

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, in consideration of evidence presented at a public hearing on February 6, 2003, regarding Specific Design Plan SDP-0203 for Maryland Science and Technology Center, the Planning Board finds:

1. **Location**—The subject property is located in the northeast quadrant of the intersection of Crain Highway (MD 3) and John Hanson Highway (US 50). The site is bounded to the north by an existing subdivision of single-family detached units zoned R-A and the Patuxent River Park; to the east by the Patuxent River and the US Air Force transmitter station located in Anne Arundel County; to the south by the US 50 right-of-way; and to the west by the MD 3 right-of-way.
2. **The Proposed Development**—The purpose of this specific design plan is for approval of infrastructure on three lots. Lots 2 and 3, Block 2, are wooded lots in the northern area of the development (Pod 2 of the CDP). Lot 4, Block 4, is a cleared lot that is adjacent to the existing Census building (Pod 4 of the CDP). The applicant would like to obtain approval of a final plat for the subject lots and has, therefore, submitted site plans for infrastructure for stormwater management, water and sewer installation.

3. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	E-I-A	E-I-A
Use(s)	Vacant	Infrastructure
Acreage	25.21	25.21
Lots	3	3
Parcels	N/A	N/A
Square Footage/GFA	0	0
Dwelling Units:	N/A	N/A
Attached	0	0
Detached	0	0
Multifamily	0	0

4. **The Approved Basic Plan**—On January 25, 1982, the District Council approved Zoning Map Amendment Application and Basic Plan No. A-9401 for the subject property with ten conditions (Zoning Ordinance No. 2-1982). This Zoning Map Amendment rezoned the property from the R-A and O-S Zones to the E-I-A Zone. The specific design plan is in general conformance with the approved Basic Plan. Condition 3 of the basic plan reads as follows:

Prior to the issuance of permits for development of the site there shall be no grading or cutting of trees, except on a selected basis, by permission of the Planning Board or the Washington Suburban Sanitary Commission, when necessary for water and sewer lines. All major stands of trees shall be delineated on the Comprehensive Design and Specific Design Plans, and the developer shall demonstrate to the satisfaction of the Planning Board or the District Council why it is necessary to remove any mature or specimen trees.

The site plan shows stormwater management facilities and water and sewer lines on Lots 2 and 3, Block 2. These lots are within development pod #2 of the comprehensive design plan. Staff did not want these lots graded because they are completely wooded and believed there would be an opportunity for a future user to construct a building on the site sensitively and provides tree save areas similar to the Institute for Defense site directly to the east. However, staff has come to the conclusion that the buildable area of these lots is probably not substantial enough to be able to construct a building and parking and to be able to save trees in the front of the lot. The primary reason for this is because over ½ of the lots are in a Primary Management Area. Therefore, staff has come to the conclusion that Lots 2 and 3, Block 2 can be graded up to the PMA for the installation of infrastructure.

5. **The Approved Comprehensive Design Plan**—On July 7, 1986, the District Council approved Comprehensive Design Plan CDP-8601, affirming the prior Planning Board decision (PGCPB. No.86-107), for the Maryland Science and Technology Center, with 27 conditions and two considerations. The proposed specific design plan is in conformance with the approved Comprehensive Design Plan.
6. 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 or provided as part of the private development, since the proposal is for infrastructure only. See Finding 10 below for a discussion of transportation adequacy.
7. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties. The lots have an approved Stormwater Management Concept Plan (FWA 88390.60) by the City of Bowie.
8. The Environmental Planning Section has reviewed the above referenced specific design plan stamped as received by the Countywide Planning Division on September 19, 2002. The Environmental Planning Section recommends approval of SDP-0203 and TCPII/36/99-01, subject to the conditions at the end of this memorandum.

Background

The area included in this application was previously reviewed by the Environmental Planning Section in conjunction with Basic Plan A-9401 and Comprehensive Design Plan CDP-8601. The lots included in this application were previously reviewed by the Environmental Planning Section in conjunction with Preliminary Plan of Subdivision 4-98076; Specific Design Plan SDP-0201, and

Type I Tree Conservation Plan TCPI/44/98. All of these plans were approved. A Type II Tree Conservation Plan (TCPII/36/99) was approved for the entire site in response to a clearing violation on the site. The approved TCPII was not intended to show all of the environmental features or existing features on the site, and in fact the environmental features shown are not shown accurately. A TCPI/II that encompasses the entire site is currently under review with Preliminary Plan 4-02093, which is proposing stormwater management facilities on the eastern portion of the site. The current SDP application is for the construction of stormwater management facilities on three lots. The work proposed must be in conformance with the previously approved Type I TCP, previously approved SDP, and all applicable environmental regulations.

