nd . Access* Tier 3: CLV	180.7 seconds A/853	224.6 A/775

* Unsignalized intersections. In analyzing two-way stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the Guidelines, all three tests must fail in order to require a signal warrant study.

** Inadequate intersection.

The results under total traffic conditions show that the intersections will all operate adequately with the exception of US 301 at Leeland Road. To that end, the applicant has agreed to provide an additional left turn lane (for a total of three lefts) on the eastbound approach, and an additional left turn on the northbound approach resulting in acceptable level of service for that intersection. It is worth mentioning that a sensitivity analysis was done for this intersection to determine at what point additional improvements are necessary. The result of that analysis concludes that up to 1,475,000 square feet of development can be built before these additional improvements are needed.

The TIS assumed improvements involving the upgrade to US 301 between MD 214 in the north and MD 4 to the south. Specifically, the improvements would involve a widening of US 301 from 4 to 6 through lanes. This improvement appears in the current (FY 2022-2027) county CIP with full funding within six years. There is a provision in the CIP (4.66.0047) that the overall cost of \$24,780,000.00 (1989 dollars) will be borne by developer contribution. The TIS provides a tabular representation of the applicant's pro-rata share of the CIP-funded improvements. For each intersection, a determination is made of the overall excess capacity that is created by the CIP improvements. The amount of that excess capacity that is needed to get to LOS D is then calculated and expressed as a percentage. The average percentage for both peak hours for all critical intersections along US 301 are then determined. The result of these analyses shows that an average of 14.5 percent of the total capacity created by the CIP improvements, will be required by this development to meet the department's adequacy threshold. This methodology and its conclusion are supported. Because the projected price tag in the current CIP is set at \$24,780,000, the applicant's pro-rata share will be $\$24,780,000 \times 0.145 = \$3,593,100.00$. Based on a proposed development of 3,500,000 square feet of gross floor area (GFA), the fee would be $\$3,593,100.00 / 3,500,000 = \1.03 per square foot of GFA. This amount is separate and apart from the cost of an additional improvement at the intersection of Leeland Road and US 301. The applicant will be required to provide triple left turn lanes on eastbound Leeland Road, as well as double left turns on northbound US 301, in order to achieve LOS D.

Planning Department Review and Comments

Having reviewed the traffic study, the Planning Board concurs with its findings and conclusions. The TIS was also referred out to County and State agencies for review and comment. A memo dated August 5, 2021 (Lord-Attivor to Barnett Woods), summarized DPIE's review of the TIS submitted by the applicant. The memo summarizes the improvements, safety study, and additional review of the TIS, which DPIE will require at various stages of project development. An August 4, 2021 letter from SHA to Mike Lenhart, the applicant's traffic consultant, was also submitted. In that letter, some of the reviewers within SHA offered no comments, while others required various clarifications of Mr. Lenhart. In an August 6, 2021 memorandum to Planning Department staff, Mr. Lenhart provided responses to all of the concerns expressed by SHA. Those responses are found to be reasonable and acceptable.

During the review period for the subject application, it was brought to the attention of Planning Department staff that the applicant was pursuing a possible second access to the proposed development. This secondary access could be realized under two scenarios:

Scenario 1:

This secondary access would be represented by a dedicated but unbuilt Popes Creek Drive that would create an intersection with existing Commerce Drive. The traffic consultant did a supplemental analysis based on this potential intersection.

An assumption was made that only 10 percent of the proposed site traffic will use this intersection. Based on that assumption, the result shows that the intersection will operate with a delay of less than 50 seconds and will be deemed to be adequate.

Scenario 2:

With this scenario, access would be provided with a second access directly onto Prince George's Boulevard, just south of the primary access of Queen's Court extended and Prince George's Boulevard. Like the previous option, this access will be secondary in nature, representing about the same 10 percent of total site traffic. The analysis shows that this access will also operate at delays greater than 50 seconds, however, when analyzed using the Tier 3 test, both peak periods operate below the 1,150 CLV threshold. Consequently, no further analysis is necessary, and the intersection is deemed to be adequate.

A secondary access, as proposed under Scenario 1, is depicted on the PPS by extending Popes Creek Drive, which is shown culminating in a cul-de-sac located on the subject property. However, the plans reflect the cul-de-sac located on a privately owned parcel. Popes Creek Drive is a public road which provides access to multiple properties. The right-of-way for this road is currently dedicated as a stub at the property edge, with the intention that it will be extended in the future into the subject property. Popes Creek Drive shall be properly extended into the property as a public right-of-way and terminated at a cul-de-sac or connect to another public street. The public right-of-way for the cul-de-sac extension of Popes Creek Drive shall be clearly shown and labeled on the PPS to be dedicated. If, at the time of final site plan, design access is not proposed from Popes Creek Drive, the cul-de-sac area may be incorporated into an abutting lot and all lots must be designed with frontage and direct access to an alternative public right-of-way. At this time, the applicant does not intend to pursue the second access proposed under Scenario 2.

Master Plan

The subject property is located on the north side of Leeland Road, a master-planned road that functions as a dividing line between two planning areas: the Bowie and Vicinity Master Plan and SMA and the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*. The subject property is also governed by the MPOT. All plans recommend Oak Grove Road-Leeland Road be upgraded to a major collector (MC-600) standard. The PPS shows the location of this planned facility and right-of-way dedication that is generally consistent with both plans. I-300 is a planned industrial road recommended in all three existing master plans. This future road is planned as Prince George's Boulevard extended south to Leeland Road. Approximately two-thirds of this future road lies within the southeast section of the site. The applicant shall clearly show dedication for I-300 that is consistent with the MPOT recommendation. The applicant proposes to only improve a portion of the I-300 right-of-way, with a cul-de-sac at the end of the extension, to provide access to Parcel 19. However, the full dedication shall be provided to accommodate future extension. Ultimate buildout of the street section will be determined by DPIE/DPW&T. The property also fronts on Leeland Road and right-of-way dedication is required along this road, consistent with the MPOT recommendation. The submitted plans include various labels for Leeland Road, which are ambiguous and do not clearly denote provision of one-half of the 100 feet of dedication required to construct Leeland Road to its ultimate cross section. Dedication of 50-feet from the center line of the Leeland Road right-of-way shall be shown on the PPS.

Based on the preceding findings, adequate transportation facilities will exist to serve the PPS, as required, in accordance with Section 24-124.

11. **Public Facilities**—In accordance with Section 24-122.01 of the Subdivision Regulations, water and sewer and police facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section, dated June 22, 2021 (Thompson to Gupta), incorporated by reference herein. However, for fire and rescue facilities, the PPS did not pass the four-minute travel test from the closest fire/EMS station when applying the national standard, which has an associated total response time under five minutes from the closest fire/EMS station, Pointer Ridge Volunteer Fire/EMS Company 843. Prior to construction, the applicant shall contact the Prince George’s County Fire/EMS Department to request a pre-incident emergency plan for the facility; install and maintain automated external defibrillators (AEDs) in accordance with Code of Maryland Regulations (COMAR); and install and maintain hemorrhage kits next to fire extinguishers. In accordance with Section 24-122.01(e)(1)(C), the Fire/EMS Department provided a statement indicating that adequate equipment exists.
12. **Use Conversion**—The total development included in this PPS is proposed for 3.5 million square feet of industrial and commercial uses, as permitted in the E-I-A Zone. If residential development or a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, that revision of the mix of uses would require approval of a new PPS, prior to approval of any building permits.
13. **Public Utility Easement**—Section 24-122(a) requires that when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for public utility easements (PUEs) is 10-foot-wide along both sides of all public rights-of-way. The subject site fronts on public right-of-way Leeland Road to the west. Rights-of-way of public streets Popes Creek Drive and Prince George’s Boulevard truncate along the eastern property line. Right-of-way for master-planned road I-300 is also to be dedicated within the boundaries of the subject property. To provide access and public street frontage to subdivided parcels, Queens Court will be extended approximately 1,750 feet from its intersection with Prince George’s Boulevard, through adjoining Lot 5, Block D into the property. Public Roads A and B are also provided for the subdivision.

The required 10-foot-wide PUE is correctly shown and labeled parallel, contiguous, and adjacent to the rights-of-way lines of all public streets and will be recorded with the final plat.

14. **Lot Layout**—The PPS depicts a configuration of parcels to enable development as proposed, to convey land to M-NCPPC for active recreation, and to preserve environmentally sensitive land by dedication to a BOA. The proposed lot layout was reviewed, and the following comments are provided:

- a. The northern and western boundaries of proposed Parcel 21 are depicted as double lines. The applicant clarified, in a meeting with staff, that the double lines are the result of a drafting error. This error should be resolved, and the boundaries of Parcel 21 shall be reflected with a single property line symbol.
- b. The PPS depicts two parcels along the northeast property line, both of which are labeled as Parcel 22. Neither of these parcels have frontage on a public street. Section 24-128(a) of the Subdivision Regulations requires that all parcels in a subdivision have frontage on and direct vehicular access to a public street. Both Parcel 22s shall be deleted, and their area be incorporated into an adjoining parcel having frontage on a public street.
- c. The PPS shows a narrow strip of land located to the east of Parcels 22 and 16, which is not assigned a parcel number. This area abuts the unimproved right-of-way for public street Popes Creek Drive, which is shown culminating in a cul-de-sac located on the subject property, in anticipation of an alternative access point to the site. The cul-de-sac for extension of Popes Creek Drive is proffered for a future access point to the site. However, the PPS does not label this area as a public right-of-way. The right-of-way for the cul-de-sac shall be clearly shown and labeled on the PPS to be dedicated to public use. All parcels are required to have frontage on and direct access to a public street. Therefore, any parcels which rely on the cul-de-sac of Popes Creek Drive for direct access shall be provided with adequate frontage on this cul-de-sac, capable of accommodating a standard commercial driveway. In the event that the applicant does not dedicate the right-of-way for Popes Creek Drive extension at the time of final plat, all parcels which depend on this right-of-way for frontage shall be reconfigured to have frontage on and direct access to another public right-of-way, or be deleted and their area incorporated into another parcel having frontage on and direct access to a public street.
- d. Master plan right-of-way for I-300, which is shown to be dedicated with this PPS, is shown correctly on Sheet 16 of the PPS. On Sheet 2 however, the western right-of-way line for I-300 is not reflected accurately, and the right-of-way width is incorrectly labeled to be 80 feet, instead of 70 feet. Both the right-of-way and width of I-300 shall be shown and labeled correctly on all sheets of the PPS.
- e. The parcels are located on both sides of an internal spine road (Road A), which is oriented in a north-south direction, with cul-de-sacs on both ends. Some of the parcels, including Parcels 7, 23, 2, 14, 15, and 29, are designed with frontage only on the right-of-way of these cul-de-sacs. The widths at front street line for these parcels is not dimensioned, and therefore it is not evident whether adequate frontage for these parcels exists to accommodate a commercial driveway meeting the standards of the Prince George's County Department of Public Works and Transportation (DPW&T). The applicant shall provide an exhibit prior to certification of the PPS, to demonstrate that widths of at front street line for Parcels 7, 23, 2, 14, and 15 are adequate to ensure that a standard DWP&T commercial driveway can be provided for these parcels. The PPS shall also reflect dimensions for all lot lines.

- f. In keeping with standard nomenclature, development parcels shall have a numbered designation and open space parcels shall have an alpha designation. There are two types of open space parcels proposed in this subdivision: Parcels 25, 26, 28, 30, 35, and 36, which are to be dedicated to M-NCPPC; and Parcels 10–24, 27, 29, and 31–34, which are to be dedicated to a BOA. The PPS shall be revised to assign a number to all development parcels (such as Parcel 1, Parcel 2) and an alpha designation to all open space parcels (such as Parcel A, Parcel B). In addition, all open space parcels to be dedicated to M-NCPPC shall be designated as Parcel A1, Parcel A2, and all open space parcels to be dedicated to BOA as Parcel B1, Parcel B2.

It is also noted that the PPS depicts Parcels 10–19, 22, and 23 with development such as structures and parking, but also lists these parcels to be dedicated to the BOA. The applicant shall clarify which parcels are development parcels, and which are open space parcels to be dedicated to the BOA, and revise the Parcel Table on Sheet 2 of the PPS accordingly.

Open space Parcels 25, 26, and 36, which along with Parcels 28 and 30 are to be dedicated to M-NCPPC, do not have direct frontage on a public street, in accordance with Section 24-128(a). Similarly, open space Parcels 24 and 27, which are to be dedicated to the BOA do not have direct frontage on a public street. These parcels are contiguous to other open space parcels with public street frontage and cannot be developed in isolation without further subdivision. In addition, the open space was divided into multiple parcels to ensure that they can be platted in their entirety. For these stated reasons, these open space parcels can be found to conform to Section 24-128(a).

15. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property was high. A Phase I archeology survey was completed on the property in 2006. No additional archeological investigations were required. A portion of a mill race was identified by Historic Preservation staff in the southwestern portion of the development on the north side of Collington Branch. This mill race was associated with a mill operated Daniel Clarke, a former owner of the property in the mid-1800s. The mill race is on a portion of the property that will be dedicated to M-NCPPC.

The subject property does not contain and is not adjacent to any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites.

16. **Environmental**—This PPS application (4-20032) and TCP1-004-2021-01 were received on June 17, 2021. Comments were provided in an SDRC meeting on July 9, 2021. Revised information was received on July 30, 2021 and August 2, 2021. Specimen tree dispositions were confirmed by the applicant on August 4, 2021. The following applications have been previously reviewed for the subject site:

Development Review Case Number	Associated Tree Conservation Plan	Authority	Status	Action Date	Resolution Number
A-9968	N/A	District Council	Approved	5/22/2006	Final Decision
CDP-0505	TCP1-010-06	Planning Board	Approved	8/8/2005	06-273
NRI-098-05	N/A	Planning Director	Signed	12/31/2005	N/A
CR-11-2006	N/A	District Council	Approved	2/7/2006	SMA Bowie and Vicinity
NRI-098-05-01	N/A	Planning Director	Signed	12/19/2006	N/A
NRI-098-05-02	N/A	Planning Director	Signed	1/11/2007	N/A
4-06066	TCP1-010-06-01	Planning Board	Approved	2/8/2007	PGCPB No. 07-43
SDP-1603	TCP2-028-2016	Planning Board	Approved	3/30/2017	PGCPB No. 17-44
A-9968-01	NA	District Council	Approved	5/13/2019	ZO No. 5-2019
NRI-098-05-03	N/A	Planning Director	Signed	2/9/2020	N/A
NRI-098-05-04	N/A	Planning Director	Signed	3/3/2021	N/A
A-9968-02	N/A	District Council	Approved	4/12/2021	ZO No. 2-2021
CDP-0505-01	TCP1-004-2021	Planning Board	Approved	4/29/2021	PGCPB No. 2021-50
4-20032	TCP1-004-2021-01	Planning Board	Pending	Pending	Pending

Proposed Activity

The current application is a PPS and revised TCP1 for development of warehouse/ distribution, office, light industrial/manufacturing and/or institutional uses, and a potential public park on a 442.30-acre site in the I-1, R-A, and R-S Zones.

Grandfathering

The project is subject to current environmental regulations contained in Subtitles 24, 25, and 27 of the County Code that came into effect on September 1, 2010 and February 1, 2012, because the application is for a new PPS.

Site Description

The PPS is a for a 442.30-acre site in the I-1, R-A and R-S zone, and is located on the north side of Leeland Road, east of the railroad tracks, and west of US 301. There are streams, wetlands, and 100-year floodplains and associated areas of steep slopes with highly erodible soils and areas of severe slopes on the property. The Pope’s Creek Branch railroad, used by CSX, which is adjacent to the westernmost portion of the property, may be a source of noise and vibration. 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 of and on this property. According to information obtained from the Maryland Department of Natural Resources (DNR), Natural Heritage Program, a Sensitive Species Project Review Area (SSPRA), as delineated on the SSPRA GIS layer is found to occur in the vicinity of this property. Further information received from the Wildlife and Heritage staff indicated known records related to three rare, threatened, or endangered (RTE) aquatic species in Collington Branch, and the possible presence of several RTE plants. Leeland Road is a scenic roadway that abuts this development. This property is located in the Collington Branch watershed in the Patuxent River basin and contains the mainstem of Collington Branch, along the western side of the property. The site is in the Developing Tier, according to the adopted General Plan. The site is located within the Established Communities of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. The site contains regulated areas and evaluation areas, as designated on the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan).

Prior Approvals

The site was subject to several prior approvals (A-9968, CDP-0505, 4-06066, and SDP-1603), which proposed to develop a residential subdivision. This prior use will not be implemented with the development with 4-20032. Previous conditions of approval related to the residential use are not applicable to this application because the use and site design have changed.

Review of Environmental Conditions and Considerations of Approval for A-9968-02

An amendment to the basic plan was approved by the District Council by Zoning Ordinance No. 2-2021 to delete all residential uses and replace with employment and industrial uses, effective April 12, 2021. The approval conditions which are environmental in nature are shown in **BOLD** and are addressed below.

- 9. The submission package of the comprehensive design plan shall contain a signed natural resources inventory (NRI) plan. The signed NRI plan shall be used by the designers to prepare a site layout that minimizes impacts to the regulated areas of the site.**

A valid Natural Resources Inventory Plan, NRI-098-05-04, was approved on March 3, 2021, and was submitted with the 4-20032 review package.

10. A geotechnical study that identifies the location and elevation of the Marlboro clay layer throughout the site shall be submitted as part of the comprehensive design plan application.

A geotechnical report dated March 22, 2021, and prepared by Geo-Technology Associates, Inc. was included with this application and reviewed. The approximate locations of the unmitigated 1.5 safety factor lines are shown on the TCP1 based on this report; however, there are assumptions used within the report that need to be better supported. The report requires several technical updates as outlined in the recommended conditions. The technical corrections may result in a change to the location of the 1.5 unmitigated safety factor line. The final location of the unmitigated 1.5 safety factor line resulting from the revised report shall be shown on the PPS and the TCP1.

In addition to the Marlboro clay restrictions on the site, it has been noted that the site is located within a sediment total maximum daily load (TMDL), as established by the state. Watersheds within a sediment TMDL will typically require erosion and sediment control measures above and beyond the standard treatments. The site also contains RTE species, including fish located in the Collington Branch. Redundant erosion and sediment control measures are also required for protection of the RTE species. Additional information, as determined by DPIE and the Soil Conservation District in their respective reviews for SWM and erosion and sediment control, may be required.

11. A protocol for surveying the locations of all rare, threatened, and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources, prior to acceptance of the comprehensive design plan, and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any application for preliminary plans.

The subject site contains five identified species of RTE plants and three State-listed threatened or endangered fish species within the Collington Branch and/or Black Branch watersheds. An RTE species Habitat Protection and Management Program was conceptually approved with the prior 4-06066 for the subject property, and the details of the program were approved with the prior SDP-1603. The original Habitat Protection and Management Program reports were prepared in 2007 for the specific sites, then referred to as Willowbrook and Locust Hill. In 2016 the reports were combined because the two projects came under a single ownership and were anticipated to move along similar timeframes for construction. The Locust Hill project has been under development, in accordance with the 2016 report; however, the subject site, previously known as Willowbrook, is now proposed for a significantly different development pattern from what was last evaluated.

An updated Habitat Protection and Management Program, dated April 23, 2021, was prepared for the current project, and submitted with this PPS application. On May 27, 2021, DNR approved the final version of the habitat protection and

monitoring plan. On June 4, 2021, the applicant notified this department that the pre-construction stream monitoring was completed in April 2021, and that the summer fish sampling was completed at all four stations June 1–2, 2021. After the stream monitoring and fish sampling data is processed, it is expected that the applicant will submit a pre-construction monitoring report to both DNR and M-NCPPC for review in Fall 2021.

While the applicant has provided information regarding monitoring per the updated Habitat Protection and Management Program established for the project, there is concern about the longer term and post construction monitoring requirements. A bond is needed to ensure the monitoring and any corrective action indicated by the monitoring is completed. The applicant shall post a monitoring bond with DPIE, prior to issuance of the fine grading permit.

12. Prior to acceptance of the preliminary plan of subdivision, a revised natural resources inventory plan shall be submitted and approved.

A revision to NRI-098-05-04 was approved on March 3, 2021, and was submitted with the 4-20032 review package.

17. In the event the Applicant elects to pursue an alternative access point(s) to the adjacent Collington Center vis Popes Creek Drive and/or Prince George's Blvd., the transportation and environmental impacts of any additional access point(s) shall be evaluated at time of Comprehensive Design Plan or Preliminary Plan.

Of the two alternative or additional access points described in the condition above, only the additional access point from Popes Creek Drive was provided with the current PPS for review. The transportation adequacy of this access is discussed in the Transportation finding of this resolution. The access point is located in an area where no regulated environmental features are delineated. No environmental impacts associated with the construction of this access point are shown. However, the proposed grading shown on the TCP1 does not account for construction of the cul-de-sac and the driveway located to the west of the property line. It appears likely that additional grading, with or without retaining walls, may be necessary to make this access point feasible. These details will be further reviewed with the SDP, should the final design include this access.

Considerations of Approval for A-9968-02

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 impacts to said features.

The development approved with 4-20032 has been determined in part by the environmental constraints of the site, including the regulated environmental features and the soils. Minimal impacts to the environmental features are proposed. The impacts are further analyzed in the Environmental Review Section of this finding.

Review of Environmental Findings, Conditions, and Considerations of Approval for CDP-0505-01

An amendment to the CDP was approved by the Planning Board (PGCPB Resolution No. 2021-50) to delete all residential uses and replace with employment and industrial uses, effective April 29, 2021. The approval conditions, which are environmental in nature, are shown in **BOLD** and are addressed below.

2. **At time of preliminary plan of subdivision submission, the applicant shall:**
 - a. **Submit a revision to the Habitat Management Program to the Development Review Division that reflects the current development proposal, existing hydrologic monitoring, timing of the analysis of Rare, Threatened and Endangered (RTE) species population counts and condition, habitat characterization and condition, and the details of the habitat management program for RTE fish species: water quality monitoring, pollution prevention measures, and corrective measures, shall be updated. The monitoring program shall meet all current requirements of the Maryland Department of Natural Resources, Wildlife and Heritage Service.**
 - b. **Submit a geotechnical report that reflects the current development proposal.**
 - c. **Show dedication for all rights-of-way for MC-600 (Leeland Road) and I-300, as identified by the Prince George's County Planning Department.**

This condition was addressed with the acceptance of the PPS. Both a revised Habitat Management Program and geotechnical report were included with the acceptance package. The location of the rights-of-way for MC-600 and I-300 shall be correctly shown and identified on all sheets of the PPS.

3. **Prior to certification of a Type 2 tree conservation plan for the subject development, which states specifically the location, acreage, and methodology of the woodland conservation credits, crediting of woodland conservation shown on any property to be dedicated to, or owned by the Maryland-National Capital Park and Planning Commission, is subject to written approval by the Prince George's County Department of Parks and Recreation.**

In a letter dated April 12, 2021 (Burke to Nickle), submitted with the CDP certification, the Parks Department consented to the placement of woodland conservation on land to be dedicated to M-NCPPC park property to be placed in easements, subject to the following considerations:

- a. The applicant will be dedicating substantially more parkland than the normal requirement under mandatory dedication of parkland.
- b. The woodland conservation easement(s) proposed are primarily located in areas which are not suitable for active recreation.
- c. The proposed woodland conservation easement(s) are in some cases adjacent to other protected lands or woodland conservation easements proposed by the applicant, in effect creating a larger net “forested area.”
- d. The proposed woodland conservation easement(s) will not be located within the right-of-way for the proposed hiker/biker trail when constructed.

The portions of the woodland conservation easement areas proposed to be conveyed to M-NCPPC are subject to the following conditions:

1. The details of the land to be dedicated to M-NCPPC, the areas of woodland conservation easement contained within that land, and the proposed hiker/biker trail will be evaluated with the review of the Type 2 tree conservation plan.
2. A 10-foot-wide clear area must be maintained from any woodland conservation to the edge of any future trails.
3. Only lands which normally qualify for woodland preservation and reforestation through the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance shall be placed in a woodland conservation easement.

This condition will be further reviewed with the Type 2 tree conservation plan.

Master Plan Conformance

The applicable master plan includes environmentally related policies and their respective strategies in the Environmental Infrastructure section.

The text in **BOLD** is the text from the master plan and the plain text provides comments on the plan conformance.

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

Strategies:

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

The subject site is neither within a Priority Preservation Area nor the Patuxent Rural Legacy Program; however, it is in the Collington Branch and Patuxent River watershed, which are primary corridors. The District Branch secondary corridor is mapped on-site. The site contains regulated environmental features and is located entirely within the 2017 Green Infrastructure network but is not within a special conservation area. Protection of green infrastructure elements and regulated environmental features of the site are further evaluated in the Environmental Review section of this finding.

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

Strategies:

- 1. Implement the strategies contained in the Western Branch Watershed Restoration Action Strategy (WRAS).**
- 2. Add identified mitigation strategies from the Western Branch WRAS to the countywide database of mitigation sites.**

3. **Encourage the location of necessary off-site mitigation for wetlands, streams, and woodlands within sites identified in the Western Branch WRAS and within sensitive areas that are not currently wooded.**
4. **Ensure the use of low-impact development techniques to the extent possible during the development process.**
5. **During the development review process evaluate streams that are to receive stormwater discharge for water quality and stream stability. Unstable streams and streams with degraded water quality should be restored, and this mitigation should be considered as part of the stormwater management requirements.**
6. **Encourage the use of conservation landscaping techniques that reduce water consumption and the need for fertilizers or chemical applications.**
7. **Minimize the number of parking spaces and provide for alternative parking methods that reduce the area of impervious surfaces.**
8. **Reduce the area of impervious surfaces during redevelopment projects.**

Development of the site will be subject to the current SWM regulations which require that ESD be implemented to the maximum extent practicable. Additional information regarding on-site regulated environmental features is evaluated in the Environmental Review section of this finding.

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

Strategies:

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

Development of this site will be subject to the current woodland conservation ordinance requirements. Additional information regarding woodland

conservation and tree canopy coverage will be evaluated with future development applications; however, the TCP1 submitted with the PPS shows approximately 36 percent of the gross tract will remain in woodland (both in and outside of the floodplain).

Policy 4: Reduce overall energy consumption and implement more environmentally sensitive building techniques.

Strategies:

- 1. Encourage the use of green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies.**
- 2. Encourage the use of alternative energy sources such as solar, wind, and hydrogen power. Provide public examples of uses of alternative energy sources.**

Information regarding the use of green building techniques and the use of alternative energy will be evaluated with future SDP applications which propose building details.

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

Strategies:

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

Information regarding the use of lighting will be evaluated with future applications. Light intrusion into the woodland and regulated environmental features must be avoided because of the sensitive nature of the habitat on-site containing RTE species.

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

Strategies:

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

Residential development is not proposed with 4-20032. Leeland Road to the south is classified as a Master-Planned Major Collector MC-600. Proposed Master-Planned Industrial Road I-300 is located on the eastern portion of the property. The location of the rights-of-way for MC-600 and I-300 are identified on the plans.

Policy 7: Protect wellhead areas of public wells.

Strategies:

- 1. Retain land uses that currently exist in the wellhead areas of existing public wells.**
- 2. Continue monitoring water quality.**
- 3. Consider the development of alternative public water provision strategies, such as public water connections, to eventually eliminate public wells.**

The site is not within a wellhead area. The applicant shall abandon all existing wells and septic fields, per all Prince George's County Health Department regulations, and provide public water connections for the proposed development.

Conformance with the Green Infrastructure Plan

The entire site is mapped within the Green Infrastructure Network as delineated in accordance with the Green Infrastructure Plan. The regulated area is mapped along the streams and regulated environmental features and the evaluation area is mapped on the remainder of the site due to the existing forest contiguous to the streams. The plans, as submitted, generally show the preservation of the regulated areas; however, more detailed information will be evaluated during the subsequent applications. The current PPS and revised TCP1 are found in general conformance with the Green Infrastructure Plan.

ENVIRONMENTAL REVIEW

Natural Resources Inventory

A signed NRI-098-05-04 was submitted with the application. The site contains streams, wetlands, and 100-year floodplains, and associated areas of steep slopes with highly erodible soils on the property that comprise the primary management area (PMA). The subject site contains five identified species of RTE plants and three State-listed threatened or endangered fish species with the Collington Branch and/or Black Branch watersheds, which are shown on the NRI. The NRI indicates the presence of seven forest stands labeled as stands 1, 2, 4, 5, 6, 7, and 8 (Forest Stand 3 was eliminated), and 224 specimen trees identified on the site. The TCP1 and PPS show all required information correctly in conformance with the NRI. No additional information is required regarding the NRI.

Woodland Conservation

This site is subject to the provisions of the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the application is for a new PPS. This project is subject to the WCO and the Environmental Technical Manual (ETM). TCP1-004-2021-01 has been submitted with the subject application and requires minor revisions to be found in conformance with the WCO.

The woodland conservation threshold (WCT) for this 442.30-acre property is based on 15 percent for the E-I-A, R-S, and I-1-zoned portions of the site, and 50 percent for the R-A Zone, for a weighted WCT 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 TCP approvals are not applicable to the new development proposal. The National Capital Business Park project is subject to the WCO and the ETM. TCP1-004-2021 was approved with CDP-0505-01, and a revised TCP1-004-2021-01 was submitted with the PPS application.

The woodland conservation worksheet shows the clearing of 267.39-acres of woodland on the net tract area, and 1.09-acres in the floodplain, which results in a woodland conservation requirement of 120.34 acres. This requirement is proposed to be met with 71.04 acres of on-site woodland preservation, 21.51 acres of reforestation, and 27.79 acres of off-site woodland conservation credits.

Technical revisions to the revised TCP1 are required and included in the conditions of approval.

Areas to be dedicated to M-NCPPC will be reviewed at the time of SDP for compliance to the WCO, focusing on preserving regulated environmental features and specimen trees to the greatest extent practicable.

