

1 THE PRINCE GEORGE'S COUNTY PLANNING BOARD OF
2 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

3
4
5 NATIONAL CAPITAL BUSINESS PARK, PARCEL 11
6 Specific Design Plan, SDP-1603-03

7
8 T R A N S C R I P T
9 O F
10 P R O C E E D I N G S

11
12 COUNTY ADMINISTRATION BUILDING

13 Upper Marlboro, Maryland

14
15 December 15, 2022

16 VOLUME 1 of 1

17
18
19 BEFORE:

20 PETER A. SHAPIRO, Chair

21 A. SHUANISE WASHINGTON, Commissioner

22 MANUEL R. GERALDO, Commissioner

23 WILLIAM M. DOERNER, Commissioner

24
25 **eScribers, LLC**
7227 North 16th Street, Suite #207
Phoenix, AZ 85020
Tel: (800) 257-0885
www.escribers.net

1 OTHERS PRESENT:
2 TIERRE BUTLER, Staff
3 ROB ANTONETTI, Attorney for Applicant
4
5
6
7

8 C O N T E N T S

9	<u>SPEAKER</u>	<u>PAGE</u>
10	Tierre Butler	3, 26
11	Rob Antonetti	7, 20
	Alexandra Votaw	14
12	Joe DiMarco	25
	Jim Yang	28
13	Cole Schnorf	11, 30

14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

1
2 MR. CHAIR: Okay. We are back from a brief recess
3 and before us is Item 10 on our agenda, regular agenda, Item
4 No. 10. This is Specific Design Plan, SDP-1603-03, National
5 Capital Business Park, Parcel 11. We have Mr. Antonetti,
6 who is the attorney for the Applicants. We have Ms. Butler,
7 who will be giving us the Staff Report. And I believe we
8 have some folks. We have Ms. Votaw, who signed up to speak
9 as well with the Law Offices of Macy Nelson; but let's begin
10 with the Staff Report and then we'll work ourselves through
11 the process. Take it away, Ms. Butler.

12 MS. BUTLER: Good morning, Mr. Chairman and
13 members of the Planning Board. For the record, I am Tierre
14 Butler with the Urban Design Section. The project before
15 you is Item No. 10, Specific Design Plan, SDP-1603-03, for
16 National Capital Business Park, Parcel 11, which is a
17 Specific Design Plan developed, for the development of
18 301,392-square-foot warehouse and distribution building,
19 including 58,968 square feet of office space. Next slide
20 please.

21 This site is located in Prince George's County
22 Planning Area 74(a) in Council District 4, as identified in
23 the green color area on the map. Next slide please.

24 This site is located on the north side of Leland
25 Road, approximately 3,000 feet west of the intersection of

1 U.S. 301, Robert Crain Highway. The site boundary is shown
2 on a Vicinity Map outlined in red. Next slide, please.

3 The subject property is zoned Legacy Comprehensive
4 Design, LCD, under the current zoning ordinance as shown in
5 the tan color on the Zoning Map shown on the left side of
6 the screen. The subject property is zoned residential
7 suburban, R-S, under the prior zoning ordinance as shown in
8 the yellow color on the zoning map on the right side of your
9 screen. Next slide, please.

10 This aerial photo shows the existing conditions of
11 the property which shows the site is currently vacant and
12 wooded. Next slide, please.

13 This site contains slopes, as shown with the red
14 contour lines on the map. Next slide, please.

15 The proposed 301,392-square-foot warehouse and
16 distribution building will be 41 feet, two inches tall, and
17 will have access along Queen's Court; and there will be 303
18 parking spaces, 20 bike spaces, 62 loading docks and 133
19 loading spaces. Next slide, please.

20 This slide shows the location of Parcel 11 within
21 the larger, I'm sorry, go, go back one. I'm sorry. Go back
22 one slide. Okay. This slide shows the location of Parcel
23 11 within the larger National Capital Business Park
24 development. Next slide, please.

25 All right. And next slide because that, that

1 slide should have been deleted. Oh, no, I'm sorry. Okay.
2 So, sorry about that. That one, I'm sorry, that might be
3 out, out of order; but, anyway, so I'll just kind of go over
4 that again. This slide shows the proposed 301,392-square-
5 foot warehouse and distribution building which will be 41
6 feet, two inches, and they will have access along Queen's
7 Court with 303 parking spaces to 20 bike spaces, 62 loading
8 decks and then 133 loading spaces; and this is just like a
9 larger of the previous, of the previous slide. Next slide,
10 please.

11 All right. So, this slide shows the architectural
12 elevations of the proposed warehouse and distribution
13 building will be 41 feet, two inches tall. The building
14 materials will include concrete panels, hallow metal doors
15 and tempered safety glass, and then also a combination of
16 white and various shades of gray. And there will be a solar
17 panel array along the portion of the building's roof. Next
18 slide, please.

19 And this slide shows the signage plan. There will
20 be a 10-foot-wide by 3.5-foot-high monument sign at the
21 entrance to the site, and each tenant will have a one-
22 building-mounted sign; and if there is a tenant that has an
23 entrance along two sides of the building, then the tenant
24 will have a sign along each side of the building. Next
25 slide, please.

