

Case No.: A-9968-C-03
National Capitol Business Park

Applicant: National Capitol Business Park

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

ZONING ORDINANCE NO. 6 –2022

AN ORDINANCE to amend the existing Basic Plan (A-9968-02) for National Capitol Business Park, to increase employment and industrial uses by 2 million square feet, and to revise conditions and considerations of Basic Plan approval, pursuant to Section 27-197(c) of the Zoning Ordinance, on approximately 441.3 acres of land, in the R-S (Residential Suburban Development) Zone,¹ located on the north side of Leeland Road, approximately 3,178 feet west of the intersection of Leeland Road and US 301 (Robert Crain Highway) also identified as 15000 Leeland Road, Upper Marlboro, Council District 4.

WHEREAS, the proposed Basic Plan Amendment is to increase the maximum allowable development from 3.5 million square feet of employment and institutional land use to 5.5 million square feet; and

WHEREAS, the increased development areas proposed to be accommodated within the same areas and the same conceptual layout previously approved as A-9968-02, only the total allowable development yield is proposed to change; and

WHEREAS, both the Technical Staff and the Planning Board recommended approval of the application, subject to certain conditions; and

¹The 2022 Countywide Map Amendment placed the subject property in the LCD (Legacy Comprehensive Design) Zone concurrently with the R-S (Residential Suburban Development) Zone.

WHEREAS, in accordance with law, the application was advertised, and the property was duly posted prior to the evidentiary public hearing; and

WHEREAS, on February 23, 2022, the Zoning Hearing Examiner held an evidentiary hearing on the application; and

WHEREAS, no one appeared in opposition and there was no evidence presented in opposition to the application; and

WHEREAS, due to technical difficulties, the record was closed on March 29, 2022;² and

WHEREAS, on April 28, 2022, the Examiner filed a written decision to the District Council recommending that the application should be approved subject to certain conditions and considerations; and

WHEREAS, on May 9, 2022, the District Council voted to approve the application in accordance with the Examiner's written decision; and

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

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The application to amend the existing Basic Plan (A-9968-02) for National Capitol Business Park, to increase employment and industrial uses by 2 million square feet, and to revise conditions and considerations of Basic Plan approval, pursuant to Section 27-197(c) of the Zoning Ordinance, on approximately 441.3 acres of land, in the R-S (Residential Suburban Development) Zone, located on the north side of Leeland Road, approximately 3,178 feet west of

²Zoning Ordinance (2019 Ed.) is the controlling legislation under which the instant Application is proceeding. At some future date the Applicant may elect to proceed pursuant to Zoning Ordinance (2019 Ed.)(2021 Supp.)

the intersection of Leeland Road and US 301 (Robert Crain Highway) also identified as 15000 Leeland Road, Upper Marlboro, Council District 4, is APPROVED.

SECTION 2. Approval of Basic Plan Amendment A-9968-C-03, is subject to the following Conditions and Considerations:

Conditions

1. Proposed Land Use Types and Quantities

Total Area:	442.30 acres
Total in (I-1 Zone):	15 \pm acres (not included in density calculation)
Total area (R-A Zone):	0.78 \pm acres (not included in density calculation)
Total area (R-S Zone):	426.52 acres per approved NRI
Land in the 100-year floodplain:	92.49 acres
Adjusted gross area (426 less half of the floodplain):	380.27 acres

Proposed use:

Warehouse/distribution, office, light industrial/manufacturing, and/or institutional uses up to 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 herein

2. At the time of the submission of a Comprehensive Design Plan or Preliminary Plan of Subdivision, the Applicant shall provide a traffic study that analyzes the following intersections:

- a. US 301/MD 725
- b. US 301/Village Drive
- c. US 301/Leeland Road
- d. US 301/Trade Zone Avenue
- e. US 301 South Bound/Wawa Crossover
- f. US 301 North Bound/Wawa Crossover

- g. US 301/Queens Court
 - h. US 301/Median Crossover
 - i. US 301/Beechtree Parkway/Swanson Road
 - j. US 301/Chrysler Drive
 - k. Prince George's Blvd./Trade Zone Avenue
 - l. Prince George's Blvd./Commerce Drive
 - m. Prince George's Blvd./Queens Court
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- 3. At the time of Preliminary Plan of Subdivision, the Applicant shall provide the dedication for one-half of the 100 feet of dedication required to build Leeland Road (MC-600) to its ultimate cross section, per the Prince George's County Department of Public Works and Transportation standards.
 - 4. At the time of Preliminary Plan of Subdivision, the Applicant shall dedicate 100+ acres of parkland to the Maryland-National Capital Park and Planning Commission, including the Collington Branch stream valley and 20 acres of developable land for active recreation, as shown on the Prince George's County Department of Parks and Recreation Exhibit A (Bates Stamp 62 of 63, Exhibit 28, A-9968-01).
 - 5. The land to be conveyed to the Maryland-National Capital Park and Planning Commission shall be subject to the conditions of Exhibit B, attached to the June 21, 2005 memorandum from the Prince George's County Department of Parks and Recreation (Bates Stamp 63 of 63, Exhibit 28, A-9968-01).
 - 6. The Applicant, the Applicant's heirs, successors, and/or assigns shall construct a minimum 10-foot-wide Master Plan hiker/biker trail located along the Collington Branch Stream Valley and a minimum 10-foot-wide feeder trail to the employment uses. The alignment and design details of both trails may be modified by the Prince George's County Department of Parks and Recreation, to respond to environmental constraints, with written correspondence.
 - 7. A revised Plan showing parkland dedication and master plan trail shall be reviewed and approved by the Prince George's County Department of Parks and Recreation staff at the time of Comprehensive Design Plan.
 - 8. The Applicant shall construct recreational facilities typical for a 20-acre community park, such as ball fields, a playground, tennis or basketball courts, shelters, and restroom facilities. The list of recreational facilities shall be determined at the preliminary plan of subdivision and specific design plan stage.
 - 9. The submission package of the Comprehensive Design Plan shall contain a signed Natural Resources Inventory (NRI) plan. The signed NRI plan shall be used by the designers to prepare a site layout that minimizes impacts to the regulated areas of the site.

10. A geotechnical study that identifies the location and elevation of the Marlboro clay layer throughout the site shall be submitted as part of the Comprehensive Design Plan Application.
11. A protocol for surveying the locations of all rare, threatened, and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources, prior to acceptance of the Comprehensive Design Plan, and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any Application for Preliminary Plans.
12. Prior to acceptance of the Preliminary Plan of Subdivision, a Revised Natural Resources Inventory Plan shall be submitted and approved.
13. At the time of Comprehensive Design Plan review, specific acreage of parkland dedications shall be determined. This area may include a 1.7± acre parcel of land which was not previously committed for parkland dedication. The conditions of conveyance shall be determined by appropriate staff of the Maryland-National Capital Park and Planning Commission.
14. At the time of Comprehensive Design Plan, the Applicant shall address its plan to grade a 10- acre developable portion of the dedicated parkland (including a 1.7+ acre parcel of land from the Willowbrook project area which was not previously committed for parkland dedication) on the western side of the property, east of the Pennsylvania Railroad right-of-way to accommodate ball fields and a parking lot.
15. The Applicant, the Applicant's heirs, successors, and/or assignees shall construct a minimum 10-foot-wide master plan shared-use path along the subject site frontage of Leeland Road, consistent with AASHTO standards, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.
16. The conceptual location of the Collington Branch Stream Valley Trail, its feeder trail connecting to the proposed employment uses, and the Leeland Road shared-use path shall be shown on the Comprehensive Design Plan.
17. In the event the Applicant elects to pursue an alternative access point(s) to the adjacent Collington Center vis Popes Creek Drive and/or Prince George's Blvd., the transportation and environmental impacts of any additional access point(s) shall be evaluated at time of Comprehensive Design Plan or Preliminary Plan.
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.

Comprehensive Design Plan Considerations:

1. The natural aesthetic qualities of the site and all regulated environmental features shall be preserved to the fullest extent possible and shall seek to minimize any impacts to said features.
2. All proposed internal streets and developments should follow complete streets principles and support multimodal transportation as well as facilities to encourage walking, bicycling, and transit use, such as short- and long-term bicycle parking, including shower facilities and changing facilities, covered transit stops, crosswalks, etc.

SECTION 3. Use of the property shall be subject to all requirements in the applicable zone and conditions and considerations herein. Failure to comply with any stated condition or consideration shall constitute a zoning violation and shall constitute sufficient grounds for the District Council to annul the Basic Plan as conditionally approved; to revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; and/or to take any other action deemed necessary to obtain compliance.

SECTION 4. The Ordinance shall become effective upon enactment.

ENACTED this 16th day of May, 2022, by the following vote:

In Favor: Council Members Burroughs, Harrison, Hawkins, Medlock, Taveras, and Turner.

Opposed:

Abstained: Council Member Dernoga.

Absent: Council Member Franklin, Glaros, Ivey, and Streeter.

Vote: 6-0-1.

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

By: _____
Calvin S. Hawkins, II, Chair

ATTEST:

Donna J. Brown
Clerk of the Council