

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Conceptual Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 2, 2015, regarding a revision to the Conceptual Site Plan for Woodmore Towne Centre at Glenarden, the Planning Board finds:

1. **Request:** Relocate the hotel and conference center from Pod B to Pod E, relocate the multifamily from Pod D to Pod B, and add an institutional use to Pod E.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	M-X-T	M-X-T
Use(s)	Hotel and, conference center, multifamily residential, commercial	Hotel and, conference center, multifamily residential, commercial and institutional
Total Dwelling Units	900–1,100*	900–1,100
Commercial Retail	400,000–1 million sq. ft.	400,000–1 million sq. ft.
Commercial Office	550,000–1 million sq. ft.	550,000–1 million sq. ft.
Institutional Use	None	Up to 500,000 sq. ft.
Acreage	244.63	244.63
100-year floodplain	12.92	12.92
Net Tract Area	231.71	231.71

\*NOTE: Preliminary Plan of Subdivision 4-06016 authorized 1,079 residential units.

**Floor Area Ratio (FAR) in the M-X-T Zone**

Base Density Allowed	0.40 FAR
Residential	1.00 FAR
<b>Total FAR Permitted</b>	1.40 FAR
<b>Total FAR Proposed</b>	0.38 FAR

3. **Location:** The subject application is located in the northwestern quadrant of the intersection of Ruby Lockhart Boulevard and St. Joseph's Drive. It is also located in Planning Area 73 and Council District 5.
4. **Surrounding Uses:** The subject property is bounded on the north by the single-family detached subdivisions of Glenarden and La Dova Heights; to the east by Balk Hill, a single-family detached subdivision which is accessed from the subject property via Campus Way North; to the south by the St. Joseph Roman Catholic Parish Center and St. Joseph's Drive; and to the west by Landover Road (MD 202) and the Capital Beltway (I-95/495).
5. **Previous Approvals:** The Zoning Map Amendment A-9613-C was approved by the District Council on July 23, 2007. The original Conceptual Site Plan CSP-03006 was approved by the District Council on January 23, 2006, affirming the Planning Board's decision with modified conditions. A revision (CSP-03006-01) was approved on December 5, 2013 at the Planning Director level for the purpose of amending Pod A of the development to include retail and service commercial uses and relocating the previously approved office uses to Pod E. Preliminary Plan of Subdivision 4-06016 was approved on July 12, 2012 (PGCPB Resolution No. 06-212(A), Detailed Site Plan DSP-07011 and its revisions and Detailed Site Plan DSP-07057 and its revisions have been approved for the residential portion of the property. The property is also the subject of Stormwater Management Concept Plan No. 20908-2003-02 approved on March 26, 2008 and the approval was valid for three years, and expired in 2011, although most of the existing SWM facilities were built under that approval. The applicant is in the process of applying for a new SWM concept plan to reflect the revised design. Detailed Site Plan DSP-14027 was approved by the Planning Board on April 16, 2015 (PGCPB Resolution No. 15-22). The District Council elected not to review DSP-14027 and no appeal was filed. This Detailed Site Plan authorized the construction of a 106-room hotel.
6. **Design Features:** The conceptual site plan (CSP) is a generalized plan that shows the location of the town center, commercial retail and service, office and hotel/conference center and the various residential uses. The plan organizes these uses into development pods. The proposed revision to the CSP indicates the relocation of several of these uses as was previously shown on the CSP and the addition of an institutional use to the property. More particularly, the application requests a revision to the composition of Pods B, D, and E.

Pod B is located on the approved plan in the southwest corner of Woodmore Towne Centre and was to accommodate a hotel and conference center. The subject application, proposes to relocate the hotel and conference center from Pod B to Pod E, and relocate multifamily development to that location, previously shown with Pod D.

Pod D, on the southwest side of Ruby Lockhart Boulevard at its intersection with Campus Way North includes two existing platted lots known as Lot 1 and Lot 2 which are part of the Town Center Area. These two lots were shown on the illustrative CSP to have ground-floor retail and multifamily above.

The multifamily units which were proposed to be constructed above retail on these platted lots are proposed in this revision to be moved into Pod B, while the commercial the component is to remain on the Lots 1 and 2. Lot 1 and Lot 2 would be developed exclusively with commercial retail uses. A single pad site at the front of the site would be the only commercial land use in the Pod B.