1 This slide shows the Landscape Plan which
2 demonstrates conformance with the requirements of the
3 Landscape Manual. Next slide, please.

4 And this slide shows the Type 2 Tree Conservation
5 Plan. Next slide, please.

6 And with that, Urban Design Staff recommends that
7 Planning Board adopt the findings of this report and approve
8 Specific Design Plan, SDP-1603-03, and Type 2 Tree
9 Conservation Plan, TCP2-026-2021-06, for National Capital
10 Business Park, Parcel 11, subject to the conditions found on
11 Page 23, 24 and 25 of the Staff Report; and included in the
12 additional back-up is a Staff supplemental memo which
13 includes revisions to the findings and conditions of the
14 Staff Report and a subdivision section referral memo for
15 this Application; and, additionally, Staff proposes to
16 revise the Staff Report with technical corrections to the
17 TCP-2 acreage to be consistent with the plan and the correct
18 TCP-2 case number which will be incorporated into the
19 resolution. And this will conclude Staff's presentation.

20 MR. CHAIR: Thank you, Ms. Butler. Commissioners,
21 are there questions for Ms. Butler or other members of the
22 Staff team?

23 COMMISSIONER WASHINGTON: If I missed it, Ms.
24 Butler, could you please articulate your concurrence, or
25 not, with Applicant Exhibit No. 1? If I missed it, I

1 apologize.

2 MS. BUTLER: Yes. The Staff is in full agreement
3 with the Applicant's proposed revised conditions.

4 COMMISSIONER WASHINGTON: Thank you. That's it,
5 Mr. Chair.

6 MR. CHAIR: Thank you. Other questions for Staff?

7 (No affirmative response.)

8 MR. CHAIR: Seeing none, we will turn to the
9 Applicant, Mr. Antonetti. The floor is yours. You can
10 introduce any members of your team you feel are appropriate
11 and take it away.

12 MR. ANTONETTI: Oh, good. Good afternoon, Mr.
13 Chair, members of the Planning Board. For the record, my
14 name is Robert Antonetti with the law firm of Shipley and
15 Horne. Today with us is my partner, Arthur Horne, as well
16 as our Senior Land Planner, Mr. John Ferrante; and we are
17 pleased to represent the Applicant in this case, NCBP
18 Property, LLC, the developer of Parcel 11.

19 With us here today on our team we have Mr. Cole
20 Schnorf, representative of the Applicant; we have Ms. Emily
21 Dean, Kimberly Horne, civil engineer; Mr. Chris Rizzi and
22 Joe DiMarco, also civil engineer, teammates from Bohler; we
23 have Mr. Mike Lenhart from Lenhart Traffic Consulting; Ms.
24 Aubree Freely from ARCO, a design/build consultant for the
25 project; and we have Ms. Kelly Hadayia, from Pivot Energy

1 with us as well.

2 I'd like to thank Ms. Butler for her Staff Report
3 and working with the Applicant during the view of the
4 application. It's very much appreciated and helps us get to
5 where we are today before the Board with, with a relatively
6 thorough presentation of the development, or at least this
7 portion of, of the overall National Capital Business Park
8 development.

9 As you're aware, the National Capital Business
10 Park is a state-of-the-art employment center adjoining the
11 existing Collington Center. Both the National Capital
12 Business Park and the Collington Center are zoned LCD and
13 they both make up the land that composes the Collington
14 local employment area pursuant to the approved 2022
15 Bowie/Mitchellville and Vicinity Master Plan. This
16 employment area calls for an expansion of employment uses to
17 allow the area as a whole to develop as a regional
18 transportation logistics and warehousing hub.

19 This Application is for a general warehouse
20 structure. It is 301,392 square feet. The office square
21 footage really is kind of a, a maximum number which is
22 incidental and accessory to all warehouse uses. This
23 building could be, could be utilized by a single user. It
24 also is designed to go up to six 50,000-square-foot
25 approximate users with their own entrances. Interest in the

1 site and in this parcel remains very high; however, as in
2 most deals dealing with development of employment areas, you
3 know, timing is important, so we appreciate the Staff's
4 thorough and efficient review of this project and the
5 Planning Board hearing this case today as we look to be able
6 to deliver this Site Plan and move on to the next steps in
7 the entitlement process to hopefully deliver this building
8 for one or, or up to six users in the near future.

9 The proposed general warehouse use is consistent
10 with the trip cap approved in the Preliminary Plan
11 Subdivision applicable to the site. The development is
12 authorized in the LCD Zone. Again, this entire project is
13 zoned LCD as is the adjacent Collington Center. The
14 Application does meet all the approved design guidelines in
15 CDP-050502. That's set forth in Applicant's statement of
16 justification, page 9 through 14, in your back-up.

