



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan 4-06016

Reconsideration Hearing

Application	General Data	
Project Name: Woodmore Towne Centre Location: Northeast quadrant of I-95 and MD 202 (Landover Road). Applicant/Address: Woodmore Towne Centre, LLC c/o Gibbs and Haller Edward C. Gibbs, Jr. 1300 Caraway Court Ste. 102 Largo MD 20774 Property Owner: Same as above	Planning Board Hearing Date:	07/12/12
	Memorandum Date:	07/02/12
	Date Accepted:	05/10/12
	Planning Board Action Limit:	N/A
	Mandatory Action Timeframe:	N/A
	Plan Acreage:	244.67
	Zone:	M-X-T
	Gross Floor Area:	1,750,000 sq. ft.
	Lots/Dwelling Units:	414/ 1,079
	Parcels:	17
	Planning Area:	73
	Tier:	Developing
	Council District:	05
	Election District	13
	Municipality:	Glenarden
200-Scale Base Map:	204NE08	

Purpose of Application	Notice Dates	
RECONSIDERATION HEARING: The Preliminary Plan was APPROVED by the Planning Board on September 21, 2006 and was adopted on October 26, 2006 (PGCPB Resolution No. 06-212). Edward C. Gibbs Jr., by letter dated April 9, 2012, requests a reconsideration of Condition 2(b) relating to the construction of the Evarts Street Bridge. The Planning Board approved the request on May 24, 2012.	Previous Parties of Record (Applicant)	04/09/12
	Previous Parties of Record (M-NCPPC)	04/25/12

Staff Recommendation		Staff Reviewer: Whitney Chellis Phone Number: 301-952-4325 E-mail: whitney.chellis@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

July 2, 2012

MEMORANDUM

TO: Prince George's County Planning Board

FROM: Whitney Chellis, Supervisor Subdivision Section, Development Review Division

SUBJECT: Reconsideration Hearing for Woodmore Towne Centre 4-06016

The Preliminary Plan was approved by the Planning Board on September 21, 2006 and the resolution of approval was adopted on October 26, 2006 (PGCPB Resolution No. 06-212)). The property is located in the north east quadrant of the intersection of the Capital Beltway and Landover Road (MD 202), in the City of Glenarden. The land (244.67 acres) is zoned M-X-T (A-9613-C), and is the subject of a zoning map amendment A-9613-C, Conceptual Site Plan (CSP) CSP-03006, and Preliminary Plan of Subdivision (PPS) 4-06016, and is the subject of record plats (lots, parcels and outlots). The preliminary plan remains valid until December 31, 2013, saving extensions that may be granted by the Planning Board pursuant to Section 24-119 of the Subdivision Regulations.

Edward C. Gibbs Jr. by letter dated April 9, 2012, requested a reconsideration of Condition 2(b) of the preliminary plan of subdivision and matters relating to the requirement for the construction of the Evarts Street Bridge, a master plan roadway known as MC-401. The Planning Board granted a waiver and the request for reconsideration for good cause in furtherance of substantial public interest (Rules of Procedure, Section 10(e)) on May 24, 2012, and the hearing on the merits of the reconsideration was set in for July 12, 2012. This hearing is on the substantive issues of that request.

The District Council, in the approval of the CSP (2007), required transportation improvements that in general related to improvements to Landover Road and the extension of Campus Way North through the subject site. In addition to those improvements, the District Council required that the applicant pay a road club fee which would be determined at the time of preliminary plan of subdivision approval. The District Council approval of the conceptual site plan (CSP) did not include a condition for the construction of the Evarts Street Bridge.

The Planning Board, in the approval of the PPS, also required transportation improvements that in general, related to Landover Road (MD 202) and the extension of Campus Way North through the subject site. In addition to those improvements, the Planning Board accepted a proffer by the applicant to construct the Evarts Street Bridge over the Capital Beltway. The Planning Board approval did not include a condition for the payment of a road club fee, but found (Finding 9, PGCPB Resolution No. 06-212) that with the applicants proffer to construct the Evarts Bridge (6.7 million dollars) and Campus Way thru the property (2.7 million dollars) that they would exceed their estimated 8.37 million dollar required

contribution toward transportation improvements in the area. The resolution of approval does not include a cost estimate for the required improvements to MD 202. As of the writing of this memorandum, staff does not have data regarding the expenditures made by the applicant for the construction of improvements to Landover Road (MD 202).

The Planning Board found that: “Given that the two items for which costs are noted above total \$9.4 million (with MD 202 costs not estimated or included), which exceeds the required Road Club fee, it is determined that no Road Club fee is required of this applicant above and beyond the improvements required and/or proffered.”

The Planning Board adopted the applicants proffer and included a condition (Condition 2a) which established a timing for the Evarts Street bridge construction based on a specific amount of development. The applicant is requesting with this reconsideration, a modification to that timing, and to push the trigger for construction to the last 50,000 square feet of office. Based on available information, it appears that 10,196 square feet of office has been constructed out of the 1,000,000 square feet of office permitted.

The analysis by staff contained in this recommendation has been focused on the applicants request to move the timing for the construction of the Evarts Street Bridge, and to establish a foundation on which to analyze the applicant's request consistent with the original traffic study and with the Planning Boards “Guidelines for the Analysis of the Traffic Impact of Development Proposals.” The staff analysis did not penetrate into the original decision and findings related to the Planning Board determination to accept the proffer by the applicant to construct the Evarts Street Bridge.

As previously indicated the property is located within the City of Glenarden. The City requested the technical assistance of the Planning Department regarding the review of this reconsideration request relating to the transportation analysis. On June 20, 2012 Tom Masog, of the Prince George’s County Planning Department, The Maryland National Capital Park and Planning Commission (M-NCPPC) Transportation Planning Section and I attended the City of Glenarden Council meeting where the Council was advised that the Planning Department had not yet completed its review of the request, and provided an explanation of how the Planning Department intended to analyze the request, as discussed further in the M-NCPPC Transportation Planning Section memorandum dated July 2, 2012 (Masog to Chellis). The Council was advised of a range of gross floor area which was tentatively being considered in the analysis of the applicants request to establish a new trigger for the construction of the Evarts Street Bridge. Prior to the completion of this memorandum staff has received the recommendation from the City Council of Glenarden recommending a new timing for the construction of the Evarts Street Bridge connection to **prior to the last 125,000 square feet of office.**

The M-NCPPC Transportation Planning Section has analyzed the applicant's original traffic study and estimated that amount of traffic which could use the Evarts Street Bridge if it were to be constructed. In the memorandum (Masog to Chellis) dated July 2, 2012 staff estimates that 20 percent of the office/retail uses may use the bridge, or 103,000 square feet. Staff recommends an adjustment in the timing for the construction of the Evarts Street Bridge connection to **prior to the last 103,000 square feet of office.**

The PPS 4-06016 was approved (PGCPB Resolution No. 06-212) for the following mix of uses:

Development Data Summary—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use(s)	Vacant	1,079 Dwelling Units 750,000 SF Retail Commercial 1,000,000 SF Office Commercial 360-room Hotel
Dwelling Units		
Multifamily	0	450
Single Family Attached	0	162
Single Family Detached	0	208
Mid-rise Condos	0	108
Townhouse Condos	0	53
2-over-2 Condos	0	98
Total	0	1,079

RECOMMENDATION

APPROVAL subject to revised findings consistent with this memorandum and the M-NCPPC Transportation Planning Section memorandum dated July 2, 2012 (Masog to Chellis) and the following deletion and revision:

PGCPB Resolution No. 06-212, File 4-06016

Replace Condition 2 with New Condition (the **bold type** indicates substantive change to Condition 2):

- 2. Prior to the issuance of any building permits:
 - a. For uses generating more than 876 AM and 1,397 PM peak hour trips within the subject property, as defined in the March 2006 traffic study as Phases II and III with trip generation determined in a consistent manner with the same traffic study, the following road improvement shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency’s access permit process, and have an agreed-upon timetable for construction with the appropriate operating agency: Campus Way: Construct Campus Way as a major collector through the site to I-95.
 - b. **For the final 103,000 square feet of commercial office space, the following road improvement shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency’s access permit process, and have an agreed-upon timetable for construction with the appropriate operating agency: Evarts Street Connection: Construct an overpass over the Capital Beltway from the end of Campus Way to existing Evarts Street.**

Delete Original:

2. ~~Prior to the issuance of any building permits for uses generating more than 876 AM and 1,397 PM peak hour trips within the subject property, as defined in the March 2006 traffic study as Phases II and III with trip generation determined in a consistent manner with the same traffic study, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency's access permit process, and have an agreed upon timetable for construction with the appropriate operating agency:~~
 - a. ~~Campus Way: Construct Campus Way as a major collector through the site to I-95.~~
 - b. ~~Evarts Street Connection: Construct an overpass over the Capital Beltway from the end of Campus Way to existing Evarts Street.~~



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mncppc.org

July 2, 2012

MEMORANDUM

TO: Whitney Chellis, Subdivision Section, Development Review Division

FROM: Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: 4-06016, Woodmore Towne Centre, Reconsideration of Condition 2(b) of PGCPB No. 06-212 for Preliminary Plan of Subdivision

The Transportation Planning Section has reviewed the reconsideration request referenced above. The subject property consists of approximately 244.67 acres of land in the M-X-T Zone. The property is located in the northeast quadrant of I-95 and MD 202. The applicant proposes a mixed-use development of 1,079 residences and 1.75 million square feet of commercial building space.

The Planning Board voted to reconsider Condition 2(b) of the resolution approving the preliminary plan. All information in support of the reconsideration request was provided with the request. These materials have been reviewed and analyzed by the staff of the Transportation Planning Section.

Background for Reconsideration

Condition 2(b) of Resolution PGCPB No. 06-212 reads as follows:

2. **Prior to the issuance of any building permits for uses generating more than 876 AM and 1,397 PM peak hour trips within the subject property, as defined in the March 2006 traffic study as Phases II and III with trip generation determined in a consistent manner with the same traffic study, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency's access permit process, and have an agreed-upon timetable for construction with the appropriate operating agency:**

...

- b. **Evarts Street Connection: Construct an overpass over the Capital Beltway from the end of Campus Way to existing Evarts Street.**

During review of the preliminary plan, the applicant prepared a traffic impact study dated March 2006, and an addendum detailing an analysis at an additional intersection was submitted dated July 2006. During the course of reviewing the study and the addendum, the fax transmittal dated June 23, 2006 and included as Exhibit 1 was also received. As a result of the fax transmittal and the improvements shown in the traffic study and its addendum, Conditions 1 through 4 of the resolution approving the subject subdivision were recommended by the Transportation Planning Section and ultimately adopted by the Planning Board into the resolution approving the subdivision.

The primary question in this reconsideration is the appropriate timing of Condition 2(b), the Evarts Street

Connection. Aside from the timing that was included in the staff recommendation and the Planning Board's final condition, the timing of this condition never was part of the record in this case. By raising the issue of timing in this\re reconsideration, the applicant has opened the door for discussion of the appropriate trigger for this condition. However, the applicant has not provided a technical justification for the request to defer Condition 2(b) to the final 50,000 square feet of commercial office space. In order to comment appropriately, it is necessary for the staff to determine if the applicant's proposal is an appropriate trigger, and if not, what an appropriate trigger would be.

It is noted at this point that the applicant's contention that actual costs for MD 202 and Campus Way improvements exceeded the required pro-rata payment for the development would be correct. It is important to note that any improvements beyond those required by the Planning Board in the approval of the preliminary plan of subdivision are not material to the overall determination. Also, it is agreed that the traffic study and the staff's analysis of the study did not assign traffic onto the Evarts Street Connection. The staff and the Planning Board did not require the applicant to revise the study in response to the receipt of the proffer.

The analysis of the Evarts Street Connection and its timing should be considered in connection to its potential for relieving other critical intersections associated with the development. As such, the focus should be upon the office and the retail components of the project, which are the components that are nearest the Evarts Street Connection and would benefit the most from the connection. The following are noted:

- Exhibit 2 shows the trip distribution from the office use as utilized in the traffic study. The dark arrow denoted with "100%" is intended to show that all trips destined for the Capital Beltway and locations inside the Beltway must use St. Joseph's Drive and MD 202 to enter and leave the site.
- Likewise, Exhibit 3 shows a similar trip distribution from the retail use. The dark arrows denoted with "100%" are intended to show that all trips destined for the Capital Beltway and locations inside the Beltway must use either St. Joseph's Drive and MD 202 or, alternatively, Glenarden Parkway, to enter and leave the site.
- The Evarts Street Connection has been retained on master plans for many years as a means of linking mixed-use development areas inside and outside of the Capital Beltway. It is also valuable in the transportation network as a means of allowing traffic approaching the I-95/MD 202 interchange the opportunity to approach from either side and avoid congestion. To that end, it is recommended that 20 percent of trips destined for the Capital Beltway or locations inside the Beltway be assumed to utilize the Evarts Street Connection. This represents the relative proximity of the Evarts Street Connection to the office and retail uses proposed on the site. To some degree, this also represents some avoidance of potential future congestion at MD 202/St. Joseph's Drive, which was found in the traffic study to operate at LOS F in both peak hours, even with improvements. This is shown schematically in Exhibits 4 and 5.

The following table presents the appropriate computations in consideration of the assignment described above:

Woodmore Towne Centre: Estimated Trips Using Evarts Street Connection					
Retail Component	Distribution	AM Trips on Evarts	AM trips not on Evarts	PM Trips on Evarts	PM trips not on Evarts
I-95 North	15%	8	33	36	142
I-95 South	10%	6	22	24	95
Inside Beltway via MD 202	17%	9	38	40	161
Inside Beltway via Glenarden Parkway	3%	2	7	7	28
Other Directions	55%	0	151	0	652
Office Component					
I-95 North	15%	60	238	54	214
I-95 South	20%	79	318	71	285
Inside Beltway via MD 202	10%	40	159	36	143
Inside Beltway via Glenarden Parkway	0%	0	0	0	0
Other Directions	55%	0	1091	0	981
Total Trips on Evarts		204		268	
Trip-Equivalent Office Space		102,771 square feet		150,224 square feet	

Using the above table, it is estimated that 204 AM and 268 PM peak hour trips from Woodmore Towne Centre would use the Evarts Street Connection. The square footage of office space equivalent to these trip totals is computed above. Using the lesser of the two numbers, given that the overpass was not an absolute requirement for adequacy but a proffer during the review process, it is determined that the requirement for the Evarts Street Connection should be placed at the last 103,000 square feet of office space.

It is well-understood that the issue of trip assignment from the site onto the Evarts Street Connection was never a part of the record in the original subdivision case. By seeking to revise the phasing in the original Planning Board resolution, the applicant has brought the overpass and its impacts under scrutiny. The above analysis is based upon reasonable assumptions using the information in the original traffic study. Had such scrutiny been given to the timing of this improvement at the time of subdivision, in all likelihood this or a very similar assessment would have been done in 2006. It should be noted that the Evarts Street Overpass would have very little impact on traffic using Glenarden Parkway, and could increase traffic along Brightseat Road.

This approach allows the applicant to move forward with all proposed retail space as well as the entire residential and hotel components of the project. It appears that 10,196 square feet of office space has been built within the Woodmore Towne Centre site, with approximately 14,000 square feet approved through detailed site plan approvals. The staging proposed herein would allow most of the remaining office space to be constructed, with only the last 103,000 square feet to be conditional upon construction of the Evarts Street Connection.

Recommended Revised Findings

It is recommended that the following findings be added to Finding 9, Transportation:

During review of the subject preliminary plan, the applicant prepared a traffic impact study dated March 2006, and an addendum detailing an analysis at an additional intersection was submitted dated July 2006. During the course of reviewing the study and the addendum, the fax transmittal dated June 23, 2006 and included as Exhibit A was also received.

The primary question in this reconsideration is the appropriate timing of Condition 2(b), the Evarts Street Connection. Aside from the timing that was included in the staff recommendation and the Planning Board's final condition, the timing of this condition never was part of the record in this case.

The analysis of the Evarts Street Connection and its timing should be considered in connection to its potential for relieving other critical intersections associated with the development. As such, the focus should be upon the office and the retail components of the project, which are the components that are nearest the Evarts Street Connection and would benefit the most from the connection. The following are noted:

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Recommended Revised Condition

It is recommended that Condition 2 be amended as follows (with no substantive change to Condition 2(a):

- 2.a. Prior to the issuance of any building permits for uses generating more than 876 AM and 1,397 PM peak hour trips within the subject property, as defined in the March 2006 traffic study as Phases II and III with trip generation determined in a consistent manner with the same traffic study, the following road improvement shall (a) have full financial

assurances, or (b) have been permitted for construction through the operating agency's access permit process, and have an agreed-upon timetable for construction with the appropriate operating agency: Campus Way: Construct Campus Way as a major collector through the site to I-95.

- b. Prior to the issuance of any building permits for the final 103,000 square feet of commercial office space, the following road improvement shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency's access permit process, and have an agreed-upon timetable for construction with the appropriate operating agency: Evarts Street Connection: Construct an overpass over the Capital Beltway from the end of Campus Way to existing Evarts Street.