



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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April 4, 2023

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: James Hunt, Chief, Development Review Division *JRH*
Jeremy Hurlbutt, Supervisor, Zoning Section, Development Review Division *JDH*

FROM: Andrew Shelly, Planner II, Urban Design Section Development Review Division *AS*

SUBJECT: **Item 8 – Specific Design Plan SDP-2206**
National Capital Business Park, Parcels 7, 8, & 9
Planning Board Agenda April 6, 2023 – Staff Revisions to Technical Report

This supplemental memorandum provides staff's revised findings (added text underlined, deleted text [~~striketrough~~]) and the following adjustments are recommended to the technical staff report dated March 16, 2023.

Proposed revisions to Finding 5, pages 4–5:

5. **Previous Approvals:** The subject property was included in Zoning Map Amendment (Basic Plan) A-9968-03, approved by the Prince George's County District Council on May 9, 2022, and in an amendment to a Comprehensive Design Plan, CDP-0505-02, approved by the Prince George's County Planning Board on May 5, 2022...

The subject application is zoned LCD (formerly R-S), but is subject to the requirements of the Employment and Institutional Area (E-I-A) Zone and permitted under Footnote 38, as authorized, pursuant to the provisions of Prince George's County Council Bill CB-22-2020. The subject parcels (7, 8, and 9) will be developed with warehouse/distribution uses permitted in the E-I-A Zone, per Section 27-515(b) of the prior Prince George's County Zoning Ordinance. In addition, pursuant to the provisions of CB-105-2022, the subject property may develop in accordance with the standards and uses applicable to the E-I-A Zone because the property is identified within a designated employment area in a master plan or sector plan. Pursuant to Section 27-528 of the Zoning Ordinance, the Planning Board does not approve uses with an SDP application but, instead, reviews and approves the physical development of a property, including items such as buildings, architecture.

landscaping, circulation, and the relationships between them. The development proposed with this SDP is for Parcels 7, 8, and 9, as currently shown on PPS 4-21056.

Proposed revisions to Finding 6, pages 5–6:

6. **Design Features:** The 358,450-square-foot warehouse and distribution building will be [46] 43 feet tall. The site will have three access points: two on Queens Court and one on Logistics Lane. There will be 271 parking spaces (including 8 handicap-accessible spaces), 12 bicycle spaces, [65] 63 loading docks, and 145 loading spaces. The proposed building also features two 12-foot by 14-foot drive-in doors and two 24-foot by 14-foot drive-in doors. A condition is included herein, to state the correct number of parking spaces on all plans. The building is oriented in a manner where the primary entrance will face Queens Court to the north. Loading docks will be located on the eastern and western elevations of the proposed building, and the southern elevation will consist of two large doors for shipping and receiving goods and materials. The southern elevation will face a 3-acre storage yard, which has been appropriately screened. A condition is included herein, to include the number of bicycle spaces in the parking table shown on Sheet 6 within this SDP.

As part of this SDP, the applicant proposes a 3-acre outdoor storage yard as an accessory use to the warehouse and distribution use. The storage yard will include plumbing materials incidental to the primary warehouse and distribution use. Accessory uses of all types are permitted in the prior E-I-A Zone use table. At this time, no structures are proposed within the designated storage yard area of this SDP. The proposed storage yard is adequately screened from the public right-of-way, Locust Lane, via an 8-foot-high vinyl (white) opaque fence and Section 4.2 landscape buffering plantings. The white opaque fencing will be provided in the western bufferyard, directly adjacent to [~~Locust~~] Logistics Lane, and an 8-foot-high black vinyl coated chain link fence will be provided to screen the remainder of the storage yard that is not visible from the public right-of-way. A future expansion of the storage yard is possible as there is an additional three acres of space. This expansion could be necessary if the building is expanded or if the operational needs of the user require additional space. Any future expansion of the main building would require an amendment to the SDP. Fences over six feet in height are typically required to meet the setbacks for main buildings. In the E-I-A Zone, development standards for a project (including building setbacks) are established at the time of CDP and are project specific. Accordingly, the setbacks for buildings in the National Capital Business Park were established as part of the approved CDP design guidelines. The location of the 8-foot-high fence proposed in the SDP is located within the standard side and rear setbacks (i.e., 20 feet). However, the approved CDP design guidelines also authorizes the Planning Board to approve variations from the standard setbacks, at the time of SDP.

The applicant is proposing an 8-foot-high fence to provide security for the loading and storage areas. Given the size of the proposed building, the location of Logistics Lane, and the shape of Parcels 7, 8, and 9, it is difficult to locate an 8-foot-high perimeter fence around the side and rear loading/storage areas without entering the standard setbacks. Nonetheless, the location of the 8-foot-high fence is appropriate, as the rear of the property abuts open space areas and the side yards of the fenced areas either abut another development parcel or are located at the end of an industrial street. The portion of the fence along the public

street (i.e. Logistics Lane) will be an opaque vinyl fence to screen views into the storage/loading areas from the street. Further, the proposed fence will largely be screened by the proposed warehouse/distribution building proposed in the SDP. For these reasons, staff recommend the Planning Board approve a modified setback for the proposed 8-foot-high fence (as authorized by the approved CDP design guidelines) requested as part of the proposed SDP.

The applicant has also proposed two concrete screening walls attached to the proposed building (as shown in Applicant's Exhibit 3). Specifically, the end user has requested the addition of the concrete screen walls to shield the proposed loading areas of the main building. These screening walls are attractively designed and consist of materials (i.e. cast concrete) and colors that are compatible with the main building. In addition, the applicant has proposed a third concrete wall that replaces a previously proposed 2-foot block retaining wall. The details for all three walls are shown on Applicant's Exhibit 3.

Proposed revisions to Finding 7, pages 9-10:

7. **Prince George's County Zoning Ordinance:** The SDP application has been reviewed for compliance with the requirements of the E-I-A Zone of the prior Zoning Ordinance. The subject application is in conformance with the applicable requirements of the prior Zoning Ordinance, including the requirements associated with the uses proposed within Footnote 38 of Section 27- 515(b) and the applicable regulations of the E-I-A Zone, which include Sections 27-500 and 27- 501 of the prior Zoning Ordinance...

Section 27-528 of the prior 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, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A- C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority**

The SDP has been reviewed by [the Planning Board] staff and determined to be in compliance with approved CDP-0505-02 and the applicable design guidelines. This application is for a warehouse use and there are no residential uses, and parts of this requirement are not applicable to this development.

- (5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible.**

This SDP has been reviewed by ~~[the Planning Board]~~ staff and determined that environmental features are preserved and/or restored, to the fullest extent possible. The proposed SDP preserves all regulated environmental features, to the fullest extent possible, in accordance with Section 24-130(b)(5) of the prior Subdivision Regulations, and further seeks to minimize any impacts to said features through its plan design. An important feature of this project is the significant amount of open space and natural features being preserved by the applicant. Approximately, 185.39 acres of the National Capital Business Park will be preserved as open space, including 20 acres that have been dedicated to M-NCPPC for a public park. Within this acreage, most of the regulated environmental features of the subject property are contained, including PMA, floodplain, and woodland conservation areas.

Proposed revisions to Finding 9, page 14:

- 9. Comprehensive Design Plan CDP-0505-02:** The District Council affirmed the Planning Board's decision to adopt CDP-0505-02 and TCP1-004-2021-02 on September 19, 2022, subject to seven conditions. The subject application is in conformance with the approved CDP and its associated design guidelines. The relevant conditions applicable to this SDP are 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.**

Transportation Planning staff reviewed this application and determined that the development does not exceed the trip cap and conforms with this requirement. Further, Transportation Planning staff reviewed and agrees with the applicant's phasing plan dated October 13, 2022, submitted as part of this application, which contains Exhibit 1 demonstrating that the AM and PM peak-hour trips generated by the development in this SDP will not exceed the approved trip cap.

