

From: [G. Macy Nelson](#)
To: [Clerk of the Council; Burke, Thomas \(thomas.burke@ppd.mncppc.org\)](#)
Cc: [Kumar, Rajesh A.; "attorney@stanbrown.net"](#)
Subject: SDP-0007-03, District Council hearing, Oct. 5, 2020
Date: Thursday, October 1, 2020 2:41:42 PM
Attachments: [Ex. 1, Neighborhood 7.20.20.jpg](#)

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Good afternoon,

I am counsel for the Citizen-Appellants in SDP-0007-03. The District Council will hear the appeal in SDP-0007-03 on October 5, 2020.

I have attached certain documents I intend to use during the hearing on October 5.

The first two exhibits are quite large so I will send them separately. There will be a total of three emails.

I am hopeful that staff can show the exhibits when I request them. Thank you.

-Macy Nelson

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Commerce

Commerce Blvd

Trade Zone Ave

New Amazon Warehouse

Prince Georges Blvd

Leeland Rd

Crain Hwy

301

1340 Crain Highway

Queen Anne Rd

King James Rd

Heritage Hills Dr

Clagett Landing Rd

Swanson Rd Sur

1000ft

From: [G. Macy Nelson](#)
To: [Clerk of the Council; Burke, Thomas \(thomas.burke@ppd.mncppc.org\)](#)
Cc: [Kumar, Rajesh A.; "attorney@stanbrown.net"](#)
Subject: RE: SDP-0007-03, District Council hearing, Oct. 5, 2020
Date: Thursday, October 1, 2020 2:42:09 PM
Attachments: [Ex. 2, 1340 Crain Highway 7.20.20.jpg](#)

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Second email.

-Macy Nelson

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Prince Georges Blvd

New Amazon Warehouse



Queens Ct

Crain Hwy

301

1340 Crain Highway



100 ft

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Cc: [Kumar, Rajesh A.; "attorney@stanbrown.net"](#)
Subject: RE: SDP-0007-03, District Council hearing, Oct. 5, 2020
Date: Thursday, October 1, 2020 2:58:17 PM
Attachments: [Ex. 3 Litigation Notice 4-19023 BELTWAY PLAZA.pdf](#)
[Ex. 4 Staff Report Transportation.pdf](#)
[Ex. 5 Testimony of Glen Burton.docx](#)
[Ex. 6 Resolution Traffic statement, pp 9-10.docx](#)

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Third email

-Macy Nelson

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From: [Warner, David](#)
To: [PPD-Planning Department Distribution](#)
Subject: Litigation Notice: 4-19023 BELTWAY PLAZA
Date: Friday, June 26, 2020 5:09:00 PM
Attachments: [image001.png](#)
[image002.png](#)



A lawsuit has been filed in state court against the Commission challenging the Planning Board's approval of the preliminary plan of subdivision for **4-19023 BELTWAY PLAZA**. Please do not respond to any requests for information on this or any other matter from **G. Macy Nelson, Ruth Grover (Weiss), or any individual representing them**. If you are contacted, please do not respond and forward the email or voicemail to Peter and me and one of us will follow up with you.

Any questions let me know.

David

David Warner

Office of the General Counsel|Principal Counsel
The Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive, Suite 4120
Upper Marlboro, Maryland 20772
Phone: 301.952.3510
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SDP-00703

Staff Report, p. 12 – Transportation Planning

- c. **Transportation Planning**—In a memorandum dated June 19, 2020 (Burton to Burke), incorporated herein by reference, the Transportation Planning Section offered a discussion of relative conditions of previous approvals, as well as the following summarized comments:

Applying a floor area ratio of 0.4, which is typical for that E-I-A Zone, the site could potentially be developed with a gross floor area of approximately 488,170 square feet. While no explicit trip cap was ever established for the subject property, based on trip generation rates from the *Trip Generation Manual, 10th Edition* (Institute of Transportation Engineers), 488,170 square-feet of warehousing will generate 84 AM trips and 86 PM trips during the peak hours. Staff is in receipt of documentation from the applicant that outlines the 24-hour site operation. The documentation shows that during the traditional peak hours of the adjacent street traffic, 6:30-7:30 AM and 4:00-5:00 PM, the proposed development will generate two trips in the AM peak hour and 85 trips in the PM peak hour. Staff concludes that the original implied trip cap will not be exceeded.

Testimony of Glen Burton



*** So there's a 150 rate, there's a 155 rate from ITE and then there's a rate that was customized, if you will, for the Amazon operation. I can't speak to their operation, this is what they submit based on their business practice. **So I cannot speak to the veracity of their trip generation rate.** ***

Planning Board transcript, p.86.



Resolution

Transportation Planning—The Planning Board adopted, herein by reference, a memorandum dated June 19, 2020 (Burton to Burke), which offered a discussion of relative conditions of previous approvals, as well as the following summarized comments:

Applying a floor area ratio of 0.4, which is typical for that E-I-A Zone, the site could potentially be developed with a gross floor area of approximately 488,170 square feet. While no explicit trip cap was ever established for the subject property, based on trip generation rates from the *Trip Generation Manual, 10th Edition* (Institute of Transportation Engineers), the following represents a breakdown of trip generation of warehouses of different gross floor areas (GFA):

Land Use (GFA)	ITE Warehouse Trip Generation – Code-155	
	AM Peak Hour 0.59/1K Sq. Ft.	PM Peak Hour 1.37/1K Sq. Ft.
290,225 square feet proposed	171	398
488,170 square feet (trip cap)	288	669
<i>Difference</i>	<i>117</i>	<i>271</i>

The results show that the proposed development will generate fewer trips than the implied trip. The Planning Board therefore concludes that the original implied trip cap will not be exceeded.

Resolution, pp. 9-10.