Pod E is presently approved for office development. The subject application proposes to add an institutional use to Pod E. This revision application proposes that Pod E be amended to accommodate the hotel and conference center from Pod B as well as an institutional use, in addition to the presently approved office uses.

Recreational facilities for the multifamily component of the development are calculated by multiplying the number of multifamily units proposed by the population per dwelling unit for the planning area in which the project is located to arrive as the total project population. It is anticipated that some on-site recreational facilities are planned for the relocated multifamily community, in addition to the previously approved public park to be constructed within Pod F. Conformance with this requirement will be evaluated at the time of approval of a detailed site plan for the multifamily component.

At the time of the original approval of the CSP, an Illustrative Plan for the project was also approved. Illustrative plans are not required by the Zoning Ordinance as part of the approval of a CSP. However, they are often approved to provide an illustration of how a development might ultimately be constructed. In this case, the Illustrative Plan contained substantial detail beyond that required for a CSP. It showed road layouts, building footprints, the identification of uses within buildings, parking compounds and landscaping. Within the area of Pod D, the Illustrative Plan shows four parcels to have groundfloor retail with multifamily units to be constructed above. Two of the parcels each show a maximum of 54 multifamily units above ground floor retail. The remaining two parcels (Lots 1 and 2) each show a maximum of 180 multifamily units constructed above ground floor retail. In contrast, the approved CSP does not specify the location for multifamily units beyond the fact that they would be located within Pod D. The approved Illustrative Plan contains a note which provides in pertinent part as follows:

**NOTE:**

**THE ILLUSTRATIVE PLAN is intended to designate general locations of improvements, parking and internal circulation. Future development is to be in substantial conformance with this ILLUSTRATIVE PLAN; however, it is not intended to function as a final design drawing and is subject to change. Final design and location of improvements will occur at detailed site plan.**

The Planning Board finds that while development was required ultimately to be in substantial conformance with the Illustrative Plan (see Condition 1 of the original CSP approval). It was clearly understood that substantial conformance was not to mean literal conformance.

Further, the note placed on the Illustrative Plan upon its approval made it clear that just as the Conceptual Site Plan can be amended, the Illustrative Plan may also be amended. Therefore, the Illustrative Plan is a guide to development but is not a document to be literally enforced.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the following Zoning Ordinance requirements:

a. The subject application is in conformance with the requirements of Section 27-547, which governs uses in mixed-use zones.

(1) The proposed commercial retail, office, hotel, institutional and residential uses are permitted in the M-X-T Zone.

(2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone as follows:

**(d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**

- (1) Retail businesses;**
- (2) Office, research, or industrial uses;**
- (3) Dwellings, hotel, or motel.**

The Woodmore Towne Centre includes retail, residential, office, and a hotel in conformance with this requirement. The subject revisions will add an institutional use and will not affect previous findings of conformance with this requirement.

b. Section 27-548, M-X-T Zone regulations, establishes additional standards for the development in this zone. The CSP's conformance with the applicable provisions is discussed as follows:

**(a) Maximum floor area ratio (FAR):**

- (1) Without the use of the optional method of development—0.40 FAR**
- (2) With the use of the optional method of development—8.0 FAR**

The maximum floor area ratio (FAR) proposed for this project is 0.38 which meets this requirement.

**(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

The applicant proposes to include the uses on the M-X-T-zoned property in more than one building and on more than one lot, as required by the M-X-T regulations.

**(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

This requirement is not applicable since this application is for a CSP.

**(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

The requirements of the Landscape Manual will reviewed at time of DSP.

**(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The FAR for the proposed is 0.38, which is well within these requirements.

**(f) Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

There are no private structures within the air space above, or in the ground below public rights-of-way as part of this project. Therefore, this requirement is inapplicable to the subject case.

- (g) **Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

This requirement will be determined at the time of detailed site plan approval.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

It is not anticipated that the multifamily buildings, will exceed 110 feet in height, but this determination will be made at the time of DSP review.

- c. In accordance with Section 27-546(d) of the Zoning Ordinance, in addition to the findings required to approve a CSP, the Planning Board shall make the following findings for projects in the M-XT Zone. Each additional required finding is included in **boldface** type below, followed by staff comment:

- (1) **The proposed development is in conformance with the purposes and other provisions of this Division:**

The purposes of the M-X-T Zone as stated in Section 27-542(a) include the following:

- (1) **To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**

In the original CSP, the Planning Board found that the proposed development in the Woodmore Towne Centre (WTC) will be in general conformance with the purposes and other provisions of the M-X-T Zone and that the project furthers the purpose of the M-X-T Zone due to its proximity to the major interchange of I-95/495 and Landover Road (MD 202) and the new transit stop at Largo Town Center. It is also near the Inglewood Business Community Office Park as well as Boulevard at the Capital Centre retail center. The Planning Board finds that the this revision to the CSP has no effect on the previous finding that the project creates a destination and focal point for the northeastern quadrant of the

interchange of I-95/495 and MD 202 by the integration of retail, commercial, institutional and residential components within close proximity of each use.

