

R E S O L U T I O N

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 May 29, 2003, regarding Specific Design Plan SDP-0301 for Maryland Science and Technology Park Stormwater Management Ponds, Blocks 5 & 6, the Planning Board finds:

1. **Location**—The subject property is located in the northeast quadrant of the intersection of Crain Highway (US 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 U.S. 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 US 3 right-of-way.
2. **The Proposed Development**—The purpose of this Specific Design Plan is for approval of two proposed stormwater management ponds on Blocks 5 and 6.

3. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	E-I-A	E-I-A
Use(s)	Vacant	SWM Ponds
Acreage		
Block 5	9.07	9.07
Block 6	31.4	31.4
Lots	0	0
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 conformance with the approved Basic Plan. .

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 2 considerations. The proposed Specific Design Plan is in conformance with the approved Comprehensive Design Plan.
6. **Preliminary Plan of Subdivision, 4-02093**—On February 6, 2003, the Planning Board approved Preliminary Plan 4-02093 (PGCPB No.03-23) for the Maryland Science and Technology Center with nine conditions. The Specific Design Plan is in conformance with most of the conditions. For a discussion of Condition 7, see Finding 11 below.
7. 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 proposed development is limited to two stormwater management ponds only, the development will result in the generation of zero AM and PM trips.
8. 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 blocks have an approved Stormwater Management Concept Plan (FWA 88390.60) by the City of Bowie.
9. The Environmental Planning Section has reviewed the above referenced Specific Design Plan stamped as accepted for processing by the Environmental Planning Section on March 14, 2003, and the TCPII stamped as accepted for processing by the Environmental Planning Section on April 7, 2003. The application as submitted does not impact environmental features beyond those previously approved. The Specific Design Plan, SDP-0301, has been found to be consistent with approved TCPII/36/99-01, which does not require additional revisions. SDP-0301 is recommended for approval subject to one condition.

Background

This site was previously reviewed by the Environmental Planning Section in conjunction with Comprehensive Design Plan CDP-8601, Specific Design Plans SDP-0201 and SDP-0203, Preliminary Plan of Subdivisions 4-98076 and 4-02093; the Type I Tree Conservation Plan, TCPI/44/98-01; and the Type II Tree Conservation Plan, TCPII/36/99-01; all of which were approved. TCPII/36/99-01 was originally approved solely to resolve a violation of the Woodland Conservation Ordinance that occurred east of Curie Drive. The current application is for two

stormwater management ponds. Because this site is within the City of Bowie, stormwater

management approval is conducted by the City of Bowie.

Site Description

The area in this application totals 109.77 acres and is 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 US 301. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are found to occur on this property. Although US 50 and 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, Ochlockonee and Shrewsbury. The Adelphia and Shrewsbury 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. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication titled "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, directly adjacent to the Patuxent River, and in the Developing Tier as reflected in the adopted Biennial Growth Policy 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** typeface and the associated comments are in standard typeface.

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.**

A Type II Tree Conservation Plan, TCPII/36/99, was approved for the entire 466.62-acre property

following a clearing violation. A revision to this TCPII was approved with SDP-0201 and SDP-0203.

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. **If disturbances to these features are proposed, the appropriate permits will be submitted at time of grading permit.**

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, non-tidal 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). 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 PMA is shown correctly on the Type II Tree Conservation Plan that includes these lots and must be shown on the SDP.

Required Revision: Revise the SDP to show the PMA as it is shown on the approved Type II Tree Conservation Plan.

Environmental Review

As revisions are made to the plans, the revision boxes on each plan sheet shall be used to describe the changes, the date made, and by whom.

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

Comment: No additional information is required with respect to the Forest Stand Delineation.

- b. 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 woodland on-site, and there are previously approved Tree Conservation Plans. TCPI/44/98 and TCPII/36/99-01 encompass the parcels included in this application.