Specimen Trees

TCPs are required to meet all requirements of Subtitle 25, Division 2, of the Prince George's County Code, which includes preservation of specimen trees, in accordance with Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the

Construction Tolerance Chart in the ETM for guidance on each species' ability to tolerate root zone disturbances).

If, after careful consideration has been given to preservation of the specimen trees, there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance to the provisions of Division 2 of Subtitle 25, provided all the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by a statement of justification (SOJ) stating the reasons for the request and how the request meets each of the required findings. A Subtitle 25 Variance Application and an SOJ in support of a variance, dated July 31, 2021 and August 2, 2021, were submitted.

A timber harvest permit was recently approved for the site utilizing the limits of disturbance (LOD) that were approved on a TCP2 for the previous residential development, Willowbrook. Within the limits of the timber harvest area were 52 specimen trees. No variance was required for the removal of these specimen trees because the TCP2 was approved under the 1993 Woodland Conservation Ordinance. The TCP2 is grandfathered from the variance requirements that were established in the current WCO.

The SOJ submitted for review with PPS 4-20032 requested the proposed removal of 38 specimen trees. However, after discussion and further clarification from the applicant, it was confirmed that the requested amount should be a total of 69 of the specimen trees located on-site. Specifically, the applicant seeks to remove trees 25, 26, 38, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77a, 78, 97, 98, 132, 133, 134, 135, 136, 137, 139, 140, 141, 142, 143, 144, 145, 149, 151, 152, 156, 157, 158, 201, 204, 205, 211, 213, 214, 239, 240, 241, 307, 308, 309, 311, 312, 314, 317, 318, and 319. The TCP and specimen tree removal exhibit generally show the locations of the trees proposed for removal. Technical corrections are required to show all the trees that are to be removed on this plan, as well as the TCP1 prior to certification. The specimen trees located within the proposed dedicated parkland will be analyzed with the SDP.

In general, the majority of these trees are in fair condition, with seven in poor condition, and eight specimen trees in good condition. Fifty of the specimen trees requested for removal are tulip poplar trees, which have weak wood and overall poor construction tolerance. The other species of trees requested for removal are silver maple (2), American beech (1), sycamore (1), northern red oak (2), white oak (6), southern red oak (6), and black oak (1), which range from a poor to good construction tolerance. The specimen trees requested for removal are located within the most developable part of the site and are not located in the regulated environmental PMA areas.

The variance for the removal of the 69 specimen trees requested by the applicant was approved, based on the findings below.

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

The property is 442.30 acres and contains approximately 186.15 acres of PMA comprised of streams, wetlands, 100-year floodplains, and associated areas of steep slopes with

highly erodible soils. This represents approximately 42 percent of the overall site area. These existing conditions are peculiar to the property. Specimen trees have been identified in both the upland and lowland PMA areas of the site. The applicant is proposing to remove the specimen trees located outside of the PMA. To further restrict development of the wooded upland areas of the site would cause unwarranted hardship.

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

The warehouse/distribution, office, light industrial/manufacturing and/or institutional uses, and a public park align with the uses permitted in the E-I-A (R-S), I-1, and R-A Zone, as well as the vision for such zones as described in the Bowie and Vicinity Master Plan. Based on the unique characteristics for the property, enforcement of these rules would deprive the applicant of the right to develop the property in a similar manner to other properties similarly zoned in the area.

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

If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

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

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant.

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

The request to remove the trees does not arise from any condition on a neighboring property.

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

All proposed land development activities will require erosion and sediment control and SWM measures to be reviewed and approved by the County.

Regulated Environmental Features

The subject property contains PMA 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 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 proposes impacts to the PMA; a letter

of justification (LOJ) with exhibits was submitted by the applicant on August 2, 2021, for review with the PPS.

Section 24-130(b)(5) 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 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 the 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 development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

An LOJ was received on June 17, 2021. Comments were provided in an SDRC meeting on July 9, 2021, requesting more detail justifying the proposed impacts. A revised LOJ was received on August 2, 2021, for the proposed impacts. The PPS includes impacts to the PMA. The impacts are for a roadway crossing, stormdrain outfalls, and utility connections. The impacts total approximately 3.59 acres. Corrections are required for both the submitted LOJ and the impact exhibits, prior to certification of the TCP1.

The current LOJ and associated exhibit reflect 16 impacts to regulated environmental features associated with the PPS totaling approximately 3.59 acres. After the submittal of this document, the applicant verbally confirmed that the proposed layout shown in the PMA impact exhibits did not match the proposed layout shown on the TCP1. As a result, the applicant provided an email confirming that impacts 12, 13, 14, and 16 are no longer included in the request and may be evaluated further at the time of SDP review. The LOJ shall be amended to reduce the total PMA impacts from 155,509 square feet, or 3.57 acres, to the adjusted square footage and acreage resulting from the removal of Impacts 12, 13, 14 and 16, and adjustments to the impact areas to reflect the current proposed layout.

The layout shown for Impact 3 does not follow the LOD and does not show the stormdrain outfall. Impact 4 is for a proposed sewer connection. The LOD shall be updated to address the revised location of the proposed sewer line and to remove the impact for grading to the west. All of the impacts are considered permanent. The LOJ requires updating to reflect whether proposed impacts are permanent or temporary.

The impact for an outfall is approved, but the information provided on the TCP1 and impact exhibits are not sufficient to show the full area of the impact. A revised impact exhibit for Impact Areas 3 and 4 shall be submitted to demonstrate the extent of the requested impacts.

The PMA impacts for road crossings and utilities are considered necessary to the orderly development of the subject property. These impacts cannot be avoided because they are required by other provisions of the County and state codes. The plan shows the preservation, restoration, and enhancement of the remaining areas of PMA.

Impacts 1, 2, part of 9, and 10 – Road Crossings

These impacts total approximately 2.45 acres and are for the installation of three separate road crossings. A portion of Impact 9 includes a proposed sewer connection. Because of a zoning restriction, the project cannot use Leeland Road as its vehicular access and is limited to providing connections from Queens Court, Prince George's Boulevard, and Popes Creek Drive. Impact 1 is the initial connection to the existing Queens Court, and is entirely located off-site. Impact 2 is the continuation of the proposed Queens Court to access the site, with 0.17 acre of this impact being located off-site. The road impact portion of Impact 9 and the entirety of Impact 10 are located on-site. With the applicant's collaboration with both DPIE and the Soil Conservation District, these impacts are necessary to provide access to the site and are proposed in specific locations for minimal disturbance. Much of the site cannot be accessed without crossing the PMA. The applicant located the crossings at the points where the PMA is the narrowest and designed the road to result in the smallest impact.

Impacts 4, 5, and part of 9 – Sewer Connections

These impacts total 0.54 acres and are proposed sewer connections. These impacts were designed to limit disturbances to the PMA as much as possible.

Impacts 3, 7, 8, and 11 – Stormdrain outfalls and structures

These impacts total 0.25 acres. The stormdrain outfalls meet best management practices for discharging water back into the stream while limiting erosion at the discharge points.

Impacts 6 and 15 – Retaining Wall Clearance

These impacts total 0.10 acre and are related to clearing areas around proposed retaining walls for maintenance purposes. These impacts are not supported with this PPS, and Impacts 6 and 15 shall be removed from the TCP1 and PPS. At the time of individual SDPs for these areas, these impacts can be reevaluated if they cannot be reduced or eliminated.

Based on the level of design information available at the present time, and with the removal of proposed Impacts 6 and 15, the regulated environmental features on the subject property will have been preserved and/or restored to the fullest extent possible.

Scenic and Historic Roads

Leeland Road is designated as a scenic road in the MPOT and has the functional classification of a major collector. The MPOT includes a section on special roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to this roadway, including to conserve and enhance the viewsheds along designated roadways. Any improvements within the right-of-way of an historic road are subject to approval by the County under the Design Guidelines and Standards for Scenic and Historic Roads.

The 2010 *Prince George's County Landscape Manual* addresses the requirements regarding buffers on scenic and historic roads. These provisions will be evaluated at the time of review of the SDP. Adjacent to an historic road, the Landscape Manual requires a Section 4.6-2 landscape buffer (Buffering Development from Special Roadways) based on the development tier (now ESA 2). In ESA 2, the required buffer width along an historic road is a minimum of 20 feet wide, to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings. Landscaping is a cost-effective treatment, which provides a significant visual enhancement to the appearance of an historic road. The special roadway buffer must be located outside of the right-of-way and PUEs, and preferably by the retention of existing good quality woodlands, when possible.

Soils

According to the Prince George's County Soil Survey, the principal soils on the site are in the Adelphia, Bibb, Collington, Colemantown, Elkton, Howell, 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 TCP1 shows the approximate location of the unmitigated 1.5 safety factor line, in accordance with a Geotech report dated March 22, 2021, and prepared by Geo-Technology Associates, Inc.

The approximate locations of the unmitigated 1.5 safety factor lines are shown on the TCP1 based on this report; however, there are assumptions used within the report that need to be better supported. The report requires several technical updates as outlined in the conditions of approval. The technical corrections may result in a change to the location of the 1.5 unmitigated safety factor line. The final location of the unmitigated 1.5 safety factor line resulting from the revised report shall be shown on the PPS and the TCP1.

Erosion and Sediment Control

It has been noted that the site is located within a sediment TMDL, as established by the State. Watersheds within a sediment TMDL will typically require erosion and sediment control measures above and beyond the standard treatments. The site also contains RTE species, including fish located in the Collington Branch. Redundant erosion and sediment control measures are also required for protection of the RTE species. Additional information, as determined by DPIE and the Soil Conservation District in their respective reviews for SWM and erosion and sediment control, may be required.

The County requires the approval of an erosion and sediment control plan. The TCP must reflect the ultimate LOD not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including erosion and sediment control measures. A copy of the erosion and sediment control technical plan must be submitted so that the ultimate LOD for the project can be verified and shown on the TCP 2.

17. Urban Design—Conformance with the Zoning Ordinance (Subtitle 27) is evaluated, as follows:

This PPS is to subdivide deed Parcels A and B into 36 smaller parcels to support the future construction of up to 3.5 million square feet of employment and institutional uses. These are permitted on the property, in accordance with Section 27-511(a)(7) of the Zoning Ordinance and Section 27-515(b), Footnote 38, which notes that most uses allowed in the E-I-A Zone can be permitted in the R-S Zone, subject to specific criteria. Conformance with these criteria and other guidelines for building massing, materials, architecture, landscaping, and other design elements will be reviewed with a future SDP application.

In addition, conformance with the following Zoning Ordinance regulations is required for the proposed development and will be reviewed at the time of SDP, including but not limited to the following:

- Section 27-501 E-I-A Zone Regulations;
- Section 27-515(b), Footnote 38 criteria;
- Section 27-512 regarding the Table of Uses for the I-1 Zone;
- Section 27-513 regarding regulations in the I-1 Zone;
- Part 11 Off Street Parking and Loading; and
- Part 12 Signs.

Conformance with Previous Approvals

The property is the subject of multiple prior approvals, including CDP-0505-01 and A-9968-02. The conditions attached to the prior approvals that are relevant to the review of this PPS are discussed in the prior findings.

Conformance with the 2010 Prince George's County Landscape Manual

The proposed development is subject to 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 4.6, Buffering Development from Streets;

Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements, apply to this site. Conformance with the applicable landscaping requirements will be determined at the time of SDP review.

Conformance with the Prince George’s County Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that proposes more than 5,000 square feet of gross floor area or disturbance and requires a grading permit. Properties in the R-S Zone to be developed per Section 27-515(b), Footnote 38, are required to provide a minimum of 10 percent of the gross tract area in tree canopy coverage. Compliance with this requirement will be evaluated at the time of SDP review.

- 18. **Other Referrals**—The PPS application was referred to the City of Bowie on June 24, 2021, since the subject property is located within one mile of its geographical boundary. No referral or correspondence was received from the City of Bowie.

The PPS application was referred to the Health Department on June 24, 2021; however, no referral or correspondence was received from them. In their referral provided during review of PPS 4-06066, for Willowbrook, the Health Department noted that raze permits are required, prior to demolition of any structure on the site, and that wells and septic systems to be abandoned must be pumped, backfilled, and/or sealed, in accordance with COMAR 26.04.04. A note has been added to the PPS stating that all existing wells and septic fields will be capped, per all Health Department regulations. Appropriate conditions of approval for proper abandonment of the on-site well and septic system have been included.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Doerner, with Commissioners Geraldo, Doerner, Bailey and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, September 9, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of September 2021.

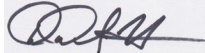
Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

EMH:JJ:MG:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: September 16, 2021

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Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*
* Also admitted in the District of Columbia

September 24, 2021

VIA ELECTRONIC DELIVERY

Mr. William Capers, III, Planning Supervisor
Urban Design Section, Development Review Division
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

**RE: STATEMENT OF JUSTIFICATION
National Capital Business Park
Specific Design Plan 1603-01 (Infrastructure Only)**

Dear Mr. Capers:

On behalf of our client, NCBP Property, LLC (the "Applicant"), Robert J. Antonetti, Jr., and Shipley and Horne, P.A. hereby submits this statement of justification in support of Specific Design Plan 1603-01 for infrastructure only in accordance with Sections 27-530(a) and 27-527 of the Prince George's County Zoning Ordinance. The National Capital Business Park project is intended to be developed on a tract of land located on the north side of Leeland Road and contains approximately 442± acres in the R-S, I-1 and R-A Zones. Approximately 426± acres of the property are zoned R-S (the "Property") and is the only land subject to this specific design plan. The Property is located within Planning Area 74A and Council District 4.

SDP-1603-01 is being filed in accordance with the appropriate provisions of the Prince George's County Zoning Ordinance (the "Zoning Ordinance") as modified by CB-22-2020. Said legislation was adopted by the District Council on July 14, 2020, for the purposes 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) of the Zoning Ordinance. The approval of SDP-1603-01 for the National Capital Business Park (the "NCBP") effectively represents an extension of the adjacent 414-acre, E-I-A-Zoned Collington Center.

This statement of justification presents the supporting rationale necessary for the review and evaluation of SDP-1603-01. Through the submission of this application, the Applicant seeks to amend and supersede the approved SDP-1603 (formerly for Phase 1 of the residential project known as "Willowbrook") to reflect the infrastructure needed for the development of up to 3.5 million square feet of warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses. It is anticipated that a majority of the uses on the Property will be warehouse uses.

On April 12, 2021, Basic Plan Amendment, A-9968-02, was approved by the District Council

which redesignated the site for employment and institutional uses (which includes warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses) not to exceed 3.5 million square feet of gross floor area, (Zoning Ordinance No. 2-2021). On April 29, 2021, Comprehensive Design Plan, CDP-0505-01, & Type 1 Tree Conservation Plan, TCP1-004-2021, were approved by the Planning Board, (PB Resolution No. 2021-50) which established the design guidelines for the project. The District Council elected to not review CDP-0505-01 on June 4, 2021. Finally, Preliminary Plan of Subdivision, 4-20032, Type 1 Tree Conservation Plan, TCP1-004-2021-01, and a variance from Section 25-122(b)(1)(G) for the removal of specimen trees, were approved by the Planning Board on September 9, 2021.

A. Infrastructure Included in Application:

As part of this application, the Applicant requests approval of infrastructure for the NCBP including the proposed street network, sidewalks, utilities, grading, stormwater management, retaining walls and directional signage that will serve the employment and institutional uses proposed for the Property. Approved development applications, A-9968-02 & CDP-0505-01 deleted any previously approved/proposed residential uses for the Property and set forth design guidelines to be utilized for future development within the NCBP. Said design guidelines established standards for building heights, setbacks, lot coverage and open space for the project that will be reflected on future specific design plans that include proposed structures. The subject SDP, which proposes infrastructure only for the NCBP, **is intended to completely supersede the previous approval in SDP-1603**, and all its subsequent conditions, as they pertain to a residential development of the subject Property that is no longer proposed.

B. Neighboring Properties Use and Zoning:

The NCBP is a 442± acre site (of which 426± acres of the property are zoned R-S) and is situated on undeveloped land located north of Leeland Road and west of US 301. The Property is conveniently located near major transportation routes and is located in the Growth Tier Boundary as designated by the 2014 General Plan. The NCBP is partially bounded on the west by the Popes Creek Branch CSX Railroad tracks, vacant M-NCPPC park land to the north, Collington Center to the northeast, Leeland Road to the south, and the Target Distribution Center to the southeast. To the east and west are streams and their associated tributaries.

West of the site is the Collington Branch Stream Valley which is approximately 100' wide at its narrowest point and provides a natural buffer between the subject Property and the neighboring development. Further beyond the Collington Center is the mixed-use South Lake development, which is near the intersection of Central Avenue and US 301, and comprises uses such as office, retail, multifamily apartments and condominiums, senior units, townhomes, and single-family detached units. Also, along the western boundary of the Property is the Popes Creek Branch and CSX Railroad tracks. The Oak Creek residential development is northwest of the intersection of Oak Grove Road and Church Road. In the eastern area of the site, there is a small part of the NCBP tract that is zoned I-1 that separates the R-S zoned-portion of the Property from the Target Distribution Center,(formally the Safeway Distribution Center). Southeast of the NCBP, and west of US 301, is the Beechtree residential development. North of

the NCBP are the developed subdivisions of Collington and The Hamptons in the R-R (Rural Residential) Zone. Finally, to the south, is the proposed Locust Hill development in the R-L (Residential-Low) Zone.

C. Previous Approvals

Previous approvals for the subject Property include the following applications:

July 28, 2005 - Basic Plan Zoning Map Amendment A-9968 approved via Prince George's County Planning Board Resolution 05-178

November 29, 2005 - Basic Plan Zoning Map Amendment A-9968 approved via Prince George's County District Council Resolution CR-90-2005 (DR-2), rezoning the Property from the E-I-A Zone to R-S Zone

December 13, 2005 - Natural Resources Inventory Plan NRI-098-05 approved by the Environmental Planning Section

August 7, 2006 – 100 Year Flood Plain Study No. 200522 approved by DPIE

December 19, 2006 - Natural Resources Inventory Plan NRI-098-05-01 approved by the Environmental Planning Section

January 4, 2007 - Comprehensive Design Plan CDP-0505 approved by the Prince George's County Planning Board via Planning Board Resolution 06-273

January 11, 2007 - Natural Resources Inventory Plan NRI-098-05-02 approved by the Environmental Planning Section

February 8, 2007 - Preliminary Plan of Subdivision 4-06066 and Type 1 Tree Conservation Plan TCP1-010-06-01 approved via Prince George's County Planning Board Resolution 07-43

April 9, 2007 – The Prince George's County District Council affirms the Planning Board's decision for Comprehensive Design Plan CDP-0505

May 16, 2007 - Stormwater Management Concept Plan 45944-2015 approved by the Department of Permitting, Inspection and Enforcement

December 12, 2014 - Type 1 Tree Conservation Plan TCP1-010-06 certified by the Environmental Planning Section

September 8, 2016 - Stormwater Management Concept Plan 15988-2016 approved by the Department of Permitting, Inspection and Enforcement

March 30, 2017 - Specific Design Plan SDP-1603 and Type 2 Tree Conservation Plan TCP2-028-2016 approved for Phase 1, Willowbrook via Prince George's County Planning Board Resolution 17-44

April 24, 2017 - The Prince George's County District Council elects not to review Specific Design Plan SDP-1603 rendering the Planning Board's decision as final

February 15, 2018 – Reconsideration Request for Preliminary Plan of Subdivision 4-06066 approved via Prince George's County Planning Board Resolution 07-43(A)

September 20, 2018 - Basic Plan Amendment A-9968-01 approved by the Planning Board via Prince George's County Planning Board Resolution 18-92

April 2, 2019 - Basic Plan Amendment A-9968-01 approved by the Zoning Hearing Examiner

May 13, 2019 - Basic Plan Amendment A-9968-01 approved by the Prince George's County District Council via Zoning Ordinance No. 5-2019

May 17, 2019 - Type 2 Tree Conservation Plan TCP2-028-2016 certified by the Environmental Planning Section

May 31, 2019 - Specific Design Plan SDP-1603 certified by the Urban Design Section

October 8, 2019 - Basic Plan Amendment A-9968-01 certified by the Zoning Hearing Examiner

February 9, 2020 - Natural Resources Inventory Plan NRI-098-05-03 approved by the Environmental Planning Section

December 14, 2020 - Prince George's County Office of Central Services (OCS) submitted Mandatory Referral Intake Questionnaire and Description of Project to M-NCPPC Legal Department for extension of Queens Court through County-owned property to serve as vehicular access point for NCBP. The proposed NCBP monument sign, to be located in the public right-of-way at corner of Queens Court and Prince George's Boulevard, is included with submission

December 15, 2020 - Basic Plan Amendment A-9968-02 formally accepted by the Council Clerk's Office & M-NCPPC

December 15, 2020 - Comprehensive Design Plan Amendment CDP-0505-01 formally accepted by M-NCPPC

January 20, 2021 - Waiver Letter WMR-57-2020 issued by M-NCPPC's Special Projects Section for Mandatory Referral Application MR-2043A (for the extension of Queens Court and a monument sign on County-owned property)

January 25, 2021 - Specific Design Plan SDP-1603-01(for infrastructure only) submitted to M-NCPPC for pre-acceptance review

March 3, 2021 - Natural Resources Inventory Plan NRI-098-05-04 approved by the Environmental Planning Section

April 12, 2021 - Basic Plan Amendment A-9968-02 approved by the Prince George's County District Council via Zoning Ordinance No. 2-2021

April 29, 2021 - Comprehensive Design Plan CDP-0505-01 & Type 1 Tree Conservation Plan TCP1-004-2021 approved by the Prince George's County Planning Board via Planning Board Resolution 2021-50

June 4, 2021 - The Prince George's County District Council elects not to review Comprehensive Design Plan CDP-0505-01 rendering the Planning Board's decision as final

June 11, 2021 - Comprehensive Design Plan CDP-0505-01, Type 1 Tree Conservation Plan TCP1-004-2021, & Approved CDP Design Guidelines certified by M-NCPPC Staff

June 16, 2021 - Preliminary Plan of Subdivision 4-20032 & Type 1 Tree Conservation Plan TCP1-004-2021-01 formally accepted by M-NCPPC

June 22, 2021 - Basic Plan Amendment A-9968-02 certified by the Zoning Hearing Examiner

June 22, 2021 - Forest Harvest Operation & Erosion and Sediment Control Plan No. FH-145-21 approved by the Soil Conservation District

June 28, 2021 - Site Development Concept Plan Number 42013-2020-00 approved by the Department of Permitting, Inspection and Enforcement

July 2, 2021 - Haul Road/Timber Transport Permit No. 21506-2021-00 issued by DPIE

August 3, 2021 - Rough Grading Permit No. 29083-2021-G submitted to DPIE & M-NCPPC and is currently pending

August 12, 2021 - Type 2 Tree Conservation Plan TCP2-026-2021 submitted to the Environmental Planning Section and is currently pending

August 25, 2021 - Fine Grading Permit No. 36715-2021-00 is assigned to the project by DPIE

September 9, 2021 - Preliminary Plan of Subdivision 4-20032, Type 1 Tree Conservation Plan TCP1-004-2021-01, and Variance from Section 25-122(b)(1)(G) for removal of specimen trees approved by the Prince George's County Planning Board

The building types, quantity and layout for SDP-1603-01 is described in the Development Data Summary Table below:

D. Development Data Summary:

DEVELOPMENT DATA SUMMARY		
	Approved Applications CDP-0505-01 & PPS 4-20032	Proposed SDP-1603-01
Zones:	R-S (426.52 acres), I-1 (15 acres), R-A (0.78 acres)	R-S (426.52 acres), I-1 (15 acres), R-A (0.78 acres)
Uses:	Warehouse/Distribution; Office; Light-Industrial/Manufacturing; and/or Institutional Uses (in R-S & I-1 Zones only)	Warehouse/Distribution; Office; Light-Industrial/Manufacturing; and/or Institutional Uses (in R-S & I-1 Zones only)
Total Gross Acreage:	CDP-0501 - (426.52) 4-20032 - (442.3 acres)	442.3 acres (426.52 acres in R-S Zone subject to this SDP)
100-Year Floodplain	94.77 acres	94.77 acres (92.49 acres of floodplain within R-S Zone)
Net Acreage:	347.53 acres	347.53 acres (334.03 acres within R-S Zone)

PROPOSED DENSITY/INTENSITY	
Density/Intensity Proposed:	3, 500,000 +/- square feet of gross floor area

E. Proposed Development Concept

The NCBP represents a well thought out employment and institutional development that is organized into complimentary development pockets. The building blocks of this development include interconnecting streets and a parcel layout that will adequately contain building and parking areas. The foundation of the NCBP is a significant green area network which substantially surrounds the proposed development. This includes utilization of the adjacent stream valley to define the western

edges of the proposed development areas. The project has been designed to be a compact development that will minimize impacts to sensitive environmental features and preserve priority woodland and land area along the stream valley corridor and other sensitive environmental areas. The design guidelines for the NCBP have been established through the approval of CDP-0505-01. Said design guidelines established standards for building heights, setbacks, lot coverage and open space for the project that will be reflected on future specific design plans that include proposed structures.

The NCBP is proposed to be developed with employment and institutional type uses similar to the abutting Collington Center. The project also shows a potential 20-acre public park adjacent to the Collington stream valley and on the north side of Leeland Road. The future park will have direct vehicular access to Leeland Road. Vehicular access to the NCBP will be provided via an extension of existing Queens Court within the adjacent Collington Center. The Applicant has worked closely with Department of Permitting, Inspections and Enforcement (DPIE) and the County's Office of Central Services (OCS) to obtain the needed right-of-way dedication through the abutting County-owned property to the north that will accommodate the extension of Queens Court and a monument sign (within the future right-of-way) for the NCBP. On December 14, 2020, OCS submitted a Mandatory Referral Intake Questionnaire along with a description of the project to the M-NCPPC Legal Department for the extension of Queens Court through County-owned property. The proposed NCBP monument sign, to be located in the public right-of-way at the corner of Queens Court and Prince George's Boulevard, was also included with this submission. On January 20, 2021, Waiver Letter WMR-57-2020 was issued by M-NCPPC's Special Projects Section for Mandatory Referral Application MR-2043A (for the extension of Queens Court and a monument sign on County-owned property).

The Applicant has also been in communication with the State Highway Administration (SHA) concerning the proposed median break and signalization of the US Route 301 and Queens Court intersection. The signalization of this intersection is included in the County's 6-year Capital Improvement Projects window and will allow the trips from this project to be safely and efficiently distributed through Collington Center and out to US Route 301 through both Queens Court and (to a lesser extent) Trade Zone Avenue.

The submitted SDP shows the portions of the master planned alignment of Prince George's Boulevard (I-300) that run through the subject Property. While only a portion of this planned roadway exists on the subject property (the balance of which is shown on the developed Target Distribution Center to the southeast), the Applicant will not construct this roadway (beyond the cul-de-sac shown in the SDP) due to the significant environmental impacts that would result from its construction. Based upon bi-weekly Mega-Project Meetings that the Applicant has conducted with DPIE, the operating agency is in agreement that no construction of I-300 is needed, and that any vehicular connection to Leeland Road would have a negative impact on the scenic/historic roadway which primarily serves residential traffic. It should be noted that the NCBP cannot create/construct any road network that would potentially allow direct access to Leeland Road. It is a requirement per CB-22-2020 that traffic from the NCBP be routed through an adjacent employment park (i.e., Collington Center). On June 23, 2021, DPIE Director, Melinda Bolling approved a waiver request for a portion of the frontage improvements along Prince George's Boulevard (I-300).

The Applicant has met with many of the nearby community groups and civic associations, and while supportive of the project, they have expressed a strong desire to not have commercial truck traffic routed to scenic/historic Leeland Road. As noted above, the Applicant has worked diligently with the required County to obtain legal access through the Collington Center which will eliminate unnecessary impacts to sensitive environmental features and the need to have any commercial truck traffic mixing with residential traffic along scenic/historic Leeland Road. The only access point to Leeland Road that is shown on the submitted SDP amendment will serve the public park along the west side of the property. The Applicant will be completing all dedication and frontage improvements along Leeland Road as required by DPIE.

F. Variance from Section 25-122(b)(1)(G) – (Specimen Trees)

The property contains a total of 186.15 acres of Primary Management Area (“PMA”) and includes approximately 156,221.1 linear feet of regulated streams and 94.77 acres of 100-year floodplain. The site contains several areas of steep slopes and is largely forested. Natural Resources Inventory Plan NRI-098-05-03, approved by the Environmental Planning Section on February 9, 2020, identifies 422.66 acres of woodland and 224 specimen trees existing on the Property. A companion variance request from Section 25-122(b)(1)(G) of the County Code was approved by the Prince George’s County Planning Board on September 9, 2021 along with Preliminary Plan of Subdivision 4-20032, and Type 1 Tree Conservation Plan TCP1-004-2021-01. The removal of these Specimen Trees is necessary for the proposed development.

G. Eligibility Pursuant to 27-515(b), Footnote 38

The subject Property is eligible to develop pursuant to the regulations in the E-I-A Zone. Specifically, this Application satisfies all of the applicable regulations authorizing E-I-A Zone uses in the R-S Zone as set forth in Section 27-515(b), footnote 38 of the Zoning Ordinance. These provisions are as follows:

USE	ZONE								
	M-A-C	L-A-C	E-I-A	R-U	R-M	R-S	R-L	V-L	V-M
Where not otherwise specifically permitted, any use allowed in the E-I-A Zone (excluding those permitted by Special Exception) (CB-22-2020)	X	X	X	X	X	p 38	X	X	X

38	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.
	(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.
	(c) Regulations in the R-S Zone shall not apply to uses developed pursuant to this Section.
	(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. (CB-22-2020)

This project meets the specific requirements provided in Footnote 38 above as follows:

38 - 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.**

RESPONSE: The subject site was rezoned from the E-I-A Zone and R-A Zones to the R-S and I-1 Zones as part of the 2006 *Bowie and Vicinity Master Plan and Sectional Map Amendment* approved on or about February 7, 2006 (See SMA Change 7A, 7B, and 7C). As mentioned herein, the NCBP site contains 442 ± acres, adjoins a CSX railroad right-of-way to the west, and is immediately adjacent to existing Collington Center (zoned and 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.**

RESPONSE: The Applicant concurs with this requirement, and all future development within the NCBP

will reflect a minimum of 10% green area (of net lot area). Further, all other E-I-A Zone regulations will apply to future development at the NCBP (as further discussed in Section I. herein).

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

RESPONSE: The Applicant agrees with this requirement, and the R-S Zone regulations will not apply to this project.

(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*

RESPONSE: The SDP reflects that the sole access to and from the NCBP will be from future Queens Court (extended). Said roadway will connect the existing Collington Center with the NCBP.

(ii) *A public park of at least 20 acres shall be provided.*

RESPONSE: The submitted SDP reflects the provision of a 20-acre park, (See Sheet C-310). Said park was previously designed as part of the former Willowbrook project. The Department of Parks and Recreation (DPR) has approved an alternate concept for the park as part of the approval of PPS 4-20032.

H. Master Plan History

As mentioned above, the Property's current zoning primarily includes the R-S Zone. The Property was placed in the R-S Zone as part of the *2006 Bowie & Vicinity Master Plan and Sectional Map Amendment* (the "2006 Master Plan"). Prior to the R-S Zone approval, the entire R-S portion of property was zoned E-I-A (Employment and Institutional Area). The E-I-A Zone is intended for a concentration of non-retail employment and institutional uses such as medical, manufacturing, office, religious, educational, and warehousing. The Property was previously placed in the E-I-A Zone as part of the *1991 Bowie, Collington, Mitchellville & Vicinity Master Plan and Sectional Map Amendment* (the "1991 Master Plan"). The 1991 Master Plan text referred to this land area as the "Willowbrook Business Center." The Basic Plan for this previously planned center (A-9829) was approved as part of the 1991 Master Plan and allowed for an FAR between .3 and .38 for a total of 3,900,000 to 5,000,000 square feet of "light manufacturing, warehouse/distribution, ancillary office and retail commercial" uses. Notwithstanding the site's history as being planned/zoned for employment uses in the past, the subject Property will be developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of the Zoning Ordinance and Council Bill, CB-22-2020.

I. Conformance with E-I-A Zone Regulations

The subject Application meets all of the applicable requirements of the E-I-A Zone, as authorized pursuant to the provisions of CB-22-2020. The applicable E-I-A Zone provisions are as follows:

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*
 - (2) *To provide for uses which may be necessary to support these employment or institutional uses.*
- (b) *The uses allowed in the E-I-A Zone are as provided for in the Table of Uses (Division 3 of this Part).*

RESPONSE: The proposed land uses on the subject Property include a maximum of 3.5 million square feet of warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses which will serve the residents of the County and region. The uses proposed are permitted by right in the E-I-A Zone Table of Uses.

- (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 development shall meet all M-X-T Zone requirements in Part 10.*

RESPONSE: The subject Application is not for a mixed-use planned community.

Section 27-501. - Regulations.

- (a) *General standards.*

<i>(1) Minimum size of zone (except as provided in Section 27-502)</i>	<i>5 adjoining gross acres</i>
<i>(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</i>	<i>20% of net lot area</i>

RESPONSE: The NCBP consists of an assemblage of land that totals 442± acres, thereby meeting the minimum area requirements in Section 27-501(a)(1) above. Additionally, CB-22-2020 amended the Zoning Ordinance to eliminate the applicability of Section 27-501(a)(2) for properties/projects such as the NCBP. Further, Section 27-515(b), footnote 38(b) states that qualifying projects such as the NCBP shall have a minimum green area of 10% of the net lot area. The NCBP will meet the 10% minimum green area requirements (as reflected in subsequent specific design plans that include structures). Conformance with the 10% minimum green area requirements will be evaluated/verified at the time of future SDPs proposing

buildings and related parking areas.

(b) Other regulations.

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

RESPONSE: Each parcel in the NCBP will have frontage on, and direct vehicular access to, a public street.

- (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.**

RESPONSE: As part of this application, the Applicant requests approval of infrastructure only for the proposed public street network, sidewalks, utilities, grading, stormwater management, retaining walls, and directional signage that will serve the employment and institutional uses proposed for the property. The NCBP will meet all of the applicable requirements set forth above (as demonstrated/confirmed in subsequent specific design plans that include proposed structures). It should be noted that Section 27-513(d)(5) allows for *Landscape Manual* requirements for landscaping, screening and buffering to be modified as part of the comprehensive design plan.

(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.**

RESPONSE: This section is not applicable as the Applicant is not proposing a Mixed-Use Planned Community.

- (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.**

RESPONSE: This section is not applicable as the Applicant is not proposing a Mixed-Use Planned Community.

(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.**

RESPONSE: The Applicant acknowledges this section and will properly identify all “adjoining” properties in all applications pertaining to the NCBP.

J. Relationship to Requirements in the Zoning Ordinance:

Section 27-528 of the Zoning Ordinance sets forth the following criteria for approval of a 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);*

RESPONSE: There are no townhouses or other residential uses proposed on the Property. The Applicant requests approval of infrastructure only for the proposed public street network, sidewalks, utilities, grading, stormwater management, retaining walls and directional signage that will serve the employment and institutional uses proposed for the property. A-9968-02 & CDP-0505-01, both approved for the Property, deleted any previously approved/proposed residential uses and set forth the design guidelines to be utilized for future development within the NCBP. Said design guidelines establish standards for building heights, setbacks, lot coverage and open space for the project that will be reflected on future specific design plans that include proposed structures. Compliance with the applicable standards of the *Landscape Manual* will also be demonstrated at that time. Nonetheless, the proposed infrastructure in this SDP conforms to all relevant aspects of CDP-0505-01 (including, but not limited to, development envelopes, preservation of environmental features, lotting patterns, street network, and access point(s)).

- (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;*

RESPONSE: The subject project is not a Regional Urban Community. Therefore, the requirements of this subpart are not applicable to the subject Application.

- (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;*

RESPONSE: The requested SDP will not represent an unreasonable burden on public facilities. To the contrary, the NCBP will lead to improvements by the Applicant of the US 301/Queens Court intersection (pursuant to its contribution to the US 301 CIP), as well as a significant reduction of vehicular trips using Leeland Road. A Traffic Impact Analysis was submitted with the preliminary plan which demonstrates that, with the recommended improvements and conditions of approval, all critical intersections will be fully adequate to serve the proposed development. Moreover, the conversion of the uses on this site from

residential to employment and institutional uses will eliminate impacts to the public-school system while at the same time significantly increasing the County's commercial tax base. It should also be noted the Applicant's approved preliminary plan for the 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; and*

RESPONSE: Site Development Concept Plan Number 42013-2020-00 was approved by the Department of Permitting, Inspection and Enforcement on June 28, 2021. The submitted SDP and Site Development Concept Plan reflect that adequate provisions have been made for draining surface water with no adverse effects on the subject Property or adjacent properties. The subject SDP includes all necessary infrastructure to construct required stormwater management facilities.

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

RESPONSE: The subject application includes a proposed TCP II of the site. Said TCP II is consistent with the TCP I approved with companion PPS 4-20032.

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

RESPONSE: The proposed SDP preserves all regulated environmental features to the fullest extent possible in accordance with Section 24-130(b)(5), 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 by the Applicant. Approximately, 173.20 acres will be dedicated to a Business Owner's Association (or other appropriate entity/agency), and 20 acres will be dedicated to M-NCPPC for a public park. In sum, approximately 3.14 +/- acres of PMA, (from a total of 186.15 +/- acres of PMA), are proposed to be impacted.

- (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.*

RESPONSE: On April 29, 2021, Comprehensive Design Plan, CDP-0505-01, & Type 1 Tree Conservation Plan, TCP1-004-2021, were approved by the Planning Board, (Planning Board Resolution 2021-50). The approval of CDP-0505-01 deleted any previously approved/proposed residential uses and set forth the design guidelines to be utilized for future development within the NCBP. Said design guidelines established standards for building heights, setbacks, lot coverage and open space for the project that will be reflected on future specific design plans that include proposed structures. The proposed infrastructure in this SDP conforms to all relevant aspects of CDP-0505-01 (including, but not limited to, development envelopes, preservation of environmental features, lotting patterns, street network, and access point(s)). These standards, along with the approved Tree Conservation and Site

Development Concept Plans, will ensure the prevention of offsite property damage and prevent environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

(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.

RESPONSE: As discussed above and demonstrated within the contents of this present application, the proposed SDP conforms to this standard.

(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.

RESPONSE: The approved CDP plan, CDP-0505-01, contains a phasing plan for this very large and significant project. The conceptual phasing plan can be found on Sheet 11 of CDP-0505-01. The NCBP is planned to include up to three (3) phases ranging in size from approximately 500,000 square feet to approximately 1.5 million square feet each. The actual phasing will be determined by market demand. Each phase will potentially include the following amount of employment uses:

Phase 1:	942,000 sf
Phase 2:	1,607,000 sf
Phase 3:	547,000 sf

It is estimated that these phases in totality will create thousands of new jobs within the County. The aforementioned phasing program is for illustrative purposes only and is subject to change at the time of future entitlement applications.

(e) 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.

RESPONSE: The Applicant agrees with the above requirement.

(f) 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.

RESPONSE: The Planning Board is required to comply with this requirement.

- (g) *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.*

RESPONSE: The subject Property is in the R-S, R-A and I-1 Zone(s) and is not within a Village Zone.

K. Compliance with Prior Approved Entitlement Applications

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

Basic Plan A-9968-02-C was approved for the subject Property by the District Council on April 12, 2021, subject to 17 conditions and two comprehensive design considerations (Zoning Ordinance 2-2021). The following conditions pertain to the submitted SDP:

I. Proposed Lane Use Types and Quantities

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

*Proposed use: Warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses up to 3.5 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 above*

RESPONSE: The Applicant is in agreement with the above land use 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.*

RESPONSE: The Applicant agrees with the above condition.

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.*

RESPONSE: The Applicant agrees with the above condition and is working with DPR to determine/design an appropriate programmatic scheme for the future 20-acre park.