Proposed revisions to Finding 10, pages 15 and 18-21:

- 10. Preliminary Plan of Subdivision 4-21056:** PPS 4-21056 was approved, subject to 22 conditions, and the conditions relevant to the review of this SDP are listed below in **BOLD** text. Staff analysis of the project's conformance to these conditions follows each one in plain text:

- 2. Total development within the subject property shall be limited to uses which generate no more than 1,401 AM peak-hour trips and 1,735 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.**

The site is subject to prior approved SDP-1603-02, pending SDP-2201, and pending SDP-1603-03, which considered a total of 3,898,857 square feet of warehouse/distribution uses so far as part of the overall National Capital Business Park development. This SDP application proposes the development of approximately 358,450 square feet of the general warehouse, which if approved, will bring the total site development to 4,257,307 square feet of warehouse/distribution uses which is under the 5.5 million square feet of development that was considered as part of the approved PPS application. As such, the uses and development program proposed with the SDP is consistent with the PPS application, and staff finds that the trips generated by the phased development of the subject SDP are within the trip cap. Further, Transportation Planning staff reviewed and agrees with the applicant's phasing plan dated October 13, 2022, submitted as part of this application, which contains Exhibit 1 demonstrating that the AM and PM peak-hour trips generated by the development in this SDP will not exceed the approved trip cap.

- ~~[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.]~~
- ~~[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.]~~
- ~~[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.]~~

~~[The boundaries, parcel identification, and acreage of the parcels to be conveyed to M-NCPPC were included on SDP-1603-01 and will be required to be conveyed with the first final plat for this development.]~~

- ~~[14. At the time of the first final plat, in accordance with Section 24-134(a)(4) of the prior Prince George's County Subdivision Regulations, approximately 113.21 +/- acres of parkland, as shown on the preliminary plan of subdivision, shall be conveyed to the Maryland National Capital Park and Planning Commission (M-NCPPC). The land to be conveyed shall be subject to the following conditions:~~
- ~~[a. An original, special warranty deed for the property to be conveyed, (signed by the Washington Suburban Sanitary Commission Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, Upper Marlboro, along with the application of first final plat.~~
 - ~~[b. The applicant and the applicant's heirs, successors, and/or assignees shall demonstrate any liens, leases, mortgages, or trusts have been released from the land to be conveyed to M-NCPPC.~~
 - ~~[c. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and 11 SDP-2201 gutters, and front-foot benefit charges prior to and subsequent to application of the first building permit.~~
 - ~~[d. The boundaries, lot or parcel identification, and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.~~
 - ~~[e. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Prince George's County Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair, or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the M-NCPPC Office of the General Counsel) shall be submitted to DPR within two weeks prior to applying for grading permits.~~

- [f. ~~All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled, and underground structures shall be removed. The Prince George's County Department of Parks and Recreation shall inspect the site and verify that land is in an acceptable condition for conveyance, prior to dedication.~~
- [g. ~~Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Prince George's County Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement, prior to issuance of grading permits.~~
- [h. ~~In general, no stormwater management facilities, tree conservation, or utility easements shall be located on land owned by, or to be conveyed to, M-NCPPC. However, the Prince George's County Department of Parks and Recreation (DPR) recognizes that there may be need for conservation or utility easements in the dedicated M-NCPPC parkland. Prior to the granting of any easements, the applicant must obtain written consent from DPR. DPR shall review and approve the location and/or design of any needed easements. Should the easement requests be approved by DPR, a performance bond, maintenance and easement agreements may be required, prior to issuance of any grading permits.]~~
- [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.
 - [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.
 - [c. Prior to submission of the final plat of subdivision for any parcel, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed private recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of the on-site feeder trail, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the

~~Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.~~

- ~~[d. Prior to approval of building permits for a new building, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the on-site feeder trail.]~~**

~~[The alignment and a detailed construction cross section for the on-site feeder trail, as well as its trigger for construction, were approved with infrastructure SDP-1603-01.]~~

- ~~[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. 13 SDP-2201~~**

- ~~[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.]~~

~~[SDP-1603-01 approved the location and concept design details for the Collington Branch Stream Valley hiker trail. This condition will be further reviewed at the time of final plat and building permit.]~~

18. Development of this subdivision shall be in conformance with an 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."

19. Prior to the issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision: "This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved."

~~[TCP2-026-2021-07 was submitted with the SDP. Staff has reviewed and determined that the TCP2 conforms to approved TCP1-004-2021-03, subject to the conditions contained within the Recommendation section of this technical staff report.]~~

TCP2-026-2021-07 was submitted with the SDP. In accordance with Conditions 18 and 19 above, staff has reviewed and determined that the TCP2 conforms to approved TCP1-004-2021-03, as discussed in Finding 13 of this technical staff report, subject to the conditions contained in the Recommendation section of this

technical staff report. The above referenced notes were included on the approved final plat(s) of subdivision for the project.