Site Description

The subject lots total 25.5 acres and are part of a larger property totaling 466.62 acres in the E-I-A Zone. The property is located in the northeast quadrant of the intersection of US 50 and MD 3/US 301. A review of the available information indicates that streams, 100-year floodplain, and severe slopes are found to occur on this property and many of the subject lots. Although US 50 and MD 3/US 301 have been identified as transportation-related noise generators, there are no adverse impacts to the uses included in this application. The predominant soils found to occur, according to the Prince George=s County Soil Survey, include the Adelphia, Collington, Mixed alluvial land, Ochlockonee, and Shrewsbury. The Mixed alluvial land and the Adelphia soils have limitations with respect to high water tables and impeded drainage. According to available information, Marlboro clay is not found to occur in the vicinity of this property. The sewer and water service categories are S-3 and W-3. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George=s Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this property. This property is located in the Patuxent River watershed and in the Developing Tier as reflected in the adopted General Plan.

Environmental Conditions of Approval to be Addressed at Specific Design Plan:

The approval of the comprehensive design plan by the District Council and the approval of the preliminary plan of subdivision by the Planning Board, included numerous conditions, several of which dealt with environmental issues to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the specific design plan are addressed below. The respective conditions are in **bold** type and the associated comments are in standard type.

Comprehensive Design Plan CDP-8601

- 10. The Phase III (SDP) submittal for Pod 7 should determine the extent to which nontidal wetlands in this area will be disturbed and how this disturbance can be mitigated by wetland replacement and/or enhancement projects.**

Pod 7 is located adjacent to the Patuxent River and is not included in this application.

Preliminary Plan of Subdivision, 4-98076; PGCPB No. 99-28

- 4. With the approval of specific design plans, a Type II Tree Conservation Plan shall be approved.**

Type II Tree Conservation Plan TCPII/36/99 was approved for the entire 466.62-acre property following a clearing violation that occurred on a portion of the site that is not the subject of this application. At that time, generalized limits of disturbance were identified for each of the parcels included in this application and not all of the environmental features for the entire site were identified. The limits of disturbance identified at that time avoided disturbances to the conceptual location of the Patuxent River Primary Management Area (PMA).

The needed revisions to TCPII/36/99-01 for this application will be addressed in the Environmental Review section below.

- 5. Prior to the issuance of any permit which impacts wetland buffer, streams, waters of the U.S. or waters of the State, the applicant shall provide the Natural Resources Division with evidence that all Federal and State approvals have been obtained.**

No wetlands, wetland buffers, streams, or waters of the U.S. are proposed to be disturbed by this application.

- 6. A minimum buffer of 50 feet in width shall be shown along the banks of all streams within the property and shall be expanded to include the 100-year floodplain, nontidal wetlands, steep slopes of 25 percent and greater and slopes of 15-24 percent having soils erodibility factor 0.35 and greater. Such a buffer shall be reviewed by the Natural Resources Division prior to the Specific Design Plan approval.**

The features described by this condition compose the Patuxent River Primary Management Area (PMA). A stream is located along the northern boundary of Lots 2 and 3, Block 2. Although the streams, the 100-year floodplain, and the severe slopes are shown on the plans, the expanded buffer that constitutes the PMA is not reflected as a separate line on the plans. The stream and floodplain are also shown on a separate sheet because the 30-inch scale drawings do not allow enough room to show all of Lots 2 and 3. The plans should be submitted at 50-inch scale to show the entire boundary of Lots 2 and 3 on one page. The PMA is shown correctly on the Type I tree conservation plan that includes these lots. The 100-year floodplain must also be based on a DER- approved floodplain study.

Because there are no streams located on or adjacent to Lot 4, Block 4 this condition does not apply to this lot.

Comment: Recommended conditions to address the condition from the Preliminary Plan approval are contained in the Environmental Review section below.

Environmental Review

1. A Forest Stand Delineation (FSD) was submitted and reviewed for these lots in conjunction with the review of Preliminary Plan of Subdivision 4-98076.

Discussion: No additional information is required for the Forest Stand Delineation.

2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodlands on site, more than 5,000 square feet of woodland disturbance is proposed, and there are prior tree conservation plan approvals. A Type II tree conservation plan (TCPII) is required with the approval of a specific design plan. A TCPI/II that covers the entire site is currently under review with Preliminary Plan 4-02093.

The specific design plan as submitted with this application is consistent with TCPII/36/99 as previously approved.