- (2) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

In the original CSP, the Planning Board found that Woodmore Towne Centre would be a compact, mixed-use, transit-oriented development with integrated commercial and residential uses in a high-density format. This revision to the CSP will relocate a multifamily component of the development from the retail core to the area adjacent to the St. Joseph's Church. The relocation of the multifamily component is within walking distance of the public transit system and other major commercial and retail facilities.

- (3) To promote the effective and optimum use of transit and other major transportation systems;**

In the original CSP, the Planning Board found that the proposed plan of development for Woodmore Towne Centre furthers the purpose of the M-X-T Zone due to its proximity to a major interchange and newly opened transit stop. This revision to the DSP for relocation of the uses and the inclusion of an institutional use will have no effect on the previous findings relating to promotion of transit and other transportation systems.

- (4) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

In the original CSP, the Planning Board found that the combination of commercial office, retail and residential uses on the main street corridor will meet this objective and provide the 24-hour environment intended by this zone.

Detailed Site Plan DSP-07057 approved the retail development with 108 residential multifamily units above the retail. Although, the retail was built, the residential component was not. However, even without the residential component the overall project does facilitate a 24-hour environment with the mix of proposed uses.

**(5) To encourage diverse land uses which blend together harmoniously;**

In the original CSP, the Planning Board found that the land uses delineated on the conceptual site plan are gently blended and transitioned from the core area to the perimeter of the site. This revision to the CSP has no effect on that previous finding.

**(6) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**

In the original CSP, the Planning Board found the project will be developed unto itself to create neighborhoods of a single-family detached, single-family attached, condominium use, and core commercial areas. These individual areas will be linked together via roadways and pedestrian systems to the recreation areas, green areas, community center, commercial centers, and off-site transit systems. This revision to the CSP will have no substantial impact on that previous finding.

**(7) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**

In the original CSP, the Planning Board found this objective to be accomplished through techniques such as a clustering of buildings along the main street and integration of the residential component along the main street corridor rather than on an isolated parcel of land. This revision proposes to relocate the multifamily from Pod D to Pod B. This relocation of the multifamily component is a superior location in regard to quality of life as the area is surrounded by trees and a natural stream area as opposed to the concrete and asphalt nature of the auto-oriented retail center.

**(8) To permit a flexible response to the market**

In the original CSP, the Planning Board found that the proposed conceptual site plan, with its variety of uses, will allow for a flexible response to market forces. This revision to the CSP is due to market conditions as testified at the Planning Board hearing by the applicant.

**(9) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

In the original CSP, the Planning Board found that a consistent architectural and landscaping theme would be archived to promote integration of mixed uses proposed for the site and continuation of the neighborhood character within the



residential areas. A focal point creating even more synergy and neighborhood cohesion would be the proposed development of the main street corridor, which would be continued throughout the town center and the residential and community center components. Pedestrian access from each of the neighborhood units will be by way of a system of integrated pedestrian pathways. These pathways will also provide safe passage of the pedestrian from the community center and residential areas to the proposed recreational and open space areas as well; again furthering the integrity and cohesion of the neighborhood concept.

The Planning Board further found that the associated commercial area, hotel and conference center will provide residents and guests with evening retail activities, thereby increasing the economic viability of the community and surrounding area and the County as a whole. The proposed relocation of the proposed hotel and conference center will continue to provide a means by which guests will be in close proximity to adjacent transit systems, employment centers, restaurants, and retail opportunity.

- (2) **The proposed development has an outward orientation, which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

**Comment:** In the original CSP, the Planning Board found that the development proposed within the town center has an outward orientation to the Capital Beltway (I-95/495) and Landover Road (MD 202) and will create a focal point at this gateway interchange. The design of the site will create a sense of place for this quadrant of the interchange through building height, orientation and architecture. The Planning Board expressed concern relating to the hotel/conference center adjacent to the church site. This revision to the conceptual plan to locate residential uses adjacent to the church is a more compatible use and solves the previously noted incompatibility.

- (3) **The proposed development is compatible with existing and proposed development in the vicinity;**

Development within the vicinity of the subject site consists of residential uses along Glenarden Parkway, located slightly to the north of the property. The proposed project is compatible with this development by focusing its single-family detached and attached uses in this area. The proposed development then continues the density transition adjacent to the Balk Hill community for continued compatibility. East of the subject site, it is anticipated that these sites will consist of mixed use similar in design to that proposed for the subject site, which will continue the compatibility to the eastern property line. The relocation of the residential multifamily components to the area adjacent to the existing St. Joseph's Church provides for greater compatibility than the previously approved CDP layout.

- (4) The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

In the original CSP, the Planning Board found that the development is intended to provide a self-contained, environment of residential and commercial uses by integrating the main street corridor as the focal point of the center of the site with office and hotel and residential uses gathered around the development's focal point. The proposed revisions to the CDP will not affect the previous findings of continuity, quality and sustainability.

- (5) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

In the original CSP, the Planning Board found that a development pod will constitute a phase. Each pod, or phase, is designed as a separate but integrated neighborhood unit and is thereby self-sufficient, but allowing for staged integration of additional phases based on market demand and user identification. In this revision of the CDP, the applicant contends that the market has not supported the previous proposal to construct multifamily development over retail as was originally proposed. However, the applicant proposes the separation of the uses as proposed and will lead to the submission of plans in the future that will provide for both high-end retail and quality multifamily development. Further, the applicant anticipates filing applications for an institutional use in the near future.

- (6) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

**Comment:** In the original CSP, the Planning Board found that an integrated pedestrian system was designed to promote safe pedestrian travel from parking areas to residential structures and commercial uses, and from residential units to on-site recreational and open space areas including the residential community center. This revision to the CSP has no effect on the previous finding relating to pedestrian systems and activity within the town center.

- (8) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

The above requirement is not applicable to this revision.

8. **Zoning Map Amendment A-9613C:** Zoning Map amendment A-9613-C was approved by the District Council on July 23, 2007. Each condition of that approval is included in **boldface** type below, followed by staff comment.
  1. **Development within the retail town center should be oriented inward with access primarily from internal streets. Offices and hotels (are to be) located along the site's frontage on the Capital Beltway and its entrance from St. Joseph's Drive may be oriented toward the Capital Beltway and the project entrance, respectively. A connection shall be made from the single-family detached component to Glenarden Parkway. Individual building sites shall minimize access to Campus Way and St. Josephs Drive. The Planning Board or District Council, as appropriate, shall approve access points onto these thoroughfares at the time of Detailed Site Plan approval.**

This condition has been fulfilled through the approval of DSPs and this revision does not change the conformance of the development to this requirement.

2. **Where possible, major stands of trees shall be preserved, especially along streams and where they serve as a buffer between the subject property and adjacent residentially zoned land.**

The subject revision does not affect the previous findings of conformance with this condition. The Environmental Planning Section, in an e-mail dated June 3, 2015, stated that the subject project may be found in conformance with the most recent revision to the Type 1 Tree Conservation Plan TCP1-0123-05-01. As that TCP approval ensured conformance with the above requirement and the subject project conforms to the TCP1, it may be said that the project conforms to the requirement.

3. **Development of the site shall be in accordance with parameters provided in the approved Conceptual Plan (CSP-03006) (Exhibits 6 (b) and 23 herein), as revised from time to time.**

The proposed revisions will not affect previous findings of conformance to this condition.

4. **All building shall be fully equipped with automatic fire suppression systems in accordance with applicable National Fire Protection Association standards and all applicable County laws.**

A note on the CSP is required to ensure that the subject project conforms to this requirement.

5. **Each Detailed Site Plan shall include a status report identifying the amount of approved development and the status of corresponding required highway improvements, including the proposed bridge crossing the Capital Beltway. In**

**approving a Detailed Site Plan, the Planning Board shall find that the Plan conforms with approved staging requirements. The applicant shall design the highway improvements, in consultation with DPW&T, to minimize the addition of traffic loads on Lottsford Road.**

This condition requires certain issues be addressed at the time of DSP approval. Therefore, it is not relevant in the evaluation of this CSP revision.

**6. The District Council shall review for approval the Conceptual Site Plan, the Detailed Site Plans, and the Preliminary Plan of Subdivision or the subject property.**

The Planning Board resolution will be transmitted to District Council for review and consideration as per the requirement above and Section 27-280.