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.*

RESPONSE: The Applicant agrees with the above 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 impacts to said features.*

RESPONSE: The Applicant agrees with the above condition

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 and changing facilities, covered transit stops, crosswalks, etc.*

RESPONSE: The Applicant agrees with the above condition, and the submitted SDP proposes a street network that follows complete street principles.

Comprehensive Design Plan, CDP-0505-01

Comprehensive Design Plan, CDP-0505-01, & Type 1 Tree Conservation Plan, TCP1-004-2021, were approved by the Prince George's County Planning Board on April 29, 2021 via Planning Board Resolution 2021-50. On June 4, 2021, the Prince George's County District Council elected to not review CDP-0505-01, and on June 11, 2021, CDP-0505-01, TCP1-004-2021, & the Approved CDP Design Guidelines were certified by the Prince George's County Planning Department. The following condition of approval applies to the review of the subject SDP application:

3. *Prior to certification of a Type 2 tree conservation plan for the subject development, which states specifically the location, acreage, and methodology of the woodland conservation credits,*

crediting of woodland conservation shown on any property to be dedicated to, or owned by the Maryland-National Capital Park and Planning Commission, is subject to written approval by the Prince George's County Department of Parks and Recreation.

RESPONSE: In companion with rough grading permit no. 29083-2021-G, Type 2 Tree Conservation Plan TCP2-026-2021 was submitted to the Environmental Planning Section on August 12, 2021 and is currently pending. Compliance with the above condition will be demonstrated prior to certification of the TCP2.

Preliminary Plan of Subdivision 4-20032

Preliminary Plan of Subdivision 4-20032, Type 1 Tree Conservation Plan TCP1-004-2021-01, and Variance from Section 25-122(b)(1)(G) for removal of specimen trees was approved by the Prince George's County Planning Board on September 9, 2021. The following conditions of approval apply to the review of the subject SDP application:

2. *Total development within the subject property shall be limited to uses which generate no more than 1,400 AM peak-hour trips and 1,400 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.*

RESPONSE: The Applicant is in agreement with the above condition.

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.*

RESPONSE: The Applicant is in agreement with the above condition. No residential development is proposed with the subject SDP application.

4. *Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (42013-2020-00) and any subsequent revisions.*

RESPONSE: The Applicant is in agreement with the above condition.

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 automated external defibrillators (AEDs) at each building, in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.*

- c. 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.

RESPONSE: The Applicant is in agreement with the above condition. The above requirements have been noted on the submitted SDP application.

- 8. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following facilities and show these facilities on any submitted specific design plan, prior to its acceptance:*

- a. Minimum 5-foot-wide sidewalks along both sides of all internal roadways.*
- b. Perpendicular or parallel Americans with Disabilities Act accessible curb ramps at all intersections throughout the site.*
- c. Crosswalks crossing all legs of intersections, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.*

RESPONSE: The Applicant is in agreement with the above conditions and the above items are properly shown on the submitted SDP.

- d. For any SDP containing a building, separate and clearly marked pedestrian route from the public roadway to the entrance of each building.*

RESPONSE: The subject application is for infrastructure only. As a result, the above condition is not applicable to the review of the SDP

- e. Bus-shelter ready areas at each intersection and proximate to the ends of each cul-de-sac on Road A.*

RESPONSE: The Applicant is in agreement with the above condition and the above items are properly shown on the submitted SDP.

- f. Shared-lane markings (sharrows), bikeway guide signs, D11-1/Bike Route and D1-1, D1-2, and D1-3/destination plates and R4=11/Bicycles May Use Full Lane signs be provided within all internal roadways that direct people bicycling to the proposed developments and the Collington Branch Trail, as well as highlight to motorists the potential presence of people bicycling along internal roads, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.*

RESPONSE: A general note has been added to the plan stating that shared lane markings will be utilized unless modified by DPIE with written correspondence.

- g. For any SDP containing a building, short-term bicycle parking near the entrances of all buildings shall be required, and long-term bicycle parking and associated facilities at an appropriate location of larger buildings shall be considered.*

RESPONSE: The subject application is for infrastructure only. As a result, the above condition is not applicable to the review of the SDP.

- h. A curb ramp connecting Road A and the shared-use path connecting to Leeland Road.*
- i. A minimum 10-foot-wide shared-use path along Leeland Road.*
- j. A minimum 10-foot-wide shared-use path connecting Leeland Road and Road A.*

RESPONSE: The Applicant is in agreement with the above conditions and the above items are shown on the submitted plan.

16. The applicant shall be subject to the following requirements for development of the 10-foot-wide on-site feeder trail:

- a. The applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, the on-site feeder trail from the southern terminus of Public Road A to the shared-use path on Leeland Road.*
- b. The on-site feeder trail shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review of the specific design plan (SDP). Triggers for construction shall also be determined at the time of SDP.*

RESPONSE: The Applicant is in agreement with the above conditions and the above items are shown on the submitted plan. The trigger for construction of this feeder trail should be tied to the construction of a future building nearest to the onsite feeder trail.

- e. Prior to approval of the specific design plan for infrastructure, the applicant and the applicant's heirs, successors, and/or assignees shall submit to Prince George's County Department of Parks and Recreation, for review and approval, detailed construction drawings for the on-site feeder trail.*

RESPONSE: The Applicant is in agreement with the above condition and the required construction drawings will be submitted to DPR for review and approval prior to the approval of the subject SDP

application.

17. Recreational facilities to be constructed by the applicant shall be subject to the following:

- a. Prior to approval, the first specific design plan for the subject property (including for infrastructure) shall include the location and concept design details (as shown in the May 7, 2021 Concept Plan) for the 20-acre park and Collington Branch Stream Valley Trail.**

RESPONSE: The Applicant is in agreement with the above condition. The location and concept design details (as shown in the May 7, 2021 Concept Plan) for the 20-acre park and Collington Branch Stream Valley Trail have been provided with the subject SDP application.

- b. The timing for the development of the 20-acre park and Collington Branch Stream Valley Trail shall be determined with the first specific design plan for development (not including infrastructure).**

RESPONSE: The subject application is for infrastructure only. As a result, the above condition is not applicable to the review of the SDP.

- c. The location of the Collington Branch Stream Valley Trail shall be staked in the field and approved by the Prince George's County Department of Parks and Recreation, prior to construction.**

RESPONSE: The Applicant is in agreement with the above condition.

- d. All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by the Prince George's County Department of Parks and Recreation.**

RESPONSE: The Applicant is in agreement with the above condition.

- e. The handicapped accessibility of all trails shall be reviewed during the review of the specific design plan.**

RESPONSE: The Applicant is in agreement with the above condition. The required trails facilities are shown on the submitted SDP.

- f. The public recreational facilities shall be constructed, in accordance with the standards outlined in the Prince George's County Park and Recreation Facilities Guidelines.**

RESPONSE: The Applicant is in agreement with the above condition. All required public recreational facilities shall be constructed, in accordance with the standards outlined in the Prince George's County Parks and Recreation Facilities Guidelines.

- g. Prior to submission of any final plats of subdivision, the applicant shall enter into a public recreational facilities agreement (RFA) with the Maryland-National Capital Park and Planning Commission for construction of recreation facilities on parkland. The applicant shall submit three original executed RFAs to the Prince George's County Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plats. Upon approval by DPR, the RFA shall be recorded among the Prince George's County Land Records and the recording reference shall be noted on the final plat of subdivision prior to recordation. The RFA may be subsequently modified pursuant to specific design plan approvals, or revisions thereto, which determine the timing for construction of the 20-acre park and Collington Branch Stream Valley Trail.***

RESPONSE: The Applicant is in agreement with the above condition.

- 18. The first specific design plan (including for infrastructure) shall show the conceptual location of the Collington Branch Stream Valley Trail and delineate a 16-foot-wide clear space centered along its alignment. The woodland conservation areas shall be shown to exclude this 16-foot-wide clear space.***

RESPONSE: The Applicant is in agreement with the above condition. The submitted SDP & TCP reflect the conceptual location of the Collington Branch Stream Valley Trail and its associated clearing.

- 27. Prior to acceptance of the first specific design plan (including for infrastructure), if conditions warrant, a detailed slope stability analysis shall be provided, and both the unmitigated and mitigated 1.5 safety factor lines shall be added to the Type 2 tree conservation plans.***

RESPONSE: The Applicant is in agreement with the above condition.

- 33. The following road improvements shall be provided, and timing for construction of the road improvements shall be determined with the first specific design plan for development (not including infrastructure):***

a. Queens Court and US 301 (Robert Crain Highway)

(1) Install a traffic signal

(2) Provide a double left turn and three through lanes on the northbound approach.

(3) Provide a double left turn and a free right turn on the eastbound approach.

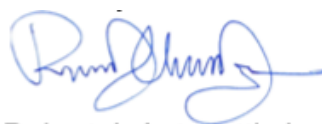
RESPONSE: The subject application is for infrastructure only. As a result, the above condition is not applicable to the review of the SDP

L. Conclusion

This specific design plan (SDP-1603-01) application meets all requirements for approval set forth in the Zoning Ordinance as discussed herein. As such, the Applicant respectfully requests that the instant SDP be approved.

Thank you in advance for your consideration of this Application. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert J. Antonetti, Jr.", written in a cursive style.

Robert J. Antonetti, Jr.

RJA/jjf

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Additional Back-up

For

SDP-1603-01

National Capital Business

Park

National Capital Business Park (SDP-1603/01)

Revised Conditions 1/13/2022

1. Prior to certification of this specific design plan (SDP), the applicant shall:
 - d. Provide the following pedestrian and bicycle related information and revisions:
 - (4) ~~An extension of the Collington Branch Trail and the Leeland Road Trail shared-use paths so these paths intersect with each other and that sheet C-310 reflects this revision.~~ Add a note to the plan indicating that the Leeland Road Trail shall be continuous and will be adjusted to accommodate the ultimate driveway entrance location to the public park.
2. Prior to certification of Type 2 Tree Conservation Plan TCP2-026-2021-01, the applicant shall provide information or make revisions as follows:
 - q. Revise Sheet C-310 as to add a note that the proposed park facilities and Collington Branch Trail shall be reviewed with a future application SDP, including variance requests for the removal of specimen trees and impacts to regulated environmental features.