It does not appear that any impacts to the PMA are proposed on the SDP or TCPII currently under review. If, when the PMA is correctly shown, impacts are shown on future plans, the plans should be revised to eliminate all impacts.

9. The *specific design plan* for infrastructure will not impact any adjacent properties; therefore, it prevents off-site property damage and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.
10. The Transportation Planning Section has reviewed the subject specific design plan application. The subject property consists of approximately 25.5 acres of land in the E-I-A Zone. The property is at the northeast corner of MD 3 and US 50 within the City of Bowie. The plan is for infrastructure and grading and proposes no development at this time. It covers Lots 2 and 3 of Block 2 and Lot 4 of Block 4.

The transportation staff has reviewed issues regarding the development of the subject site and the larger Maryland Science and Technology Center (total of 466 acres) in conjunction with A-9401, CDP-8601, and Preliminary Plan of Subdivision 4-88030. Since those plans were approved, approximately 540,000 square feet of space has been constructed within the Maryland Science and Technology Center (including 300,000 square feet that was approved under SDP-0103 and SDP-0104). The preliminary plan and CDP approvals established a cap for the initial phase of 1.95 million square feet. Preliminary Plat of Subdivision 4-98076 affirmed a cap of 2,200 AM and 2,605 PM peak-hour vehicle trips for all remaining development on the site.

There are a number of transportation-related conditions on earlier development review stages; these are reviewed in detail below:

CDP-8601:

Condition 3—Required upgrading of MD 3/Belair Drive/Melford Boulevard prior to development, up to a maximum of 400,000 square feet. The intersection has been replaced with an interchange. OK.

Condition 4—Required an interchange at MD 3/Belair Drive/Melford Boulevard for development beyond 400,000 square feet and up to 1,950,000 square feet. The interchange is complete and open to traffic. OK.

Condition 5—Required new traffic study after 1991 or after completion of improvements to US 50. A new traffic study was prepared in 1998 and reviewed in conjunction with Preliminary Plan of Subdivision 4-98076. OK.

Condition 6— Established dedication widths for internal streets. All streets have been dedicated in accordance with this condition. OK.

Condition 7—Required that the impact of development along Belair Drive be minimized. This has been done by limiting access to Melford Boulevard. Only Lot 4 of Block 4 has frontage along Medford Boulevard. This will be reviewed further when a site plan for development is submitted.

Condition 8—Required the completion of documents establishing legal access to the property. This was done prior to the initial development on the property. OK.

Condition 9—Required setbacks to accommodate planned US 50 improvements. All improvements to US 50 have been constructed. OK.

Condition 20—Established requirement for a new traffic study prior to Stage 2 development. The subject development is within Stage 1B; therefore, this condition does not apply.

Condition 21—Restricted the Beech Tree Lane access to a right-in, right-out. This condition is complete.

Preliminary Plan of Subdivision 4-98076:

Condition 17—Established a trip cap for remaining development, based upon roadway improvements that existed in 1998 and 240,000 square feet of then-existing development, of 2,200 AM and 2,605 PM peak-hour trips. Since that time, SDP-0104 approved 300,000 square feet of office space generating 600 AM and 555 PM peak-hour vehicle trips, and SDP-0103 approved 153,250 square feet of flex space generating 112 AM and 115 PM

peak-hour trips. The subject application is for infrastructure only and will be reviewed further when actual development is proposed. The cap has not been exceeded to date, however.

Vehicular and pedestrian access within the site is acceptable. Adequate right-of-way in accordance with the Master Plan exists along MD 3 and US 50.

As noted previously, the subject property is part of a larger project, which has completed Stage 1B roadway improvements in the area pursuant to a finding of adequate public facilities made in 1988 for Preliminary Plans of Subdivision 4-88030 and 4-98076. Insofar as the basis for those findings is still valid, and in consideration of the materials discussed earlier in this memorandum, the transportation staff finds that the subject property will be adequately served within a reasonable period of time with transportation facilities that are existing, programmed, or will be provided as a part of the development if the development is approved. Furthermore, as long as the access modification associated with Condition 7 of the basic plan is made, the submitted plans are in conformance with past approved plans, including the approved Comprehensive Design Plan.

11. In a memorandum dated January 10, 2003, the City of Bowie indicated that because there is no construction proposed, the city has no comment.

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 the Type II Tree Conservation Plan (TCPII/36/99-01), and further APPROVED Specific Design Plan SDP-0203.

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 Scott, seconded by Commissioner Eley, with Commissioners Scott, Eley, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 6, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of February 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk