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October 20, 2025

Hon. Edward P. Burroughs III  
Chair  
Prince George's County Council  
Wayne K. Curry Administration Building  
1301 McCormick Drive, 2nd Floor  
Largo, MD 20774

**Re: Opposition to CB-105-2025 and CB-92-2025  
(Flagship Project Overlay Zone)**

Dear Chair Burroughs and Members of the County Council:

On behalf of Greater Capitol Heights Improvement Corporation (GCHIC), we write to express our **strong opposition to CB-105-2025 and CB-92-2025**, which together would establish the **Flagship Project Overlay Zone (FPOZ)**. These bills would dismantle core public accountability and transparency safeguards that have long defined Prince George's County's development review process and that have been critical to rebuilding public trust in recent years.

CB-105-2025 is substantively identical to LDR-153-2025, reviewed by the Planning Board on October 16 and forwarded to the Council without a recommendation. Our detailed written comments to the Board opposing that proposal are attached hereto and incorporated herein by reference.

Prince George's County has worked hard to restore public trust after the painful and widely publicized corruption scandals of the Jack and Leslie Johnson era. That chapter remains one of the darkest in our County's modern history—when backroom deals and pay-to-play development approvals eroded confidence in local government and damaged our reputation regionally. The comprehensive Zoning Rewrite and related reforms were meant to ensure that such abuses would not recur. Whatever the fast-tracking intentions of the current FPOZ effort, its structure reopens precisely the kinds of loopholes that enabled that culture to take root. Under the banner of "Elevate Prince George's," the County should not risk sliding back toward the practices it has worked for more than a decade to overcome.

## 1. Erosion of Public Review and Oversight

The bills together would eliminate or drastically weaken every meaningful opportunity for public participation in the review of major, high-impact developments:

- **No public hearings under the Subdivision Ordinance.** CB-92-2025 replaces the existing subdivision and adequacy process with a privately negotiated agreement between the developer and the County Executive's office called the **Flagship Project Mitigation Agreement (FPMA)**. Rather than demonstrating compliance with objective standards for schools, transportation, fire, police, and parks, an applicant may simply rely on the privately negotiated FPMA. The subdivision process is also where General Plan and Master Plan conformance is initially evaluated.

Why should some of the largest potential development projects in the County not be required to demonstrate compliance with these standards in a public, judicially reviewable process, like every other project in the County?

- **Elimination of Detailed Site Plan hearings.** CB-105-2025 exempts all FPOZ projects from Detailed Site Plan review, where site-specific project details are evaluated.
- **Early grading and incomplete applications.** Both bills allow land disturbance and permit processing to begin before technical reviews are complete, bypassing the normal safeguards designed to ensure that projects are feasible and environmentally sound.

These changes directly contradict the County's own **Creating a World-Class Public Participation Process for Land Use and Zoning Decisions** (2016), which emphasized **clarity, transparency, and meaningful engagement** as prerequisites for credible decision-making. Together, they not only weaken procedural integrity but also erode the foundation of public trust—a theme we return to in Section 4, addressing the broader civic and democratic implications of excluding the public from decision-making.

## 2. Policy and Geographic Overreach

The FPOZ's stated purpose—to facilitate transformative redevelopment of so-called "shovel-ready" signature sites—is ostensibly aimed at three large sites: Six Flags America, Northwest Stadium, and Morgan Boulevard Metro. However, the allowable zones articulated in the legislation also encompass extensive outer-Beltway AR-zoned tracts, as well as other large parcels in multiple zones.

Because the bills contain no growth-tier or infrastructure-readiness test, the FPOZ could easily be used to greenlight large-scale sprawl developments under the guise of economic revitalization.

### 3. Environmental and Infrastructure Risks

Beyond its procedural flaws, the FPOZ's open-ended eligibility raises serious planning and environmental concerns. Specifically, by allowing subdivision approvals before stormwater concepts are approved, and by deferring grading and erosion control reviews until after platting, the bills would expose sensitive lands and downstream communities to preventable environmental harm. The lack of vigorous APF analysis also opens the door to developments proceeding without adequate schools, roads, or emergency services.

### 4. Erosion of Public Participation and Trust Under a False Premise of "Streamlining"

While painted with the positive-sounding brush of "streamlining," these FPOZ measures do substantially more than shorten timelines: **they eliminate substantive, public review.** Prince George's County has modernized its zoning and subdivision codes over the last decade to promote transparency and predictability. The FPOZ would reverse that progress by creating a separate and opaque process accessible only to the most politically connected applicants. True efficiency is born of public confidence, not the exclusion of the public itself.

Rather than fearing and eliminating the public participation process, the Council should be embracing it. Like all governments in a democracy, Prince George's County was organized to be a government **of, by, and for the people.** Public buy-in and accountability are not obstacles to progress; they are the foundations of trust that make progress sustainable. If developers cannot make a case to the public about how and why their proposed developments serve the public good and comply with the County's reasonably crafted comprehensive plans and growth strategies, perhaps they are not "shovel-ready" after all. Similarly, if a developer or the Council believes some change of circumstances merits a more flexible development strategy, the current Planned Development provisions of the Zoning Ordinance exist for that purpose—with the caveat that the Basic Plan and other details are subject to a public process.

At a time when confidence in public institutions is being tested across our nation, Prince George's County should model openness, not retreat from it. If major sites such as Six Flags, the Northwest Stadium District, and the Morgan Boulevard Metro area are to be redeveloped, their future should be shaped through genuine public engagement and within the framework of the County's adopted comprehensive plans. A process that relies on clandestine negotiations, nonbinding neighborhood meetings, and standardless "mitigation agreements" turns that democratic premise on its head and can only foster public mistrust.

### Conclusion

For all of the foregoing reasons, GCHIC urges the Council to reject CB-105-2025 and CB-92-2025. Prince George's County can only "elevate" by continuing to build

public trust through transparency and accountability, and by adhering to a growth strategy that is premised on sustainability and equity.

GCHIC stands ready to collaborate with the Council on truly transparent, equitable approaches incentivizing and fast-tracking promising redevelopment projects—but never at the cost of public trust and statutory safeguards. Thank you for your consideration of these comments and for your service to the residents of Prince George's County.

Sincerely yours,

*/s/ Bradley E. Heard*

Bradley E. Heard

/bh  
Enclosure



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# Memorandum

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**To:** Prince George's County Planning Board

**From:** Bradley E. Heard, President and Founder  
Greater Capitol Heights Improvement Corporation

**Re:** Opposition to LDR-153-2025 (Flagship Project Overlay Zone)

**Date:** October 6, 2025

## Introduction

Greater Capitol Heights Improvement Corporation (GCHIC) submits this memorandum in **strong opposition** to LDR-153-2025, the proposed legislation creating a "Flagship Project Overlay Zone." As an organization dedicated to stimulating revitalization, redevelopment, and reinvestment in the inner-Beltway gateway communities of central Prince George's County, GCHIC believes this proposal threatens to undo the progress embodied in the County's new Zoning Ordinance and to undermine the long-term vision of Plan 2035.

GCHIC's mission is rooted in ensuring that growth in Prince George's County supports sustainable transit-oriented development and advances equity for communities that have long awaited reinvestment. The Flagship Project Overlay Zone runs counter to these objectives by exempting certain large-scale projects from critical zoning requirements, limiting public participation, and diverting investment away from transit corridors. The Planning Department's October 1, 2025, staff report recommending "Support with Amendments," wholly misinterprets Plan 2035 and misleads the public about the consequences of carving broad exemptions into Subtitle 27.

For these reasons, GCHIC respectfully urges the Planning Board to recommend against adoption.

## Executive Summary

The proposed **Flagship Project Overlay Zone (FPOZ)** would exempt major development projects from the carefully structured requirements of Subtitle 27, including the Detailed Site Plan review process (LDR-153-2025 § 27-3605(a)(3)). By eliminating this central safeguard, the FPOZ removes meaningful opportunities for public participation, which were deliberately built into the new ordinance following the County's commitment to create a "world-class public participation process" (Prince George's County Planning Department, *Creating a World-Class Public Participation Process for Land Use and Zoning Decisions*, 2016, Executive Summary).

The FPOZ also undermines the Countywide General Plan (Plan 2035), which designates transit-oriented districts as the focus of the County's planned growth and mixed-use development. Instead, the FPOZ allows large-scale, auto-oriented projects on isolated parcels, contradicting both the zoning framework and the County's adopted growth strategy. In effect, the FPOZ privileges speculative, non-transit-oriented "flagship" projects at the expense of sustainable, equitable development—the very opposite of what the new zoning ordinance was designed to do. Accordingly, GCHIC urges the Planning Board to recommend against this legislation.

## Background and Legislative Context

Subtitle 27, the Prince George's County Zoning Ordinance, became effective on April 1, 2022. It was the product of years of work to modernize the County's land use regulations, align development review with the General Plan, and implement best practices in public participation. Among other reforms, Subtitle 27 introduced clear standards for development, integrated review procedures to promote transparency, and emphasized transit-oriented development as a key growth strategy (see Subtitle 27, Part 27-4 (Zones and Zone Regulations) and Part 27-3 (Administration)).

Plan 2035, adopted in 2014, identifies transit-oriented districts as the focal points for growth and development and calls for concentrating medium- to high-density residential and mixed-use development along transit corridors, particularly in the Developed Tier, to support sustainable growth and equitable reinvestment.

LDR-153-2025 would fundamentally alter this framework by establishing a Flagship Project Overlay Zone. The proposed legislation:

- Exempts any development in the FPOZ from the requirements of Detailed Site Plan review (LDR-153-2025 § 27-3605(a)(3)).
- Allows DPIE to issue grading permits for flagship sites before full entitlement, authorizing removal of structures, utilities, and large-scale site alterations (LDR-153-2025 § 27-3610(c)).

- Bars variances from FPOZ standards (LDR-153-2025 § 27-3613(b)(2)(Z)), while expanding departures from zoning ordinance standards in FPOZ sites (LDR-153-2025 § 27-3614).
- Amends the Town Activity Center zone's purpose statement to include "flagship sites...not immediately served by fixed-guideway transit," reorienting a transit-focused zone to justify non-transit locations (LDR-153-2025 amending Subtitle 27 § 27-4204(d)(1)).
- Creates a special termination pathway for Legacy Comprehensive Design (LCD) zone and Planned Development (PD) zone Basic Plans in FPOZ areas, allowing owners to exit previously binding commitments (LDR-153-2025 § 27-4205(c)(6)).
- Amends principal use tables (§§ 27-5101/5102) and vehicular circulation standards (§ 27-6206) to broaden use permissions and adjust access requirements (LDR-153-2025).

Taken together, these provisions exempt "flagship" projects from the new zoning ordinance's most important checks and balances, effectively hollowing out Subtitle 27's protections for precisely the types of projects with the greatest potential impacts on communities and the County's growth trajectory. The Planning Department staff's assertion that these changes are consistent with Plan 2035 and meet the legislative amendment standards under § 23-3501 is a shockingly disappointing misinterpretation and abandonment of its commitment to the strategic growth principles upon which Plan 2035 was based.

## Analysis

### Procedural Conflicts with Subtitle 27

The Flagship Project Overlay Zone creates fundamental procedural conflicts with the Zoning Ordinance. These conflicts undermine the transparent, participatory review framework that was carefully built into Subtitle 27.

- 1) **Loss of Detailed Site Plan review.** The Detailed Site Plan process is one of the ordinance's primary mechanisms for ensuring accountability. Under Subtitle 27, Detailed Site Plans are decided by the Planning Board, with the District Council retaining authority to hear appeals or elect review (see Subtitle 27 Part 27-3; Summary Table of Development Review Responsibilities). This procedure guarantees a public hearing and provides residents with an evidentiary forum to raise concerns and shape project outcomes, along with judicial review rights. The proposed FPOZ exemption from DSP review (LDR-153-2025 § 27-3605(a)(3)) eliminates this forum entirely. The very projects that carry the most far-reaching consequences would avoid the most rigorous level of public review, contrary to the intent of Subtitle 27.



The staff report characterizes the FPOZ as simply “streamlining” review, drawing an analogy to expedited procedures for transit-oriented developments under § 27-3619(c). This is incorrect. The expedited TOD process preserves evidentiary hearings and Detailed Site Plan review; it merely shortens timelines. The FPOZ, by contrast, eliminates these safeguards entirely—replacing them with discretionary administrative approvals that lack transparency.

- 2) **Premature grading permits.** Subtitle 27-6 provides that development standards apply at the appropriate stage of project review, with limited exemptions for minor activities such as repairs, maintenance, or small disturbances (Subtitle 27 § 27-6103). The FPOZ introduces a significant new loophole by allowing DPIE to issue grading permits before entitlements are fully secured (LDR-153-2025 § 27-3610(c)). This provision authorizes rough grading, demolition of structures, and removal of utilities in advance of public review. Such premature action can irreversibly alter sites, constrain later planning options, and deprive communities of meaningful input on the ultimate form of development.
- 3) **Evasion of variance standards.** Subtitle 27 requires that relief from zoning standards be considered through variance or departure processes, which involve findings of hardship and are subject to public participation, including judicial review (Subtitle 27 §§ 27-3613, 27-3614). The FPOZ carves out an exception by barring variances from its standards (LDR-153-2025 § 27-3613(b)(2)(Z)), while simultaneously expanding departure authority to apply within the FPOZ. This scheme insulates flagship projects from the normal checks and balances that apply to all other development. It effectively shifts discretion away from transparent, adjudicated findings toward legislative discretion exercised without consistent criteria.
- 4) **Substitution of administrative CPTED review.** The FPOZ requires that building permits in flagship projects be referred to the Police Department for review under Crime Prevention Through Environmental Design (CPTED) principles (LDR-153-2025 § 27-3406(a)(2)). While public safety is important, this administrative referral does not provide a substitute for public hearings and evidentiary review. Subtitle 27's procedural framework envisions multi-faceted review bodies—the Planning Board, Zoning Hearing Examiner, and District Council—making balanced decisions informed by both staff analysis and community testimony. By shifting review to internal administrative comments, the FPOZ strips the process of transparency and community voice.

These procedural contradictions set the stage for broader inconsistencies with the County's adopted policy framework. The following section explains how the FPOZ directly conflicts with Plan 2035's growth management and equity principles.

## Substantive Conflicts with Zoning Framework

The Flagship Project Overlay also creates substantive conflicts with the structure and purposes of Subtitle 27. These conflicts affect the integrity of the zoning system itself.



- 1) **Hollowing Out Zoning Ordinance Protections.** Under Subtitle 27, overlay zone regulations prevail where they conflict with base zone standards (Subtitle 27 § 27-4104). This rule was designed to allow overlays to add targeted protections or special conditions, such as for historic resources or environmentally sensitive areas. The FPOZ uses this principle in reverse: it is structured to override and nullify core procedures and standards of the ordinance itself, including site plan review and entitlement sequencing. In this way, the FPOZ converts the overlay tool from a protective measure into a loophole, hollowing out Subtitle 27's substantive safeguards.

Even staff concedes in its report that the FPOZ “will introduce disparate standards for a subset of properties.” While overlays may lawfully create specialized standards, they must do so in a manner that *supplements* and remains consistent with the framework of the underlying zones. The FPOZ instead inverts that relationship, using the overlay mechanism to nullify the very procedures and safeguards that give the base zones meaning. In doing so, it undermines the purpose and coherence of Subtitle 27's zoning hierarchy.

- 2) **Undermining Transit-Oriented Zones.** Transit-Oriented/Activity Center zones are carefully defined to focus growth near transit stations and designated centers (Subtitle 27 § 27-4204(b)). Their purposes and location standards tie eligibility to areas supported by transit, consistent with Plan 2035. The FPOZ amends the purposes of the Town Activity Center Zone to encompass “flagship sites...not immediately served by fixed-guideway transit” (LDR-153-2025 amending § 27-4204(d)(1)).

