

RESOLUTION

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

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George’s County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Legacy Comprehensive Design Zone (LCD); and

WHEREAS, pursuant to Section 27-1703(d) of the Zoning Ordinance, development applications may proceed to the next steps in the approval process and continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved; and

WHEREAS, therefore, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on June 30, 2022, regarding Specific Design Plan SDP-1603-02 for National Capital Business Park, the Planning Board finds:

1. **Request:** This specific design plan (SDP) is for development of a 3,428,985-square-foot warehouse/distribution facility, with on-site parking spaces and a trailer and loading area.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	LCD (prior R-S)	LCD (prior R-S)
Use	Vacant	Warehouse/Distribution/Office
<b>Gross Acreage in this SDP</b>	<b>90.11</b>	<b>90.11</b>
Lots	1	2
Total Gross Floor Area (sq. ft.)	-	3,428,985

**PARKING and LOADING**

Use	REQUIRED	APPROVED
Warehouse/Distribution (3,379,678 sq. ft.)	725	1,573
Office (49,307 sq. ft.)	127	127
Guardhouse (440 sq. ft.)	2	2
Total Parking	854	1,702
Of which Handicapped Standard Spaces	18	28
Handicapped Van Accessible Spaces	5	8
Total Loading	85	85

3. **Location:** The larger property 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 southbound US 301 (Robert Crain Highway). The subject site covered in this SDP is located on the north side of proposed Queens Court, in the middle of the northern part of the larger property. The site is also in Planning Area 74A and Council District 4.
4. **Surrounding Uses:** The area covered by this SDP is part of the larger 442-acre National Capital Business Park (NCBP) property and is the first phase of the development. The site is surrounded on four sides by the vacant NCBP property in the Legacy Comprehensive Design (LCD) Zone.
5. **Previous Approvals:** The site was rezoned from Residential-Agricultural (R-A) to Employment and Institutional Area (E-I-A) by the 1991 *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie-Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A, and 74B*. The rezoning was contained in Zoning Map Amendment (Basic Plan) A-9829. In 2005, Basic Plan A-9968 was filed to request a rezoning of the property from E-I-A to Residential Suburban Development (R-S). At that time, the approval of a new Bowie and Vicinity Master Plan and SMA 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 Master Plan and SMA was approved by 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 E-I-A and R-A to R-S (CR-11-2006, Amendment 7, pages 18 and 31–34), subject to 13 conditions and 3 considerations.

On January 4, 2007, Comprehensive Design Plan CDP-0505, including Type I Tree Conservation Plan TCPI-010-06, was approved by the Planning Board (PGCPB Resolution No. 06-273), subject to 34 conditions, 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. The Planning Board's decision of approval, with conditions, was affirmed by the District Council on April 9, 2007.

On March 15, 2007, Preliminary Plan of Subdivision (PPS) 4-06066 and TCPI-010-06-01 were approved by the Planning Board (PGCPB Resolution No. 07-43), subject to 31 conditions. Subsequently, a number of extensions, waivers, and reconsiderations were approved by the Planning Board. The last of which the Planning Board approved was 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 modification of the intersection is noted for informational purposes.

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

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

On April 12, 2021, the District Council approved A-9968-02, which is a revision to A-9968 and A-9968-01, to replace the previously approved residential land use patterns on the subject site with employment and institutional uses generally permitted in the E-I-A Zone, as authorized pursuant to Section 27-515(b), and in the R-S Zone, subject to 17 conditions and 2 considerations. A-9968-02 supersedes the approvals of both A-9968 and A-9968-01 and sets the future development of the subject site for 3.5 million square feet of employment and institutional uses, as permitted in the E-I-A Zone, without any residential component.

On May 16, 2022, the District Council approved Basic Plan A-9968-03 to amend the basic plan for National Capital Business Park, to increase employment and industrial uses by 2 million square feet and to revise conditions and considerations of the prior approved Basic Plan (A-9968-02), subject to 18 conditions and 2 considerations.

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

On May 5, 2022, the Planning Board approved CDP-0505-02 and TCP1-004-2021-02 (PGCPB Resolution No. 2022-53), which increases the total gross floor area of the permitted employment and institutional uses from the previously approved 3.5 million square feet to 5.5 million square feet and amended Condition 4, subject to seven conditions. However, this SDP is within the development limit established by the previous CDP-0505-01.

On September 30, 2021, the Planning Board approved PPS 4-20032 (PGCPB Resolution No. 2021-112) for the National Capital Business Park for 3.5 million square feet, including TCP1-004-2021-01, subject to 32 conditions.

On January 13, 2022, the Planning Board approved infrastructure SDP-1603-01 (PGCPB Resolution No. 2022-10) for the entire National Capital Business Park, under PPS 4-20032, subject to three conditions, and superseded the prior approved SDP-1603.

On June 2, 2022, the Planning Board approved PPS 4-21056 (PGCPB Resolution No. 2022-70) for 27 parcels for development of up to 5.5 million square feet of employment and institutional uses generally permitted in the E-I-A Zone on the subject property. PPS 4-21056 supersedes PPS 4-20032.

This site also has an approved Stormwater Management (SWM) Concept Plan, 42013-020-00, which is valid through June 28, 2024.

6. **Design Features:** The subject SDP is the first phase of the larger National Capital Business Park project for development of a 90.11-acre site for a 3,428,985-square-foot warehouse/ distribution facility in one building, surrounded on the north, south, and east sides by a 1,702-space surface parking lot and 500 truck trailer locations, including 85 loading docks. However, the SDP shows different loading space information, that must be corrected prior to certification of this SDP. Specifically, trailer parking and loading will be located on the north and east sides of the building, while the on-site parking spaces for employees and visitors will be located on the south side of the building, closer to proposed Queens Court. There will be three access driveways leading to the site from Queens Court, which intersects with Prince George's Boulevard, the spine road running through Collington Center, to the east and beyond that connects to US 301.

The proposed building will have a footprint of approximately 649,653 square feet and will be approximately 93 feet tall. The building is finished with five types of metal panels, in combination with five types of concrete panels, and is designed in a balanced composition with storefront glazing and a flat roof. The elevations are proportionally and visually divided into smaller modules to minimize horizontal expanses, with architectural articulation, such as tower elements, projections, mixed finishing materials, and color patterns. The main entrance is located on the south side of the building and is distinguished by a blue canopy. The building design is acceptable, given the proposed industrial use.

There are multiple directional signs located throughout the site and one monument sign located along Queens Court, at the entrance to the site. There is one building-mounted sign over the entrance. However, no specific sign face areas have been provided on the signage sheet. A sign face area calculation table should be provided to show the square footage of each sign. A condition has been included in this resolution requiring that this sign table be provided, prior to certification of this SDP.

A photometric plan, along with details of the lighting fixtures, has been provided with this SDP. All lighting fixtures are full-cutoff luminaires. Sufficient lighting has been provided on the site to serve this development.

**Green Building Techniques:** The subject application will be employing the following green building techniques, under three general categories, during the construction:

- **Energy Efficiency and Water Efficiency**
  - Exterior LED lighting with full cutoff
  - LED interior lighting
  - Daylight harvesting controls on interior lighting where appropriate
  - Occupancy lighting controls
  - High efficiency HVAC equipment (19+ IEER (Integrated Energy Efficiency Ratio)). No natural gas heat required.
  - Dedicated outside air energy recovery heat pumps supplying 30 percent above code required outside air to the building.
  - MERV (Minimum Efficiency Reporting Value) 13 efficient air filtration.
  - Low water-use plumbing fixtures
- **Building Materials**
  - Low VOC (Volatile Organic Compound) paints & finishes, where possible
  - Highly reflective roofing materials
  - Insulation values above code minimum
  - High Efficiency Glazing
  - Thermal Aluminum Window systems
- **Recycling**
  - Separation of trash (Construction Waste Management) during construction.
  - Collection of recyclable materials during construction and after occupancy.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment Applications (Basic Plans) A-9968-02 and A-9968-03:** A-9968-02 was approved to remove all residential uses depicted in both A-9968 and A-9968-01, and to show

up to 3.5 million square feet of employment and institutional uses. A-9968-02 was approved by the District Council on April 12, 2021, with 17 conditions and 2 considerations, that supersedes both A-9968 and A-9968-01, which depicted residential development only.

On May 16, 2022, the District Council approved A-9968-03 solely to increase the employment and industrial uses by 2 million square feet, and to revise conditions and considerations of the prior A-9968-02 approval, pursuant to Section 27-197(c) of the Zoning Ordinance, subject to the exact same 17 conditions and 2 considerations, as included in A-9968-02, except for a new Condition 18, which is discussed below.

Conditions and considerations attached to the approval of A-9968-03, that are relevant to the review of this SDP are, as follows:

**1. Proposed Land Use Types and Quantities**

**Total Area: 442.30 acres**

**Total in (I-1 Zone): 15± acres (not included in density calculation)**

**Total area (R-A Zone): 0.78± acre (not included in density calculation)**

**Total area (R-S Zone): 426.52 acres per approved natural resource inventory**

**Land in the 100-year floodplain: 92.49 acres**

**Adjusted gross area (426 less half of the floodplain): 380.27 acres**

**Proposed use: Warehouse/distribution, office, light industrial/ manufacturing, and/or institutional uses up to 5.5 million square feet \***

**Open Space**

**Public active open space: 20± acres**

**Passive open space: 215± acres**

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

This SDP is the first stage of the larger development and proposes a 3,428,985-square-foot warehouse/distribution facility and associated parking and loading spaces to serve the proposed uses on approximately 90.11 acres of the 442-acre larger property, within the prior R-S Zone. The Planning Board finds that the proposed improvements fall within the land uses approved by A-9968-03.

6. **The applicant, the applicant's heirs, successors, and/or assigns shall construct a minimum 10-foot-wide master plan hiker/biker trail located along the Collington Branch Stream Valley and a minimum 10-foot-wide feeder trail to the employment uses. The alignment and design details of both trails may be modified by the Prince George's County Department of Parks and Recreation, to respond to environmental constraints, with written correspondence.**

The two trails, consistent with this condition, are shown on the approved infrastructure SDP-1603-01. The Prince George's County Department of Parks and Recreation (DPR) will coordinate construction of the master plan hiker/biker trails with the applicant.

8. **The applicant shall construct recreational facilities typical for a 20-acre community park, such as ball fields, a playground, tennis or basketball courts, shelters, and restroom facilities. The list of recreational facilities shall be determined at the preliminary plan of subdivision and specific design plan stage.**

The applicant is coordinating with DPR to determine appropriate programming and design for the future community park. An exhibit was submitted with the prior infrastructure SDP that has been reviewed by DPR. DPR is in general agreement with the proposed community park facilities, subject to conditions that have been included in this resolution.

15. **The applicant, the applicant's heirs, successors, and/or assignees shall construct a minimum 10-foot-wide master plan shared-use path along the subject site frontage of Leeland Road, consistent with AASHTO standards, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.**

The shared-use path is shown on SDP-1603-01, in accordance with this condition. The applicant will work with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) for construction of the shared-use path, through its separate permitting process.

18. **The applicant shall provide a network of pedestrian and bikeway facilities internal to the site unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement with written correspondence. The exact location and design of said facilities shall be evaluated with future applications.**

The required network of pedestrian and bikeway has been extended from Queens Court to the site covered in this SDP, which is the first stage of development for the larger site.

**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 PPS 4-21056 has been determined, in part, by the environmental constraints of the site, including regulated environmental features (REF) and soils. Minimal impacts to the environmental features are proposed. Impacts to the primary management area (PMA) were previously approved with 4-20032 and SDP-1603-01. The PMA impacts previously approved with 4-20032 were submitted with 4-21056 for approval, because it will supersede the previous PPS. The PMA impacts approved with SDP-1603-01, which encompasses the larger 442-acre site, are still valid. Since this SDP is only for a small portion of the larger site, it falls completely within the prior approved limit of disturbance (LOD) of SDP-1603-01.

- 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 SDP proposes site improvements, including all modes of transportation required by this condition, that support the warehouse/distribution facility for this site, which is part of the larger property. Additional details, such as facilities to support multimodal transportation on other parts of the larger site, will be evaluated with the subsequent full-scale SDP(s).

- 8. Prior Prince George's County Zoning Ordinance:** The Planning Board finds that the subject SDP is in compliance with the applicable requirements of the Zoning Ordinance, as follows:
  - a. Through the adoption of 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 on the subject property, under certain conditions. This SDP is for the middle 90.11 acres of the site for a warehouse/distribution facility, which is a use permitted by CB-22-2020 and otherwise complies with the findings in both A-9968-03 and CDP-0505-02, regarding the uses on the property.
  - b. Section 27-480 (General development regulations) of the Zoning Ordinance and those regulations in the R-S Zone, as stated in Sections 27-511 to 514 of the Zoning Ordinance, are mainly for residential uses. Since this SDP is for a warehouse/ distribution facility use that is generally permitted in the E-I A Zone, those regulations are not applicable to this SDP.



- c. Section 27-528 of the Zoning Ordinance contains the following required findings for the Planning Board to grant approval of an SDP:

**(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:**

- (1) The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual;**

The site improvements proposed in this SDP will support the development described in approved CDP-0505-02 and each of the conditions of approval. The improvements also comply with the requirements of the Landscape Manual and the design guidelines applicable to this SDP, as discussed in findings herein. Therefore, the Planning Board finds that the SDP conforms with the approved CDP and the applicable standards of the Landscape Manual.

- (1.1) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

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

- (2) The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;**

The subject property is governed by an approved and valid PPS, 4-21056, which was approved by the Planning Board on June 2, 2022, and determined that this development will be adequately served, within a reasonable period of time, with existing or programmed public facilities. The site improvements described in this SDP are the first phase of the envisioned development occupying the middle of the larger site, that was approved with PPS 4-21056, which supersedes PPS 4-20032. This SDP meets this requirement.

- (3) Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

As discussed above, the application included an approved and valid SWM concept plan for the entire larger site, and the site improvements proposed in the SDP support, or otherwise do not hinder, the plan. Therefore, the Planning Board finds that, to the extent the improvements proposed in this SDP are the first phase of the larger development, adequate provision has been made for draining surface

water and ensuring that there are no adverse effects on the subject property or adjacent properties.

In addition, a revision to the previously approved SWM concept plan is in the review process and this SDP is in conformance to the draft plan. A condition has been included herein requiring that the revised SWM concept plan be approved, prior to certification of the SDP.

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

Type 2 Tree Conservation Plan TCP2-026-2021-02 was submitted to the Environmental Planning Section on April 26, 2022. The Planning Board finds that the subject SDP conforms to TCP2-026-2021-02, subject to conditions that have been included in this resolution.

**(5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The site improvements described in this SDP are only for a portion of the larger site and do not expand the approved land use quantities, included in A-9968-03, that preserve more than half of the entire site in a natural state. This condition was further evaluated at the time of approval of PPS 4-21056, and conformance was demonstrated. The Planning Board concluded, after review of the SDP and the proposed TCP2-026-2021-02, that the REF on the subject property will be preserved and/or restored, to the fullest extent possible, based on the level of detail provided with SDP-1603-02 for one proposed impact for a stormwater outfall.

9. **Comprehensive Design Plans CDP-0505-01 and CDP-0505-02:** CDP-0505-01 was approved by the Planning Board on April 29, 2021 (PGCPB Resolution No. 2021-50) for the proposed 3.5 million square feet of various employment and institutional uses. CDP-0505-01 was approved with five conditions, of which one condition is relevant to the review of this SDP, as follows:

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

This condition was satisfied at the time of approval of SDP-1603-01 for infrastructure.

On May 5, 2022, the Planning Board approved CDP-0505-02, which is to increase the total gross floor area of the permitted employment and institutional uses from the previously approved 3.5 million square feet to 5.5 million square feet, in accordance with A-9968-03, subject to seven conditions. On June 6, 2022, the District Council elected not to review CDP-0505-02, but the appeal period is still pending. The conditions relevant to the review of this SDP are discussed, as follows:

- 3. Total development within the subject property shall be limited to uses that would generate no more than 1,401 AM and 1,735 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.**

As discussed previously, this development cap is established based on 5.5 million square feet of the gross floor area. The subject SDP is only for 3,428,985 square feet, which is within the approved limit for this site. This SDP meets this requirement.

- 4. The following road improvements shall be phased at the time of future specific design plan applications, and a determination shall be made as to when said improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:**
  - a. US 301 (Robert Crain Highway) at Leeland Road**
    - (1) Provide three left-turn lanes on the eastbound approach**
  - b. Prince George's Boulevard and Queens Court–Site Access, unless modified at the time of preliminary plan of subdivision:**
    - (1) Provide a shared through and left lane and a shared through and right lane on the eastbound approach.**
    - (2) Provide a shared through and left lane and a shared through and right lane on the westbound approach.**
    - (3) Provide a shared through and left lane on the northbound approach and a shared through and right lane on the southbound approach.**

The Planning Board finds that this condition has been satisfied, subject to conditions that have been included in this resolution.

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

The required on-site transportation improvements necessary to serve the proposed warehouse/distribution facility have been shown on the SDP.

10. **Preliminary Plan of Subdivision 4-21056:** PPS 4-21056 was approved by the Planning Board on June 2, 2022 (PGCPB Resolution No. 2022-70) and supersedes PPS-20032, which was approved by the Planning Board on September 30, 2021 (PGCPB Resolution No. 2021-112). Out of the 22 conditions of approval, the following are relevant to the review of this SDP and warrant discussion:

2. **Total development within the subject property shall be limited to uses which generate no more than 1,401 AM peak-hour trips and 1,735PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.**

The improvements proposed by this SDP are the first stage of development of a larger project and is located in the middle of the larger site. The total gross floor area proposed is approximately 3,428,985 square feet, which is within this development limit, based on a total gross floor area of 5.5 million square feet.

3. **Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision, prior to the approval of any building permits.**

No residential development is proposed in this SDP.

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

An approved SWM Concept Plan (42013-2020-00) was submitted and approved with SDP-1603-01 for the entire 442-acre site. As discussed previously, a revision to the approved SWM concept plan is in review, and this SDP is in conformance to the draft plan. The revised SWM concept plan approval is required, prior to certification of the SDP, as conditioned herein.

7. **Prior to issuance of a use and occupancy permit for nonresidential development, the applicant and the applicant's heirs, successors, and/or assignees shall:**

- a. **Contact the Prince George's County Fire/EMS Department to request a pre-incident emergency plan for each building.**

- b. Install and maintain a sprinkler system that complies with the applicable National Fire Protection Association standards for the installation of sprinkler systems.**
- c. Install and maintain automated external defibrillators (AEDs) at each building, in accordance with the Code of Maryland Regulations (COMAR) requirements (COMAR 30.06.01-05), so that any employee is no more than 500 feet from an AED.**
- d. Install and maintain bleeding control kits next to fire extinguisher installation at each building, and no more than 75 feet from any employee.**

**These requirements shall be noted on the specific design plan.**

The above requirements must be noted on the SDP, as conditioned herein.

- 11. The applicant shall provide an interconnected network of pedestrian and bicycle facilities consistent with the 2009 Countywide Master Plan of Transportation and the 2022 Approved Bowie-Mitchellville and Vicinity Master Plan policies and goals. The exact design and details of these facilities shall be provided as part of the first specific design plan, prior to its acceptance.**

The required pedestrian and bicycle network has been extended from Queens Court to the subject site, which is the first stage of a larger development. The rest of the network serving the larger development on other parts of the site will be reviewed with the respective SDPs.

- 12. The applicant's heirs, successors, and/or assignees 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 applicant has fully acknowledged this condition and will construct the required feeder trail, in accordance with instructions from DPR.

- 13. Prior to the issuance of the first building permit, the applicant and the applicant's heirs, successors, and/or assignees shall (a) have full financial assurances, (b) a permit for construction through the operating agency's access permit process, and (c) an agreed upon timetable for construction with the appropriate operating agency of a minimum 10-foot-wide master plan shared-use path along the subject site frontage of Leeland Road, consistent with AASHTO standards, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence. The exact details shall be shown as part of the first specific design plan for a building, prior to its approval.**

This condition was fulfilled at the time of SDP-1603-01. This SDP is only for a middle portion of the larger site and does not include the Leeland Road frontage.

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

- a. **The applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, the on-site feeder trail from the southern terminus of Logistics Lane to the shared-use path on Leeland Road.**

The subject SDP does not include the area at the southern end of Logistics Lane. Therefore, this condition will be addressed with future SDPs that include the area of the NCBP site.

- b. **The on-site feeder trail shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review of the specific design plan (SDP). Triggers for construction shall also be determined at the time of SDP.**

DPR and the Urban Design Section reviewed the feeder trail associated with the 20-acre park and Collington Branch Stream Valley Trail system, and found them to be adequate at the time of the prior SDP-1603-01 for infrastructure, which included a condition relative to the trigger for construction. This condition has been fulfilled.

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

- a. **The timing for the development of the 20-acre park and Collington Branch Stream Valley Trail, and submittal of the revised construction drawings, shall be determined with the first specific design plan for development (not including infrastructure).**
- b. **The location of the Collington Branch Stream Valley Trail shall be staked in the field and approved by the Prince George's County Department of Parks and Recreation, prior to construction.**
- c. **All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by the Prince George's County Department of Parks and Recreation.**

- d. **The handicapped accessibility of all trails shall be reviewed during the review of the specific design plan.**
- e. **The public recreational facilities shall be constructed, in accordance with the standards outlined in the Prince George's County *Park and Recreation Facilities Guidelines*.**
- f. **Prior to submission of any final plats of subdivision, the applicant shall enter into a public recreational facilities agreement (RFA) with the Maryland-National Capital Park and Planning Commission for construction of recreation facilities on parkland. The applicant shall submit three original executed RFAs to the Prince George's County Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plats. Upon approval by DPR, the RFA shall be recorded among the Prince George's County Land Records and the recording reference shall be noted on the final plat of subdivision prior to recordation. The RFA may be subsequently modified pursuant to specific design plan approvals, or revisions thereto, which determine the timing for construction of the 20-acre park and Collington Branch Stream Valley Trail.**
- g. **Prior to the approval of the first building permit for a new building, the applicant shall submit to the Prince George's County Department of Parks and Recreation (DPR) a performance bond, a letter of credit, or other suitable financial guarantee, for construction of the public recreation facilities, including the Collington Branch Stream Valley Trail, in the amount to be determined by DPR.**

This condition has been fully reviewed by DPR with this SDP. In accordance with the memorandum dated June 3, 2022, DPR recommends approval of this SDP, subject to three conditions, including a trigger for constructing the 20-acre park, that have been included in this resolution.

18. **Development of this subdivision shall be in conformance with approved Type 1 Tree Conservation Plan (TCP1-004-2021-03). The following note shall be placed on the final plat of subdivision:**

**"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-004-2021-03 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of**

**the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”**

The Planning Board finds that the revised Type 2 Tree Conservation Plan (TCP2-026-2021-02) is consistent with TCP1-004-2021-03 approved with PPS 4-21056, and with TCP2-026-2021-01 approved with SDP-1603-01.

11. **Specific Design Plan SDP-1603-01:** On January 13, 2022, the Planning Board approved an infrastructure SDP-1603-01 (PGCPB Resolution No. 2022-10) for the entire National Capital Business Park, under PPS 4-20032, subject to three conditions, which superseded the prior approved SDP-1603. SDP-1603-01 is for the entire 442-acre site, following the approval of CDP-0505-01, to remove all residential uses and to develop up to 3.5 million square feet of employment and institutional uses generally permitted in the E-I-A Zone. Of the three conditions attached to SDP-1603-01, the following is applicable to the review of this SDP:

3. **The 10-foot-wide on-site feeder trail shall be constructed concurrently with any buildings on Parcel 14.**

This condition will be enforced at the time of permitting for buildings on Parcel 14.

12. **2010 Prince George's County Landscape Manual:** Per Section 27-528(a)(1) of the Zoning Ordinance, an SDP must conform to the applicable standards of the Landscape Manual. The subject SDP is the first stage of the larger development and only Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Requirements for Parking lot Interior Planting; and Section 4.9, Sustainable Landscape Requirements, apply to this site. The landscape plans included with the SDP show the required landscape schedules that are in conformance with the applicable requirements.
13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site is more than 40,000 square feet in area, contains a total of 10,000 square feet or more of woodlands, and has a previously approved Type 1 Tree Conservation Plan, TCP1-004-2021-03. TCP2-026-2021-02 has been submitted with the subject application and requires revisions to be found in conformance with the WCO.
  - a. A valid Natural Resources Inventory (NRI-098-05-04) was submitted with this application. The TCP2 and the SDP show all required information, in conformance with the current NRI.
  - b. The District Council amended the woodland conservation/afforestation threshold for land with prior R-S zoning, with permitted uses in the prior E-I-A Zone, to allow development in accordance with the threshold requirements of the prior E-I-A Zone. The woodland conservation threshold (WCT) for this 442.30-acre property is based on 15 percent for the E-I-A (R-S) and Light Industrial (I-1) portions of the site, and 50 percent for the R-A Zone, for a weighted WCT requirement of 15.08 percent, or 52.40 acres. There is an



approved TCP1 and TCP2 on the overall development, related to the prior residential subdivision, which were grandfathered under the 1991 Woodland Conservation Ordinance. However, the prior TCP approvals are not applicable to the new development proposal.

The National Capital Business Park project is subject to the WCO and the Environmental Technical Manual (ETM). A rough grading permit was recently approved for the site, utilizing the LOD of TCP2-026-2021. TCP2-026-2021-01 was approved with SDP-1603-01 and TCP2-026-2021-02 was submitted with SDP-1603-02.

Proposed clearing within the park dedication area shall be reflected in a future application. Details of the recreation facilities, impacts to the PMA, and the variance request for the specimen tree removal will be analyzed with the application proposing development of the park.

The overall woodland conservation worksheet shows clearing of 260.75 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 118.68 acres. The requirement is proposed to be met with 78.98 acres of on-site woodland preservation, 15.47 acres of on-site reforestation, and 24.23 acres of off-site woodland conservation credits.

Although this development has been part of several reviews, as the individual tenants submit SDPs for specific development, the applicant shall continue to look for opportunities to provide additional areas for reforestation. The applicant should consider expansion of reforestation Area A to the security fencing. Technical revisions to the revised TCP2 are required and included in the conditions herein.

14. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and require a grading permit. Properties in the R-S Zone, to be developed per Section 27-515(b), Footnote 38, are required to provide a minimum of 10 percent (398,226 square feet) of the gross tract area in tree canopy coverage (TCC). This SDP includes a TCC schedule that shows approximately 11 percent (450,595 square feet) tree coverage of the property, in a combination of the existing non-woodland conservation area and landscape trees, that exceeds the requirements. However, the total site area on the TCC schedule is not consistent with that on the SDP. The applicant should address the inconsistency in site area, prior to certification, as conditioned herein.
15. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

- a. **Community Planning**—The Planning Board reviewed and adopts a memorandum dated May 27, 2022 (Lester to Zhang), incorporated herein by reference, which noted that, pursuant to Part 8, Division 4, Subdivision 2, of the prior Zoning Ordinance, master plan conformance is not required for this application.
- b. **Transportation Planning**—The Planning Board reviewed and adopts a memorandum dated June 3, 2022 (Yang to Zhang), incorporated herein by reference, which provided an analysis of previous conditions of approval that has been incorporated into the findings above. The most recent adequacy determination for this site occurred in PPS 4-21056, which was approved by the Planning Board on June 2, 2022. Therefore, it is determined that the development will be adequately served, within a reasonable period, with existing or programmed public facilities or facilities otherwise provided as part of the development. The overall vehicular and pedestrian circulation system conforms to the underlying PPS. All internal streets are adequately sized. From the standpoint of transportation, it is determined that this plan is acceptable.

Given the industrial nature of the use, the Planning Board believes that the proposed development will generate large volumes of truck traffic and requested that the applicant provide truck turning plans, to demonstrate adequate circulation for truck turning movements and safe integration with vehicular and pedestrian travel with limited conflicts on-site. The applicant has not submitted truck turning and circulation plans as part of the latest SDP submission. As a condition of approval, the Planning Board requires that the applicant provide truck turning plans, with the design vehicle classification, for evaluation.

In regard to pedestrian and bicycle circulation, the latest SDP submission shows a continuous network of sidewalks, crosswalks, and shared roadway markings along Queens Court Road. In addition, a pedestrian facility is extended along the westernmost drive aisle providing access from Queens Court to the proposed building. The latest SDP submission does not include additional bicycle signage internal to the site, consistent with the previous approved PPS conditions. As a condition of approval, the Planning Board requires that bicycle signage be provided, in accordance with prior approvals.

The Planning Board concludes that multimodal transportation facilities will exist to serve the proposed development and will conform to the 2009 *Countywide Master Plan of Transportation* and the 2022 *Bowie-Mitchellville and Vicinity Master Plan* policies and goals, subject to one condition consisting of six sub-conditions that have been included in this resolution.

- c. **Subdivision**—The Planning Board reviewed and adopts a memorandum dated June 2, 2022 (Mridula to Zhang), incorporated herein by reference, which provided an analysis of previous conditions of approval attached to PPS 4-21056, that has been incorporated into the findings above, with relative conditions included herein addressing issues, as required.

- d. **Environmental Planning**—The Planning Board reviewed and adopts a memorandum dated June 10, 2022 (Nickle to Zhang), incorporated herein by reference, which provided a review of the site's environmental features and prior conditions of approval. Findings related to the prior applicable conditions have been included above. Additional comments have been summarized, as follows:

**Regulated Environmental Features:** There is PMA comprised of REF, which include streams and associated buffers, 100-year floodplain, steep slopes, and wetlands with their associated buffers. Under Section 27-521(a)(11) of the prior Zoning Ordinance, the plan shall demonstrate preservation and/or restoration of REF in a natural state, to the fullest extent possible. The development proposes impacts to the PMA. A letter of justification (LOJ), with exhibits, was submitted by the applicant on April 26, 2022, May 24, 2022, and June 7, 2022, for review with SDP-1603-02.

Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations states, "Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat."

Impacts to REF should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by Prince George's County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities.

Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing, or at the point of least impact to REF. SWM outfalls may also be considered necessary impacts, if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for development of a property should be the fewest necessary and sufficient to reasonably develop the site, in conformance with the County Code.

Two areas of PMA impact are proposed with SDP-1603-02. The first is a stormwater outfall from a stormwater facility, in the northwestern portion of the Parcel 6 development. The second area is the result of the final engineering of the road crossing

for Queens Court, which is an expansion of a previously approved impact. This application does not propose revisions to the previously approved impacts, which will remain, as approved with PPS 4-21056 and SDP-1603-01.

**Impact for Stormwater Outfall for Parcel 6**

The first impact for the proposed stormdrain outfall is in the northwestern portion of the Parcel 6 development. The applicant proposes to convert a temporary sediment control facility, that was previously approved in that location, into a permanent stormwater facility, which requires an outfall to be located close to the stream channel, limiting erosion at the discharge point. Comments were provided regarding this proposed stormdrain outfall at an SDRC meeting on May 13, 2022, requesting an update to the LOJ and the exhibit, to provide the proposed totals for the impacts to the floodplain, stream buffer, and expanded PMA. A revised LOJ was received on May 24, 2022, for the newly proposed impact shown on the TCP2 and amended SDP. The current LOJ and associated exhibit reflect one proposed impact to REF associated with the proposed development, totaling approximately 0.10 acre. The following finding provides an evaluation of the proposed impact, as outlined in the applicant's justification.

This impact for a proposed SWM outfall is a revision to the overall stormwater design that was approved for the National Capital Business Park subdivision. Impacts to the PMA, that were approved by the Planning Board as part of the prior PPS 4-21056 and SDP-1603-01 cases, are to remain as approved. The new impact requested with SDP-1603-02 is for a stormdrain outfall estimated for 0.12 acre located on the north side of the development and includes 403 square feet of floodplain impact, 3,287 square feet of stream buffer impacts, and 1,343 square feet of expanded PMA impact. The stormdrain outfalls meet best management practices for discharging water back into the stream, while limiting erosion at the discharge points. The development shown on the SDP obtained preliminary approval from both DPIE and the Soil Conservation District (SCD).

The proposed PMA impact for a SWM outfall is considered necessary to the orderly development of the subject property. This impact cannot be avoided because it is required by other provisions of the County and state codes. The plan shows the preservation, restoration, and enhancement of the remaining areas of PMA.

**Impacts for Queens Court Road Crossing**

The second series of impacts is required by DPIE to support construction of the entrance road, Queens Court. This new area of impact is an expansion of an impact approved by the Planning Board with the PPS and SDP. The design of Queens Court crosses a stream and floodplain. Fill is needed to support the road, and a culvert was designed to not impede the flow of the stream. Because of the fill, clearing is needed downstream to provide compensatory storage for the floodplain, to prevent a rise to the floodplain. Compensatory storage of floodplain is a standard practice, which preserves the ability of the floodplain to store water. An LOJ and exhibits for the floodplain compensatory storage PMA impact were received on June 7, 2022. The current LOJ and associated

exhibit is reflected in three parts, continuing the numbering system of the overall development impacts as Impacts 17, 18, and 19, totaling 1.20 acres of proposed impact to REF associated with the proposed site infrastructure. The following finding provides an evaluation of the proposed impact, as outlined in the applicant's justification.

This impact for the addition of floodplain compensatory storage is a revision to the overall road network design approved for the National Capital Business Park Subdivision. Impacts to the PMA that were approved by the Planning Board, as part of the prior PPS 4-21056 and SDP-1603-01 approvals, are to remain, as approved. The new impact requested with SDP-1603-02 is an expansion of Impact C, that the Planning Board approved with 4-21056. Impacts 17, 18, and 19 include 1.13 acres of floodplain, with an additional 0.07 acre of PMA, for an overall total of 1.20 acres. The use of compensatory storage of the floodplain in the three areas meets best management practices for providing an equal amount of floodplain storage, to support the grading and culverts required for the road infrastructure. The development shown on the PMA exhibits obtained preliminary approval from both DPIE and SCD. The majority of the graded floodplain will be reforested. The proposed floodplain clearing and reforestation shall be reflected in the worksheet and on the TCP2, prior to certification of SDP-1603-02.

The proposed PMA impact for compensatory storage is considered necessary to the orderly development of the subject property. This impact cannot be avoided because it is required by other provisions of the County and state codes. The plan shows preservation, restoration, and enhancement of the remaining areas of PMA. As a result of this analysis, the Planning Board approves the PMA impacts.

**Specimen Trees:** A timber harvest permit was previously approved for the site utilizing the approved LOD on the TCPII approved for the previous residential development, Willowbrook. Within the limits of the timber harvest area were 50 specimen trees. No variance was required for removal of these specimen trees because the TCPII was approved under the 1993 Woodland Conservation Ordinance and was grandfathered from the variance requirements that were established in the WCO. The current development is subject to the WCO, which requires a variance for removal of specimen trees. A variance request was reviewed with 4-20032, and the Planning Board approved the removal of 69 specimen trees. A variance request was reviewed with SDP-1603-01 for infrastructure, and the Planning Board approved the removal of Specimen Trees 320 and 321. A variance request was resubmitted and reviewed with 4-21056, and the Planning Board approved the removal of 11 specimen trees. The trees were located generally in the area proposed for development, outside of the REF. No additional trees are requested for removal with SDP-1603-02.

**Stormwater Management:** SWM Concept Plan 42013-2020-00, approved on June 28, 2021, was submitted which shows the use of seven submerged gravel wetlands, four underground storage treatment facilities, and sand filters. The SWM concept approval letter indicates that additional micro-scaled environmental site design facilities will be evaluated when details of the development pads are proposed with later reviews.

The proposed development, specific to SDP-1603-02, filed a revised Site Development Concept Plan (6108-2022-00) to amend the SWM facilities. The revised SWM concept plan approval is required, prior to certification of the SDP. The geographic area for this development proposes three submerged gravel wetlands and one wet pond. This development will be subject to a site development fine grading permit and continuing reviews by DPIE and SCD.

**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 TCP2 shows the approximate location of the unmitigated and mitigated 1.5 safety factor line, in accordance with a geotechnical report dated August 6, 2021, and prepared by Geo-Technology Associates, Inc. The global stability analysis on Sections 2, 2R, 3, 4, 5, 5R, and 15 for the mitigated conditions was performed. The geotechnical report recommends undercutting the Marlboro clay and replacing it with structural fill for the failed slope sections (Section 5 and Section 15). Section 5 is in the geographic area of SDP-1603-02. Prior to the SDRC meeting, staff requested the applicant to reanalyze Section 5. In the additional global slope stability analysis submitted May 24, 2022, Section 5R resulted in higher than minimum required factor of safety 1.5 for the mitigated conditions, considering the undercut, the problematic soil, and replacement with structural fill. Therefore, the revised location of the Marlboro clay undercut/replacement shall be shown on the TCP2.

**Erosion and Sediment Control:** The site is located within a sediment total maximum daily load (TMDL) related to Tier II waters, as established by the state. Watersheds within a TMDL for sediment will typically require erosion and sediment control measures, above and beyond the standard treatments. The site also contains REF species, including fish located in the Collington Branch. Redundant erosion and sediment control measures are also required for protection of the rare, threatened, and endangered species. Additional information, as determined by DPIE and SCD, in their respective reviews for SWM and erosion and sediment control, may be required.

The County requires approval of an erosion and sediment control plan, prior to issuance of a grading permit. The TCP must reflect the ultimate LOD, not only for installation of permanent site infrastructure, but also for installation of all temporary infrastructure, including erosion and sediment control measures. Prior to certification of SDP-1603-02, a

copy of the erosion and sediment control technical plan must be submitted, so that the ultimate LOD for the project can be verified and shown on the TCP2.

The REF on the subject property have been preserved and/or restored, to the fullest extent possible, based on the level of detail provided with SDP-1603-02 for one proposed impact for a stormwater outfall. No specimen trees are proposed for removal with this application. The Planning Board approves this SDP and TCP2-026-2021-02, with three conditions that have been included in this resolution.

- e. **Special Projects**— The Planning Board reviewed and adopts a memorandum dated April 29, 2022 (Thompson to Zhang), incorporated herein by reference, which offered an analysis of the required adequacy findings, relative to police facilities, fire and rescue, schools, and water and sewer. Except for fire and rescue, all other public facilities will be available to serve the proposed development.

This project is served by Pointer Ridge Volunteer Fire/EMS, Company 843, located at 16408 Pointer Ridge in Bowie, as the first due station. A 5-minute total response time is recognized as the national standard for fire/EMS response times, per Section 24-122.01(d)(1)(A) of the Subdivision Regulations. Per National Fire Protection Association (NFPA) 1710, Chapter 4, 240 seconds (4 minutes) or less travel time is the national performance objective. Prince George's County Fire/EMS Department representative, James V. Reilly, stated in writing (via email) that, as of April 27, 2022, the subject project does not pass the 4-minute travel test from the closest Prince George's County Fire/EMS Station, Pointer Ridge Volunteer Fire/EMS in Bowie. The proposed amendment may impact fire facilities; a recommendation may be made to contact the Fire/EMS Department to request a pre-incident emergency plan for the facility; install and maintain automated external defibrillators (AEDs), in accordance with Code of Maryland Regulations (COMAR); and install and maintain hemorrhage kits next to fire extinguishers. A condition, relative to this issue, was included with the approval of 4-21056, which should be noted on the SDP, as conditioned herein.

- f. **Prince George's County Department of Permitting, Inspections and Enforcement**— At the time of preparation of this resolution, DPIE did not comment on the subject SDP.
- g. **Prince George's County Police Department**—At the time of preparation of this resolution, the Police Department did not comment on the subject SDP.
- h. **Prince George's County Health Department**—The Planning Board reviewed and adopts a memorandum dated May 31, 2022 (Adepoju to Zhang), incorporated herein by reference, in which the Health Department provided three comments regarding the proposed project. These focused on nearby pedestrian access to the site from the surrounding community and dust and noise controls during construction, that have been addressed with the prior SDP-1603-01 approval.

- i. **Prince George's County Department of Parks and Recreation (DPR)**— The Planning Board reviewed and adopts a memorandum dated June 3, 2022 (Thompson and Quattrocchi to Zhang), incorporated herein by reference, in which DPR provided a thorough review of applicable conditions attached to prior approvals. DPR recommends approval of this SDP, subject to conditions that have been included in this resolution, as appropriate.
  - j. **Prince George's County Fire/EMS Department**—At the time of preparation of this resolution, the Fire/EMS Department did not directly comment on the subject SDP, but provided review comments to the Special Projects Section, that have been included in this report.
  - k. **Washington Suburban Sanitary Commission (WSSC)**— The Planning Board reviewed and adopts a memorandum and plan notes dated May 12, 2022, incorporated herein by reference, in which WSSC provided standard comments regarding hydraulic analysis and water and sewer service for the proposed development. Their comments are provided for informational purposes and will be enforced by WSSC, at the time of permit issuance.
  - l. **Maryland State Highway Administration (SHA)**—At the time of preparation of this resolution, comments had not been received from SHA.
  - m. **City of Bowie**—At the time of preparation of this resolution, comments had not been received from the City of Bowie.
16. During the public hearing for this SDP, on June 30, 2022, the applicant provided two exhibits: one exhibit of the proposed revisions to Conditions 1n, p, r, and t; and the other exhibit of sight line analysis from Leeland Road to the subject site. After due discussion, the Planning Board decided that prior Condition 1r, regarding the 10-foot-wide feeder tail, be deleted because this connection has been provided in SDP-1603-01; that the other three conditions be revised; and that prior Condition 1t be renumbered to Condition 1s in this resolution.
  17. During the public hearing for this SDP, on June 30, 2022, members of the public submitted 11 exhibits and raised issues concerning the validity of certain laws; the Planning Board's jurisdiction to hear the case; the Planning Board's proposed conditioning of its approvals, such as compliance with stormwater requirements; landscaping; the applicant's proposed uses; PMA impacts; woodland conservation; public facility adequacy; and General Plan and master plan conformance. Counsel advised the Planning Board that no law applicable to its review of this application has been found invalid; the Board has jurisdiction to hear the case; conditioning the Board's approvals is both legal and appropriate, as well as a longstanding practice of the Board; General Plan and master plan conformance is not a finding for approval of an SDP; and approval of an SDP does not constitute approval of the use. Applicant's counsel and the staff report also addressed the findings necessary for approval of PMA impacts; approval of the TCP2, including on-site preservation; the findings required for compliance with the Landscape Manual; public facility adequacy; and stormwater impacts. Planning Board counsel and staff also noted those



issues raised, and properly addressed, in prior approved basic plans, CDPs, PPS, and infrastructure SDPs for the entire property.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-026-2021-02, and further APPROVED Specific Design Plan SDP-1603-02 for the above-described land, subject to the following conditions:

1. Prior to certification of the specific design plan (SDP), the applicant shall provide the following information and/or revise the site plan to provide the following:
  - a. Obtain final certificate approval of Zoning Map Amendment (Basic Plan) A-9968-03, Comprehensive Design Plan CDP-0505-02, and Preliminary Plan of Subdivision 4-21056, and provide a note listing the prior applicable approvals.
  - b. Address the inconsistency in site area between the Tree Canopy Coverage schedule and that labeled on the SDP.
  - c. Provide an approved revised stormwater management concept plan.
  - d. Revise the Type 2 tree conservation plan (TCP2), as follows:
    - (1) Show the revised location of the Marlboro clay undercut/replacement 1.5 safety factor line.
    - (2) Show the regulated environmental features on the plan as black lines, not grey.
    - (3) In the legend, add "temporary" to the line type for the temporary tree protection fence.
    - (4) Revise the total plant units in the Reforestation Planting Schedule for reforestation Area M from "565" to "685," and correct the total for this table.
    - (5) Correct Note 1 of the Standard Type 2 Tree Conservation Plan Notes to list the specific case number of "SDP-1603-02," and remove the other case numbers.
    - (6) Revise Sheet C-303, in accordance with the proposed stormwater outfall, to remove the proposed reforestation from the easement area and update the totals for the label in the charts and worksheet, accordingly.
    - (7) Revise Sheet C-309 to adjust Preservation Area 15 to follow the limits of disturbance, and update the total areas for the label in the charts and worksheet, accordingly.

- (8) On Sheet C-310, revise the note regarding the proposed park facilities and Collington Branch Trail to reflect the current case number, "SDP-1603-02."
  - (9) Revise Sheet C-318 to add a label for MC-600 and add the hatch pattern to the legend.
  - (10) Revise Sheet C-319 to add a label for MC-600 and add the hatch pattern to the legend.
  - (11) Revise the worksheet and plans to reflect the grading, limits of disturbance, and reforestation proposed with the floodplain compensatory storage areas, for construction of Queens Court.
  - (12) Have the revised plan signed and dated by the qualified professional preparing the plan.
- e. Submit a copy of the erosion and sediment control technical plan, so that the ultimate limits of disturbance can be verified and shown on the final Type 2 tree conservation plan.
  - f. Revise the parking and loading table and notes on the SDP, to be consistent.
  - g. Provide a sign face area calculation table on the SDP.
  - h. Clearly show and label the 10-foot-wide public utility easement along both sides of public rights-of-way, in accordance with the approved preliminary plan of subdivision, on all applicable plan sheets.
  - i. Provide bearings and distances for all parcel boundary lines and provide the parcel labels and areas on all applicable plan sheets.
  - j. Remove the public right-of-way for Warehouse Way and depict the parcel and road layout, in accordance with Preliminary Plan of Subdivision 4-21056.
  - k. Revise General Notes 2 and 4 on the cover sheet to list the correct zoning designation for the property.
  - l. Revise General Notes 11 and 12 to correctly identify the number of parcels included with this SDP (Parcels 4-6, in accordance with Preliminary Plan of Subdivision 4-21056).
  - m. Provide a phasing plan showing the US 301/Leeland Road and Prince's Boulevard/Queens Court intersection improvements phased with the development provided in the SDP. Any improvements generated by the SDP, as shown in the phasing plan, shall be provided at the time of building permit.

- n. Provide a fee schedule with the total cost of the applicant's contribution to the US 301 County Improvement Program (CIP) improvements associated with the phased development of the SDP. In lieu of the fee payment, the applicant may provide physical improvements along US 301, within the limits of the US 301 CIP Project, consistent with the phasing plan that will be submitted by the applicant.
  - o. Provide a truck turning plan, with design vehicle classification. If the truck turning plans show inadequate circulation for truck maneuvers on-site, the applicant shall modify the site to provide sufficient circulation for safe truck movements. Any modifications to the site that are needed, based on the review of the truck turning plans, shall be accepted by the Transportation Planning Section.
  - p. Provide bikeway guide signs (D11-1/Bike Route; D1-1, D1-2, and D1-3/Destination Plates; and R4-11/Bicycles May Use Full Lane), in association with bicycle facilities on the subject site.
  - q. Provide long-term bicycle parking and associated facilities at an appropriate location adjacent to the building.
  - r. Provide notes on the SDP, in accordance with Condition 7 of Preliminary Plan of Subdivision 4-21056.
  - s. Resolve all discrepancies between the SDP and the building elevations, so that all plans are consistent with each other related to building square footage and parking schedules.
2. Prior to issuance of a use and occupancy permit representing over 40 percent of the square footage approved in Comprehensive Design Plan CDP-0505-02, or three years from issuance of the first building permit, whichever comes last, the park and Collington Branch Stream Valley Trail shall be complete. Notwithstanding the above, the developer may request additional time from the Prince George's County Department of Parks and Recreation (DPR) to complete the portions of the master plan trail requiring approval of a permit from the Maryland Department of the Environment and/or the US Army Corps of Engineers. Provided the developer is making good-faith efforts to complete said trail portions, in a timely manner, DPR shall not unreasonably withhold its approval of such request and such extension shall be documented by an amendment to the recreational facilities agreement.
  3. Within 20 months after issuance of the first building permit for National Capital Business Park, the applicant shall obtain all applicable permits for construction of the 20-acre park. Should the permits for the 20-acre park not be obtained after 20 months, the Maryland-National Capital Park and Planning Commission (M-NCPPC) reserves the right to deny the applicant's request for any further permits within National Capital Business Park. Notwithstanding, M-NCPPC's approval of permits shall not be unreasonably withheld, provided that the applicant is making good-faith efforts to obtain all necessary permits for construction of the 20-acre park, in a timely manner.


BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, and Shapiro voting in favor of the motion, and with Commissioners Doerner and Washington absent at its regular meeting held on Thursday, June 30, 2022, in Upper Marlboro, Maryland.


Adopted by the Prince George's County Planning Board this 30th day of June 2022.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:HZ:jh

APPROVED AS TO LEGAL SUFFICIENCY

  
David S. Warner  
M-NCPPC Legal Department  
Date: July 6, 2022