This application was evaluated for compliance with TCPII/36/99-01 and was found to conform to the previously approved plan. No Woodland Conservation Areas will be

impacted by the development of this site as reflected on the Specific Design Plan, SDP-0301. Furthermore, the woodland clearing proposed by this application was previously identified as woodlands to be cleared and will not require any adjustment to the overall site requirements. The requirements for the parcels included in this application have been provided for on other areas of the Maryland Science and Technology Center property.

Discussion: No further information with respect to TCPII/36/99-01 is required and no revisions to the approved Tree Conservation Plan are necessary.

10. The Specific Design Plan for stormwater management ponds 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.
11. Staff of Department of Parks and Recreation (DPR) has reviewed the submitted plans for Specific Design Plan SDP-0301 for the construction of the Storm Water Management Ponds and finds that the following condition of approval of Preliminary Plan 4-02093 and notes on the approved preliminary plan are applicable to the above application:

Condition 7: In accordance with the *Adapted and Approved Bowie-Mitchellville and Vicinity Master Plan*, the location of the master plan trail in the vicinity of regional stormwater management pond #2 shall be determined at the time of review of the SDP for the pond. The trail should not have a negative impact on the applicant's development scheme. Every attempt shall be made to respect a 30-foot standard width for the trail easement or dedication. If at the time of SDP for the regional pond the trail cannot be located between the pond and the floodplain a tentative location around the perimeter of the pond shall be shown on the plan, to be modified by subsequent SDP's that show the actual development scheme. The location should be free of environmental constraints and agreeable to DPR, the applicant, and the trail coordinator.

Comment: The location of the master plan trail and trail easement has not been identified on the plans. This condition of the Preliminary Plan 4-02093 has not been met.

General Note #12 on approved Preliminary Plan 4-02093 states: The required master plan trail easement shall be field located at the time of the approval of the required SDP in the vicinity of the 100-year floodplain.

Comment: The applicant did not request field location of the trail to determine the master plan trail location and determine the location of the trail easement.

General Note #13 on approved Preliminary Plan 4-02093 states: The eastern property line of proposed Parcel "A" may be altered at the time of review of SDP and reflected on the final plat of subdivision to insure conveyance of 96 acres to M-NCPPC as required by Condition 16 of CDP-8601.

Comment: Condition 16 of CDP-8601 states that the applicant will convey to M-NCPPC by donation 96 acres of 100-year floodplain adjoining the Patuxent River. The property line of Parcel A has not been altered to ensure conveyance of the entire floodplain to M-NCPPC.

The Department of Parks and Recreation (DPR) recommends approval of SDP-0301, subject to conditions 1.a. and b. below.

12. In a memorandum dated May 8, 2003, the City of Bowie recommended approval of SDP-0301, subject to five conditions. Conditions 2 and 3 have already been incorporated as conditions recommended by the Department of Parks and Recreation. The City has agreed that Conditions 1 and 4 are no longer necessary. The City's Condition 5 has been incorporated into the Recommendation Section as Condition 2.

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 Specific Design Plan for the above-described land, subject to the following conditions:

1. Prior to signature approval of SDP-0301:
 - a. The plans shall be graphically revised to indicate conveyance of the 100-year floodplain to M-NCPPC.
 - b. The applicant shall revise the plans to locate the master plan trail in accordance with Preliminary Plan, 4-02093, condition #7
 - c. Revise the SDP to show the PMA as it is shown on the approved Type II Tree Conservation Plan.
2. Should any use other than commercial be approved for this site, a new stormwater management concept plan shall be submitted to the City for approval.
3. Prior to Final Plat approval, a 30-foot-wide trail easement shall be recorded for the master -planned trail construction, maintenance and public use.

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 Lowe, seconded by Commissioner Vaughns, with Commissioners Hewlett, Lowe, Vaughns, Eley and Scott voting in favor of the motion, at its regular meeting held on Thursday, May 29, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of May 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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