



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

April 20, 2021

**RE: A-9968-02-C National Capitol Business Park (Formerly "Willowbrook")
(Basic Plan Amendment)
National Capitol Business Park, Applicant**

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed a copy of Zoning Ordinance No. 2 - 2021 setting forth the action taken by the District Council in this case on April 12, 2021.

CERTIFICATE OF SERVICE

This is to certify that on April 20, 2021 this notice and attached Council order were mailed, postage prepaid, to all persons of record.

A handwritten signature in cursive script, reading "Donna J. Brown".

Donna J. Brown
Clerk of the Council

Case No.: A-9968-02-C
National Capitol Business Park
(Formerly “Willowbrook”)
(Basic Plan Amendment)

Applicant: National Capitol Business Park

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

ZONING ORDINANCE NO. 2 –2021

AN ORDINANCE to amend the existing Basic Plan (A-9968-01) for National Capitol Business Park, previously known as “Willowbrook” (Zoning Ordinance 5-2019), to delete all residential uses and to replace them with employment and industrial uses, and to revise conditions and considerations of Basic Plan approval, pursuant to Section 27-197(c) of the Zoning Ordinance, on approximately 442.30 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 the intersection of Leeland Road and US 301 (Robert Crain Highway), Upper Marlboro, Councilmanic District 4.

WHEREAS, the proposed amendment to the existing Basic Plan is being requested to integrate the new provisions for the R-S Zone that were adopted by the District Council in CB-22-2020; and

WHEREAS, provisions of CB-22-2020 allow certain employment and institutional uses permitted by right in the E-I-A (Employment and Institutional Area) Zone to be permitted in the R-S Zone under certain specified circumstances; and

WHEREAS, to integrate these new provisions, the amendment to the existing Basic Plan addresses: (1) a revised layout of the Basic Plan map; the new plan reflects a different development pattern which will accommodate a layout accommodating the newly-permitted employment and

institutional uses, (2) revised uses proposed to be included at the development, and (3) revisions to certain conditions of approval and consideration to reflect the new land uses and quantities, and the elimination of the formerly-proposed residential uses; and

WHEREAS, associated revisions will also be made to the Tree Conservation Plan to reflect a newly-applicable conservation threshold and new Tree Canopy Coverage requirements; and

WHEREAS, on November 12, 2020, the application was filed to amend the existing Basic Plan as approved in Zoning Ordinance 5-2019; and

WHEREAS, both Technical Staff and the Planning Board recommended approval of the application with conditions;

WHEREAS, the application was advertised and the property was duly posted prior to any public hearing; and

WHEREAS, on March 10, 2021, the Zoning Hearing Examiner held an evidentiary hearing without opposition on the application; and

WHEREAS, on March 23, 2021, the Examiner transmitted a written decision to the District Council recommending that the application should be approved subject to certain conditions and considerations; and

WHEREAS, on March 29, 2021, 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, 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-9968-01) for National Capitol Business Park, previously known as “Willowbrook” (Zoning Ordinance 5-2019), to delete all residential uses and to replace them with employment and industrial uses, and to revise conditions and considerations of Basic Plan approval, pursuant to Section 27-197(c) of the Zoning Ordinance, on approximately 442.30 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 the intersection of Leeland Road and US 301 (Robert Crain Highway), Upper Marlboro, Councilmanic District 4, is APPROVED.

SECTION 2. Use of the subject property shall be subject to all requirements in the applicable zones and to the requirements in the 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 3. Approval of Basic Plan Amendment A-9968-C-02, 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± acres (not included in density calculation)
Total area (R-A Zone):	0.78 ± acres (not included in density calculation)
Total area (R-S Zone):	426.52 acres per approved 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 3.5 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

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 SB/Wawa Crossover
 - f. US 301 NB/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
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 Stamped 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 Stamped 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.

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 4. The Ordinance shall become effective upon enactment.

ENACTED this 12th day of April, 2021, by the following vote:

In Favor: Council Members Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter, Taveras, and Turner.

Opposed:

Abstained:

Absent: Council Member Franklin.

Vote: 10-0.

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
Calvin S. Hawkins, II, Chair

ATTEST:

Donna J. Brown
Donna J. Brown
Clerk of the Council