Even more concerning, staff recommends expanding the FPOZ to include the Regional Transit-Oriented (RTO-L) Core and Edge zones (§ 27-4205(c)(6); Staff Report pp. 4, 11). As § 27-4200 states, the purpose of RTO zones is to ‘promote compact, mixed-use development in areas served by existing and planned transit.’ Expanding the FPOZ to RTO zones directly contravenes that purpose. Additionally, RTO zones already provide flexible, by-right opportunities for high-quality, transit-proximate development. To the extent a developer desires additional flexibility, the existing Planned Development zones provide it, but do so in a public, transparent, and judicially reviewable process, rather than By standardless and clandestine administrative processes.

- 3) **Loosening Planned Development commitments.** Planned Development (PD) and Legacy Comprehensive Design (LCD) zones are governed by Basic Plans and Conditions of Approval, which create enforceable commitments that ensure predictability and public benefit (Subtitle 27 § 27-4301). The FPOZ introduces a new termination pathway for Basic Plans within FPOZ areas, allowing property owners to unilaterally exit these commitments (LDR-153-2025 § 27-4205(c)(6)). This undermines the legal certainty that is the hallmark of the PD system. It effectively strips communities of the negotiated protections they secured through earlier approvals, destabilizing expectations and eroding confidence in the zoning process.

- 4) **Use and mobility deregulation.** Subtitle 27's Principal Use Tables (Subtitle 27 §§ 27-5101, 27-5102) and development standards, including vehicular access requirements (§ 27-6206), carefully calibrate the uses and mobility patterns allowed in each zone. These provisions ensure compatibility, manage traffic impacts, and advance multimodal goals. The FPOZ's amendments broaden use permissions and alter access standards, shifting emphasis toward auto-oriented site design. This significantly undercuts the County's stated commitment to multimodal access and sustainable design.

Taken together, these substantive conflicts reveal that the FPOZ is not merely an overlay zone. Rather, it is an exemption regime that fundamentally disrupts the logic and balance of Subtitle 27. The legislation undermines the consistency, predictability, and transparency that are the hallmarks of zoning law.

## Conflicts with Plan 2035

The Flagship Project Overlay is also fundamentally inconsistent with the Countywide General Plan, Plan 2035. The General Plan articulates a clear growth management strategy that prioritizes investment in transit-oriented districts, reinforces transit-oriented development, and directs resources toward the Developed Tier. The FPOZ diverges sharply from these mandates.

Staff incorrectly invokes Plan 2035's statements regarding modernization and streamlining of the zoning process (p. 252) in support of the FPOZ. Plan 2035 was speaking of the need to modify and streamline the outdated ordinance that preceded the ordinance that took effect on April 1, 2022. The new zoning ordinance established clear, uniform standards designed to implement Plan 2035's growth management framework, which directs the County to focus new development in transit-oriented districts and corridors, not to establish countywide exemptions for unplanned mega-projects.

- 1) **Growth policy contradiction.** Plan 2035 states that transit-oriented districts are the focus of the County's planned growth and mixed-use development. These districts were identified precisely to concentrate growth where infrastructure and transit capacity already exist. By enabling "flagship" projects on large, isolated parcels—including areas not proximate to transit—the FPOZ disregards this foundational policy, allowing diffused growth in precisely the ways the County has sought to avoid.
- 2) **Transportation and mobility policy contradiction.** Plan 2035 requires that transportation improvements support its land use pattern and directs that medium- and high-density development be concentrated along transit corridors to sustain transit service (see Plan 2035 Transportation policies emphasizing multimodal improvements in transit-oriented districts and centers). The FPOZ, by amending vehicular access standards (§ 27-6206) and permitting flagship projects not served by fixed-guideway transit, shifts emphasis toward auto-dependent development. This undermines multimodal priorities, exacerbates traffic congestion, and dilutes the County's investment in Metro

and bus infrastructure. It is both inconsistent with adopted policy and harmful to the long-term viability of the County's transit system.

