

May 4, 2021

NCBP Property, LLC
C/O Manekin, LLC
5850 Waterloo Road, Suite 200
Columbia, MD 21045



Re: Notification of Planning Board Action on
Comprehensive Design Plan CDP-0505-01
National Capital Business Park

Dear Applicant:

This is to advise you that, on **April 29, 2021**, the above-referenced Comprehensive Design Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-523, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

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

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

Very truly yours,
James R. Hunt, Chief
Development Review Division

By: Henry Zhang 5/3/2021
Reviewer

Attachment: PGCPB Resolution No. **2021-50**

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

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:

1. **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.

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 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 (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.

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 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:

		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.

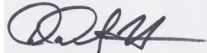
Adopted by the Prince George's County Planning Board this 29th day of April 2021.

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