17 The Application also satisfies all criteria of
18 approval for a Tree Conservation Plan in the Woodland
19 Conservation Ordinance. As stated previously in past
20 presentations, this site is going to, is unique in the sense
21 that it has a significant wooded buffer and protected areas
22 around it that will help kind of create a green envelope
23 around the development while the employment use side of the
24 project will be oriented towards its neighbor, which is the
25 existing Collington Center, which you see on the aerial view

1 in front of you.

2 Just, again, for the record, this project is going
3 to preserve approximately 85 acres in preservation that's
4 counted as preservation. There will be approximately 16
5 acres in reforestation and there will be an additional 81
6 acres in preserved woodland area, but that's not counted
7 based on its location and slopes, or within the 100-year
8 Flood Plan, et cetera. In aggregate, this equals 183 acres
9 of preservation area which equates to roughly 41 percent of
10 the entire site being, being in a wooded condition. So,
11 that, again, sets this site apart, I think, from other large
12 development areas given the great amount of preservation
13 and, and green area that's going to be part of this overall
14 project; and, and really make it a unique and attractive
15 space for, for all.

16 We do concur with the Staff recommendations as
17 modified by, by the Staff's revised, revised findings in the
18 back-up, as well as further modified by the Applicant's
19 Exhibit 1 with, with some condition modifications and
20 corrections which you heard the Staff is in agreement with.
21 With these condition changes, and, and other modifications,
22 we respectfully request your approval of this Application.
23 Our team is here to answer any questions that you may have.
24 We do reserve a few moments, if necessary, for any rebuttal
25 after all parties of record who have signed up to speak do

1 so today. And with that, we do thank you for your
2 consideration of this request and we, respectfully, urge
3 your support of this Specific Design Plan Application. So,
4 thank you very much.

5 MR. CHAIR: Thank you, Mr. Antonetti.
6 Commissioners, any questions for the Applicant?

7 COMMISSIONER GERALDO: I have a question, yes.

8 MR. CHAIR: Yes, Commissioner Geraldo?

9 COMMISSIONER GERALDO: I was wondering, Mr.
10 Antonetti, any consideration, and I don't know, I didn't see
11 it in the Application, of putting in some charging stations?

12 MR. ANTONETTI: I will turn, turn over,
13 Commissioner Geraldo, to Mr. Schnorf, who is a
14 representative of the Applicant, in terms of how they
15 foresee that as part of the, part of a potential user
16 development. So, if I could defer to him for a second to
17 answer that question?

18 COMMISSIONER GERALDO: Thank you.

19 MR. SCHNORF: Yes, thank you. I'm Cole Schnorf,
20 the, the developer for the property and representing NCBP
21 Property, LLC. As with the hearing we had for Lot 12 a
22 couple weeks ago, on all these buildings, we're planning on
23 putting in some of the infrastructure for charging stations,
24 but not the charging stations themselves because these are
25 all speculative buildings. We're going to put --

1 COMMISSIONER GERALDO: Uh-huh.

2 MR. SCHNORF: -- an underground conduit in from
3 the electric room of the building out to the parking area
4 and to the, the truck loading area; but not run any actual
5 wiring or put any charging stations in until we lease the
6 property and understand what the needs of the tenant would
7 be; and then place the number and locations of the charging
8 stations based on the needs of the tenant. So, we're trying
9 to make preparations for it so we don't have to cut through
10 the asphalt and the sidewalks --

11 COMMISSIONER GERALDO: Uh-huh.

12 MR. SCHNORF: -- and thinks like that to put it in
13 later, or at least --

14 COMMISSIONER GERALDO: So, you're putting in --

15 MR. SCHNORF: -- like that.

16 COMMISSIONER GERALDO: -- you're putting in the
17 infrastructure so they could be installed later, is that
18 right?

19 MR. SCHNORF: Correct.

20 COMMISSIONER GERALDO: Okay. Thank you.

21 MR. SCHNORF: Trying to maintain flexibility, but
22 put in the infrastructure as much as we can ahead of time.

23 COMMISSIONER GERALDO: Thank you.

24 MR. SCHNORF: You're welcome.

25 COMMISSIONER GERALDO: No further questions, Mr.

1 Chair.

2 MR. CHAIR: Thank you, Commissioner. Other
3 questions?

4 (No affirmative response.)

5 MR. CHAIR: Okay. Seeing none, let's turn to
6 speakers for this. We have, I believe we have only one
7 speaker for this, that's Ms. Votaw, from the Law Office of
8 Macy Nelson. Ms. Votaw, a couple things. First of all, if
9 you could tell us who you're representing for this?

10 MS. VOTAW: Yes, absolutely.

11 MR. CHAIR: So, give me, give me a sense of how
12 much time you think you will need?

13 MS. VOTAW: I believe -- can you hear me all
14 right? I want to check that first.

15 MR. CHAIR: We can hear you fine, yes.

16 MS. VOTAW: Okay. Great. So, today I'm
17 representing Ray and Kathy Crawford. They reside at 1340
18 Crain Highway, Upper Marlboro, Maryland, and they oppose
19 this Application. I will need -- I'm going to request 15
20 minutes, but I believe I can finish within 10, if that's all
21 right with the Chairman?