- 3) **Equity and reinvestment concerns.** Plan 2035 places special emphasis on equity by targeting reinvestment to the Developed Tier, including inner-Beltway communities that have long suffered from disinvestment. The FPOZ directly undermines this equity focus by creating an incentive structure that diverts major projects to greenfield or suburban parcels outside the Beltway. This not only delays promised reinvestment in inner-Beltway communities like Greater Capitol Heights, but also perpetuates the inequities Plan 2035 was designed to remedy. From both a legal and policy standpoint, the FPOZ is irreconcilable with the County's stated commitment to equitable growth.
- 4) **Cumulative impact.** The cumulative effect of these conflicts is profound. By privileging flagship projects outside designated growth areas, the FPOZ destabilizes Plan 2035's transit-oriented growth policy and jeopardizes equitable reinvestment inside the Beltway. In short, the FPOZ does not merely diverge from Plan 2035's policies; it directly contradicts them in both spirit and letter.

The staff report's own maps show how the FPOZ wreaks havoc on Plan 2035's growth policy. As Map 1 in the staff report makes clear, most sites that would qualify for FPOZ treatment fall outside the Beltway, away from transit, and in agricultural zones—exactly where Plan 2035 says substantial growth *should not* occur.

## Public Participation

Subtitle 27 was explicitly designed to institutionalize meaningful public participation in the development review process. This reflected the County's 2016 study, *Creating a World-Class Public Participation Process for Land Use and Zoning Decisions*, which emphasized that credibility in land use outcomes depends on early notice, clear information, and fair hearings. The FPOZ dismantles these commitments. The staff report fails to address this democratic deficit, focusing narrowly on non-transparent "process efficiency" while disregarding the participatory framework that the 2016 reforms were designed to protect.

- 1) **Erosion of hearing opportunities.** Detailed Site Plan review is a cornerstone of public participation. By exempting FPOZ projects from DSP review (LDR-153-2025 § 27-3605(a)(3)), the legislation eliminates one of the primary forums for evidentiary hearings where residents can voice concerns and present testimony. This exclusion is particularly harmful because flagship projects are precisely the projects most likely to raise significant community impacts.
- 2) **Undermining notice and pre-application requirements.** Subtitle 27 requires pre-application neighborhood meetings and enhanced notice procedures for major projects, ensuring that residents are engaged before key decisions are made. By exempting flagship projects from DSP review, the FPOZ effectively removes the trigger for these requirements, curtailing the very transparency

reforms the County worked to implement. The 2016 report warned against “bare-bones” notices and one-sided hearings; the FPOZ codifies that risk by depriving communities of structured input.

- 3) **Disenfranchising vulnerable communities.** The County’s public participation reforms were particularly important for historically disinvested inner-Beltway communities, where technical expertise and resources are limited. Subtitle 27 gave these communities new tools to engage in land use decisions. The FPOZ denies them those tools for the County’s most impactful projects. From an equity perspective, this compounds disparities: wealthier communities often have more informal channels of influence, while inner-Beltway residents rely on the formal processes the FPOZ strips away.
- 4) **Departure from County commitments.** The County has long promised a zoning framework that is transparent and credible. The 2016 report stressed that even when communities do not prevail, they must feel that they were treated fairly. By eliminating public hearings and meaningful notice for flagship projects, the FPOZ guarantees the opposite: residents will feel excluded from decisions that profoundly affect their neighborhoods. This loss of credibility threatens not only individual projects but also confidence in the zoning system as a whole.

## Conclusion

The Flagship Project Overlay Zone is inconsistent with Subtitle 27 and Plan 2035. It removes central public processes, undermines TOD policy, and establishes a precedent for under-the-radar development. It disenfranchises communities, especially those in the inner-Beltway that have waited longest for reinvestment, and it contradicts the County’s own commitments to equity and transparency. For these reasons, GCHIC respectfully urges the Planning Board to recommend against adoption of LDR-153-2025.