22 MR. CHAIR: That's fine. Take it away. And we'll
23 put a --

24 MS. VOTAW: That would be great. Thank you so
25 much.

1 MR. CHAIR: We'll put the time up for 15 minutes
2 just so that we both can monitor it.

3 MS. VOTAW: Okay. Great. Wonderful. Thank you
4 so much and good afternoon, Chairman, and members of the
5 Planning Board. For the record, my name is Alex Votaw, and
6 my, my clients oppose this Application. The first two
7 reasons my clients oppose this Application are arguments
8 that we have brought before the Planning Board previously
9 that industrial uses should not be allowed on the subject
10 property because they're based on an illegal text amendment,
11 CB-22-2020, and we also assert that the proposed use is not
12 a general warehouse and, instead, is a high queue warehouse
13 which, as the citizen protestants asserted, is not permitted
14 on the subject property.

15 We recognize that the Planning Board has
16 previously ruled that these issues are not relevant. Well,
17 we respectfully disagree. I think I'll leave it at that
18 unless the Planning Board has any further questions and I'll
19 move on to the next issues.

20 MR. CHAIR: Thank you.

21 MS. VOTAW: So, absolutely. Our first more fact-
22 based issue is with the trip generation cap issue. As the
23 Planning Board is well-aware, CDP-0505-02 imposed a trip
24 generation cap for this property, insist, and protest, and
25 assert that there is not adequate evidence in the record to

1 demonstrate that this use, in combination with the other
2 previously approved uses, would be within that trip
3 generation cap. There's no evidence calculating the
4 potential trip generation for this use in the record and
5 there's also no evidence that some, the potential trip
6 generation used for this, for this use in addition to the
7 previously approved Application; and for that reason,
8 citizen protestants assert that the Planning Board should
9 either deny this Application or, perhaps, postpone its
10 decision until the Applicant has provided the Planning Board
11 with that type of information so that the Planning Board and
12 Technical Staff can adequately determine compliance with
13 this condition.

14 Our next issue is with the Landscape Manual
15 conformance. Technical Staff, on page 21, identified all of
16 the applicable sections of the Landscape Manual; and most
17 relevant here is Section 4.2 and 4.7 from the perspective of
18 citizen protestants. Four point two requires landscape
19 strips along streets for non-residential uses and parking
20 lots which is what is proposed here. And if Staff could
21 please pull up slide 11, if that would not be too difficult?

22 Thank you. So, as the Planning Board can see
23 along the right side of this, of this image, there's a very
24 narrow buffer between this proposed use and Queen's Court.
25 I am, honestly, I'm not sure from this drawing if there even

1 is a landscaping buffer; and citizen protestants assert that
2 there should be additional buffering or landscaping between
3 Queen's Court and this proposed use.

4 Another relevant portion of the Landscaping Manual
5 is Section 4.7, which requires buffering between
6 incompatible uses. If Staff could please turn to Slide 12?

7 Thank you so much. So, as the Planning Board can
8 see, the southern portion of this proposed development faces
9 or runs parallel to Leland Road, which I'm sure the Planning
10 Board is well-aware is a scenic road and has residential
11 uses along it. Citizen protestants assert that there's not
12 adequate screening between this proposed use and those
13 residential uses along Leland Road. If Planning Staff could
14 please pull up page 55 of the additional back-up?

15 Thank you and I appreciate this -- pushing. Yeah,
16 page 55.

17 MR. CHAIR: Let me ask (unintelligible) speaking
18 mute. Commissioner Geraldo, it may be you. I'm not sure.

19 MS. VOTAW: Okay, great. Thank you so much. So,
20 this image, and if you could scroll down to the next image
21 on the next slide, or on the next page, I suppose, is the
22 more appropriate term. Yes, perfect. So, these images
23 demonstrate that when you're along Leland Road, there's not
24 adequate buffering as it exists right now; and anyone who is
25 on that road or resides on that road can see clear across

1 this entire property and will be able to easily see this
2 proposed development; and for that reason, citizen
3 protestants respectfully request that the Planning Board
4 require additional screening along Queen's Court Road on the
5 southern portion of this proposed development so that those
6 who reside along Leland Road will not be detrimentally
7 impacted by this proposed development.

8 Our last two issues relate to the TCP-2
9 application. The first issue we have is that according to
10 Condition 4 in the Technical Staff Report, neither the
11 Technical Staff nor the Planning Board has received the
12 Erosion and Sediment Control Technical Plan; and as the
13 Environmental Technical Manual makes clear, the limits of
14 disturbance proposed in the TCP-2 must conform to that which
15 is demonstrated on the Erosion and Sediment Control
16 Technical Plan. So, citizen protestants assert that there's
17 no evidence in the record at this moment that would allow
18 the Planning Board or Technical Staff to make a
19 determination that the TCP-2 application is adequate at this
20 time. For that reason, citizen protestants, again,
21 respectfully request that either this Application be denied
22 or that the Planning Board postpone its decision until the
23 Applicant has provided it with that information.

24 And I do want to note that this is a consistent
25 issue with the development on this subject property. For

1 example, in SDP-1603-02, the same condition was imposed on
2 approval of that TCP-2 because in that instance, the
3 Planning Board had also not received the Technical Plan to
4 make that determination. And so, citizen protestants
5 strongly believe that TCP-2 conformance with the Erosion and
6 Sediment Technical Control Plan should be a priority of the
7 Planning Board and be required before it approves this
8 Application.

9 And our last issue is that citizen protestants
10 assert that the Applicant has not adequately exhausted its
11 onsite preservation methods before it has been approved for
12 offsite preservation of woodlands. If Staff could, again,
13 pull up slide 11? I apologize for making you jump all over
14 the place.

15 Perfect. Thank you. Staff Planning Board, the
16 Planning Board can clearly see this use is dominated by a
17 large warehouse, large amount of parking spaces, and a large
18 amount of loading spaces; but transport, the Transportation
19 Planning Division on page 76 of the additional back-up, or
20 of the back-up, makes clear that there are more parking
21 spaces and more loading spaces than are required by the
22 Zoning Ordinance. Citizen protestants assert that the
23 Applicant has not demonstrated why it could not reduce the
24 number of parking spaces or the number of loading spaces so
25 that it could more adequately preserve or restore woodland

1 onsite instead of being required to do offsite preservation.
2 For example, on this slide, the back row of parking spaces
3 that abut the vegetated area, why could those not be removed
4 to allow for additional areas for onsite preservation or
5 conservation? Those are just some of the issues that we
6 have with the TCP-2.

7 And for all these reasons, citizen protestants
8 respectfully request that the Planning Board either deny
9 this Application or postpone its decision until the
10 Applicant has provided additional information related to
11 trip generation rates, the Erosion and Sediment Control
12 Plan, and potentially any revisions to landscaping and
13 buffering on the property. Thank you so much for your time
14 and I appreciate Staff working with me on the different
15 images. Thank you.

16 MR. CHAIR: Thank you, Ms. Votaw, for the clear
17 testimony and for being mindful of the time as well. So,
18 we'll turn to the Applicant. Well, actually, before that,
19 Commissioners, any questions for Ms. Votaw before we hear
20 from the Applicant and also perhaps Staff as well?

21 (No affirmative response.)

22 MR. CHAIR: Okay. Thank you, Ms. -- so, let's
23 hear from the Applicant. Two things, one is, Ms. Butler,
24 you may have some thoughts about this as well after the
25 Applicant goes; and also, Mr. Warner, if you can be mindful

1 of keeping us in our lane? I think we have, I think Ms.
2 Votaw did a pretty good of that as well; but if there's
3 anything that you note that is out of the scope of what's
4 before us with this SDP, don't hesitate to weigh in as you
5 usually do.

6 Mr. Antonetti, the floor is yours.

7 MR. ANTONETTI: Thank you, Mr. Chair. In
8 response, and we've heard many of these arguments before,
9 Ms. Votaw is correct. And with regards to her first
10 allegation that this is premised on an illegal law, the law
11 was, was enacted, a law was enacted by the District Council,
12 which would allow development like this to move forward,
13 utilizing the Zoning Regulations (unintelligible), Zoning
14 Regulations in uses that have been proposed throughout the
15 whole, the entire litany of applications related to the
16 National Capital Business Park, including Parcel 11. As I
17 stated in my presentation, this property is zoned LCD. The
18 LCD, LCD Zone does permit the development that is shown in
19 this Application and in other portions of this site. So,
20 here really is nothing to, further to address on that point.
21 You know, we are consistent with the law. That is the law
22 of the land, as it were, for this project; and we will
23 continue to do so.

24 With regards to the warehouse, this is a general
25 warehouse. I'm not sure what evidence she has to show that

1 it is not a general warehouse. The high queue distribution
2 warehouse is a type of warehouse which was shown on a
3 separate application, not this Application. This is not
4 that application. This is a one-story, standalone, general
5 warehouse and distribution which is a, a permitted use under
6 all the previous entitlements and the regulations, and
7 permitted in the LCD Zone.

8 With regards to the trip cap, this has been
9 established pursuant to a Preliminary Plan of subdivision,
10 which is approved, and was approved by this Board. The
11 Preliminary Plan of Subdivision did establish the trip cap
12 based on projected trips generated from general warehouse
13 and a high queue distribution warehouse. In aggregate,
14 again, this is not a high queue distribution, or high queue
15 fulfillment center warehouse which is a type of warehouse
16 also permitted in the zone. The trip cap is not exceeded.
17 There is no evidence to the contrary to show that the,
18 there, there is an incompatibility with the approved trip
19 cap and we agree with the Staff's findings and conclusions
20 that this is, this use on Parcel 11 is within the permitted
21 trip cap established in the approved Preliminary Plan of
22 Subdivision.

23 In terms of the buffers, this, this Application
24 does reflect all required buffers pursuant to the Landscape
25 Manual. There was discussion offsite, you see where Parcel

1 11 is located in the northeast quadrant of this project,
2 Leland Road is in the south. This does not abut Leland
3 Road; however, this project, and we've heard this before
4 through pictures which mischaracterized the development and
5 the state of vegetation along Leland Road. Yes, Leland Road
6 is a scenic, historic road; yes, it is required to have a
7 scenic, historic road planning buffer, which it will have;
8 however, the pictures you see are part of temporary
9 construction entrances related to clearing within, to allow
10 access to the site for that purpose. So, yes, there is some
11 clearing going on; but there's also significant trees that
12 exist. The pictures that continue to be shown in the record
13 tend to mischaracterize what is going on out in the field
14 and does not consider that a scenic buffer will be provided
15 as part of the overall development. Again, that Leland Road
16 buffer area does not abut Parcel 11. So, I don't believe
17 it's relevant to discuss that further as part of this
18 particular Application.

19 In terms of the Tree Conservation Plan, the
20 priorities were discussed. There was a letter submitted.
21 It is in the record from Bohler Engineering discussing the,
22 how the tree conservation preservation priorities are, are
23 met in terms of exhausting onsite preservation. So, that
24 has been done. That is reflected in the Staff Report, a
25 discussion of that as well.

1 And, you know what is remarkable, again, is that
2 this site is preserving 41 percent of its wooded areas both
3 in preservation and preservation not accounted towards the
4 preservation requirement, plus reforestation. Forty-one
5 percent of it, of this site will remain wooded; and that's
6 not to mention the offsite credits that the Applicant has
7 also purchased and has, and will be applying toward this
8 project. This, I think, is a, a model for how development
9 of this type in these locations should occur. So, I believe
10 the comments on the Tree Conservation Plan preservation are
11 not correct and do not reflect what is going on at the site
12 in terms of the Applicant's efforts to preserve the green
13 envelope that we referenced in our presentation.

14 In terms of the sediment control, you know, there
15 was comments, well, why don't we move the parking here; why
16 don't we move the parking there? Parcel 11 is close as, one
17 of the parcels that is closest to the existing Collington
18 Center. It is facing away from other non, non-employment,
19 non-light-industrial uses to the south and west. So, we're
20 looking to take advantage of areas that are, are most
21 compatible and most contiguous with existing employment
22 uses. So, the layout we have looks, looks to maximize that.

23 The, the proposal we have, while it's a
24 speculative building, does include parking; does include,
25 you know, truck courts, bays, things that the market and our

1 client, who is in the business of developing projects such
2 as this, state that the, the market will want for, and be
3 attracted to appropriate end users in this area. So, what
4 we're showing isn't frivolous. We're not, we're not putting
5 things out because it's not, it's not appropriate; we're
6 putting things out for the exact opposite reason. It's
7 exactly appropriate because that's what the market wants.
8 There is no minimum, I'm sorry, no maximum of parking that's
9 allowed here, there are minimums. We meet the minimums. We
10 don't exceed, there, again, there are no limits on, on the
11 amount of parking that can otherwise be provided to support
12 this future building. So, what we show we feel is
13 appropriate and reflective of what the, the market will want
14 either for a single user or up to six separate users within
15 this future building if the Planning Board so approves this
16 application.

17 Finally, with regards to the sediment control
18 argument, I was trying to follow that in terms of the limits
19 of disturbance, we do have Mr. Joe DiMarco with Bohler
20 Engineering who has worked, my goodness, you know, probably
21 close to two years in establishing a settlement, a sediment
22 control regiment for this entire site comprehensively, and
23 he can speak to, I believe, what is shown here for sediment
24 controls and why it's appropriate; and what we're proposing
25 is consistent with what's been approved to date. So, if I

1 could turn to Mr. DiMarco just very briefly to, to speak to
2 that one time?

3 MR. DIMARCO: Good afternoon, everybody. Thank
4 you, Rob. For the record, Joe DiMarco with Bohler
5 Engineering. We are representing the civil engineer for the
6 project with offices at 16701 Melford Boulevard in Bowie,
7 Maryland.

8 Yeah, so to, to the point of the erosion and
9 sediment control, to date, we do have, the site has obtained
10 a rough grading permit with an associated erosion sediment
11 control plan. For the record, that's Erosion Control Plan
12 FSC60-21-1, which is a, a partial Erosion Sediment Control
13 Plan that covers the, the northern majority of the site.
14 That area that has been approved and is covered with that
15 Erosion and Sediment Control Plan entirely encompasses the
16 area of the subject Parcel 11 in question.

17 MR. ANTONETTI: Thank you, Mr. DiMarco. So, with
18 that, I, I think I responded to the, the litany of concerns
19 raised by Ms. Votaw on behalf of the opposition; but with
20 that, we would respectfully request the Board approval this
21 Application. We appreciate the opportunity to present
22 before you and we're here to answer any questions that you
23 may have of us based on what was presented today.

24 MR. CHAIR: Thank you, Mr. Antonetti. I
25 appreciate that. Ms. Butler, is there anything that you

1 want to add related to the concerns that were expressed by
2 Ms. Votaw or how Mr. Antonetti responded to these in
3 rebuttal?

4 MS. BUTLER: Yes, I did just want to state that in
5 regards to the Landscape Manual, what was provided by the
6 Applicant was in conformance with Landscape Manual and,
7 specifically, I think was stated was Section 4.2 and Section
8 4.7; and then, also, all of the landscaping and buffering
9 and required schedules were provided by the Applicant as
10 part of this subdivision, as part of this Application. And
11 I think the, another comment that she had said was related
12 to the zoning and I did want to like, you know, reiterate
13 that the, the use is permitted within the zone.

14 And then in regards to the trip cap, that the trip
15 cap is established by the Preliminary Plan of Subdivision
16 and it was determined that, you know, it did not exceed the
17 trip cap; however, we do have Transportation Staff, I
18 believe, online that can kind of speak more to that; and
19 then as well as we do have environmental planning as well
20 on, on, online to kind of speak to the Woodland Conservation
21 Ordinance and the erosion sediment control that can kind of
22 speak more to that, to those issues; but I did want to state
23 in regards to the landscaping and the zoning that this
24 Application did meet those requirements.

25 MR. CHAIR: Thank you, Ms. Butler. Commissioners,

1 questions for Staff?

2 (No affirmative response.)

3 MR. CHAIR: The only question I would have is that
4 one of the questions, concerns expressed by Ms. Votaw, Mr.
5 Antonetti did address it, was related to the parking
6 maximums, which there are none; but the assertion that this,
7 that this is over-parked and that there's an opportunity for
8 more greenspace. I'm curious, Staff, if you, and maybe
9 environmental, could comment on that?

10 MS. BUTLER: I guess I, I guess I don't really
11 have a response for that. I mean with, with the use, with
12 it being, you know, there's, there's no maximum, so as far
13 as the, the, the parking; so, I guess, I guess there could
14 be opportunities for more greenspace; but as, as far as the
15 use and what's proposed, we, we, we reviewed it and we
16 determined it to be accurate or adequate. I know, I don't
17 know if that really answers your question or not, but
18 there's always opportunities for more greenspace if that
19 kind of answers the, the question. I'm not sure if you, if
20 that --

21 MR. CHAIR: I think that the assertion was by Ms.
22 Votaw, was that even that Staff said it may be overparked.
23 That's the way I interpreted what she said; and I wanted to
24 get a sense from you if that, if that's how you would
25 interpret what the Staff Report was indicating?

1 MS. BUTLER: I, I do not, and I do not interpret
2 it as being over-parked; but I think that she was
3 specifically referring to the transportation-related
4 referral, specifically, and what transportation had stated.
5 So, I'm going to let Jim Yang kind of speak a little bit to
6 that because I believe she specifically referenced his, his
7 referral in transportation; so, I don't want to misspeak on
8 behalf of transportation. So, I'll, I'll let that staff
9 handle that.

10 MR. CHAIR: Thank you, Ms. Butler. Mr. Yang?

11 MR. YANG: Good afternoon. For the record, my
12 name is Jim Yang from Transportation Planning Section. And
13 we reviewed the case, we checked the number of parking
14 spaces and we found that, that the provided, proposed number
15 of parking spaces is more than required. That's all.
16 That's --

17 MR. CHAIR: What would be required --

18 MR. YANG: -- (unintelligible).

19 MR. CHAIR: -- (unintelligible)?

20 MR. YANG: Well, I can check. I don't, I don't
21 have the map now.

22 MR. CHAIR: I'm just curious. Perhaps Mr.
23 Antonetti, if you have a thought about that, just, you know
24 --

25 MR. ANTONETTI: I, I do, Mr. Chair. Thank you for

1 the opportunity. Again, Robert Antonetti on behalf of the
2 Applicant. So, so, this project and this parcel is part of
3 a, a continuum, a foundational entitlement that begins with
4 a basic plan with sector general land use quantities; then
5 moves to the Comprehensive Design Plan, as the Board knows,
6 which the Board has actually seen twice for this project.
7 The Comprehensive Design Plan sets up design guidelines
8 regulating the development under the applicable zoning
9 category that applies to this site. That design, those
10 design guidelines set up setbacks for buildings, parking
11 lots and are coupled with the regulations that, that apply
12 here, the EIA, former EIA Zone standards on the site that
13 set forth the internal green area minimums for the site
14 which, as applicable to this site, is 10 percent, which we,
15 we meet that minimum requirement. We also meet all the
16 setbacks and design guidelines that are set forth in the
17 approved design guidelines for parking.

18 Since it is a speculative building, I, I could
19 turn it over to Mr. Schnorf to offer a few comments on why
20 they laid it out the way they did and why they feel what
21 they proposed meets market needs; but I think one thing that
22 needs to be distinguished here is there are 303 parking
23 spaces proposed and there's an additional 280 spaces which
24 are for overflow, but that's an optional lot that may not
25 develop; but based on the end user, which hasn't been

1 identified for the site, may necessitate that. So, so, all
2 equipment or vehicles needed for a particular user can be
3 accommodated on this site. So, the plan shows that as an
4 optional overflow lot that would be installed if and when
5 that would be needed as part of the needs of an end user.

6 So, so, right now, it's, it's certainly adequately
7 parked, and it has the potential to be further adequately
8 parked based on the demands of the future tenant. This is a
9 spec building, or speculatively built building, and we want
10 the flexibility within the limits of the CDP Design
11 Guidelines and the, and the applicable zoning greenspace
12 regulations to have the ability to go in that direction if,
13 if the market or end user desires it.

14 So, if I could turn to Mr. Schnorf, I hope I
15 didn't steal any of his points, but --

16 MR. CHAIR: Well, actually, you, you may have
17 stolen his thunder because your response addresses my
18 questions fine; and so, Mr. Schnorf, unless you have
19 something more to add to that, my, I feel like my question
20 has been addressed.

21 MR. SCHNORF: I mean the only, the only thing I
22 want to add is we're trying to develop a modern logistics
23 center here and if we were to eliminate parking spaces, and
24 particularly trailer parking, if you can picture having
25 driven through old industrial parks, there's trucks, and

1 trailers and cars parked in driveways, along roads,
2 everywhere and it's, it's a mess; and this is exactly what
3 we're trying to avoid. And so, we, we aim to have one
4 trailer parking space for each dock, and that's what the
5 modern logistics users are looking for.

6 And then the other thing that I would just add, I
7 think Ms. Votaw, when she called this a high queue
8 warehouse, it's a little confusing. The ITE Manual has a
9 high queue fulfillment center and that was subject to
10 another application. This is a high, has a high clear space
11 in this building; but, again, that's the way modern
12 warehouses are designed. So, there's a high clear height,
13 but it's not a high queue fulfillment center. It's just a
14 warehouse with a high, high clear height for racking and
15 storage. As material handling equipment has gotten more
16 sophisticated, warehouse users have been able to store their
17 good to higher heights. So, that's all that is. Thank you.

18 MR. CHAIR: Thank you.

19 MS. VOTAW: Mr. Chairman, can I respectfully
20 request just a few moments to address the use issues since
21 it's been brought up multiple times?

22 MR. CHAIR: Ms. Votaw, actually, I, I won't allow
23 that. The Applicant has the last word on that and we're in,
24 in rebuttal and closing at this point. So, I, I believe
25 you've made the point in this case and in other cases as

1 well.

2 MS. VOTAW: Yeah, and --

3 MR. CHAIR: So --

4 MS. VOTAW: -- the point I was just going to make
5 is that the IT Manual identifies five different types of
6 high queue warehouses. This would fall under that. That's
7 all I had to say. Thank you.

8 MR. CHAIR: Okay. Thank you, Ms. Votaw. So, are
9 there any other questions? Commissioners, any other
10 questions for the Applicant? And you have no further close,
11 Mr. Antonetti?

12 MR. ANTONETTI: No, but thank you for your
13 consideration and leeway in allowing me to respond as I, as
14 I already have. So, thank you so much.

15 MR. CHAIR: Thank you. Okay. So, this public
16 hearing is closed and, Commissioners, no further questions?
17 What is your pleasure?

18 COMMISSIONER WASHINGTON: Mr. Chairman, I move
19 that we adopt the findings of Staff to include the revised
20 findings as outlined in Staff Exhibit No. 1, as well as the
21 technical corrections as noted by Staff; and in so doing,
22 approve SDP-1603-03 and TCP2-026-2021-06, along with the
23 conditions as outlined in Staff's Report and as modified,
24 oh, I'm sorry, yeah, and as modified by Applicant Exhibit
25 No. 1.

1 COMMISSIONER GERALD: Second.

2 MR. CHAIR: We have a motion by Commissioner
3 Washington, a second by Commissioner Geraldo. Discussion on
4 the motion?

5 (No affirmative response.)

6 MR. CHAIR: Seeing none, I'll call the roll.
7 Commissioner Washington?

8 COMMISSIONER WASHINGTON: Vote aye.

9 MR. CHAIR: Commissioner Geraldo?

10 COMMISSIONER GERALDO: I vote aye.

11 MR. CHAIR: Commissioner Doerner?

12 COMMISSIONER DOERNER: I vote aye.

13 MR. CHAIR: I vote aye as well. The ayes have it
14 four to zero. Thank you, Ms. Votaw. Thank you, Mr.
15 Antonetti. Thank you, Ms. Butler. Thank you, Mr. Yang.

16 MR. YANG: Thank you.

17 (Whereupon, the proceedings were concluded.)

18

19

20

21

22

23

24

25

DIGITALLY SIGNED CERTIFICATE

ESCRIBERS, LLC, hereby certifies that the attached pages represent an accurate transcript of the electronic sound recording of the proceedings before the Prince George's County Planning Board in the matter of:

NATIONAL CAPITAL PARK, PARCEL 11
Specific Design Plan, SDP-1603-03

By:  Date: February 22, 2023

Tracy Hahn, Transcriber