9. **Conceptual Site Plan CSP-03006:** Conceptual Site Plan CSP-03006 was approved by the Planning Board on September 29, 2005 and was formalized by the Planning Board's adoption of PGCPB Resolution No. 05-205 on October 27, 2005. The District Council then considered the case on January 23, 2006 and approved it, affirming the Planning Board's decision with modified conditions. A single revision to Conceptual Site Plan CSP-03006 was approved on December 5, 2013 at Planning Director level for the purpose of amending Pod A of the development to include retail and service commercial uses and to relocate the previously approved office use on Pod A to Pod E. The following conditions warrant discussion and each condition is listed in **boldface type** below.

**1. Prior to certificate approval, the plans shall be revised as follows, or the indicated information shall be provided on the plan:**

**Approved development for CSP-03006 is subject to the following minimum-maximum ranges:**

- **900 to 1,100 residential units**
- **400,000 to 1,000,000 square feet of retail**
- **550,000 to 1,000,000 square feet of office (subject to waiver provisions in condition 1.a. below)**
- **400,000 square feet of retail and 550,000 square feet of office are required minimum amounts for the two uses. Applicant shall endeavor to achieve the permitted maximum amount of office use.**
- **No more than 2,000,000 square feet of retail and office combined are permitted.**

- **Hotel uses consisting of 360 rooms and conference center between 6,000 and 45,000 square feet.**
- **The square footage included in the construction of any hotel space and/or conference center may be credited against any minimum requirement of commercial office space.**

The applicant requests the inclusion of up to 500,000 square feet of institutional use be added to the approved development scheme. Many institutional uses are quasi residential and quasi commercial, similar to hotel use, and would therefore be compatible in the subject development. The Planning Board finds the addition of 500,000 square feet of institutional use should be added to the list of allowed uses.

**In addition to these basic development parameters, all future development shall be in substantial conformance with the Illustrative Plan dated September 21, 2005, as to site layout, development pattern, and the intended relative amounts of development of different types and their relationships and design.**

The proposed revisions to the CSP are in substantial conformance with the Illustrative Plan dated September 21, 2005. As stated in the Community Planning Division's Memorandum dated June 10, 2015 prepared for the subject Project, the proposed revisions to the CSP must be reviewed on a macro level when attempting to find conformance. Market demand suggests that a reorganization of the uses is appropriate. Mr. Terry Richardson, a principal with the applicant and the master commercial developer, testified before the Planning Board. He explained that the master commercial developer has been attempting to market multi-family residential units above retail for approximately 10 years. In spite of those marketing efforts, the developer has been unable to attract vertically integrated mixed use. It was Mr. Richardson's testimony that vertically integrated mixed use including ground floor retail and multi-family residential above has only been successful in urban settings. Mr. Richardson testified that Woodmore Town Center is a suburban mixed use development and not an urban mixed use development. The Board agrees. Notwithstanding those challenges, the applicant proffered that there are opportunities remaining for a more limited implementation of second floor housing above existing retail uses within Woodmore Town Center, pending market conditions.

The Board agrees with the Community Planning Division conclusion that while marketing efforts to attract vertically integrated mixed use development to Woodmore Town Center have been unsuccessful, the instant revision to the CSP which will allow for stand-alone multi-family development represents a significant step in the long range development of Woodmore Town Center as a mixed use community. The relocation of the multi-family residences would broaden the range of housing choices available at Woodmore Town Center. The Board finds that the hotel and associated conference center now proposed to be located in Pod E would add to the development site's attractiveness as to hospitality

and related services, and an added institutional use will provide services to County residents. Together, the proposed uses have the potential to strengthen the demand for retail services on the site.

The Board also finds persuasive, testimony provided by Mr. Mark Ferguson, the applicant's expert land planner. Mr. Ferguson provided testimony concerning whether or not the proposed revision to the CSP would allow Woodmore Town Center to remain in substantial conformance with the Illustrative Site Plan. Mr. Ferguson made reference to the conditions attached to the original rezoning of the property to the M-X-T Zone in 1988 and a subsequent revision to those conditions in 2007 (A-9613-C). There, Condition 3 acknowledged that overall development was to be in conformance with an approved CSP "as revised from time to time". This condition therefore acknowledged that the CSP was an approved plan capable of being amended in order to adapt to changing conditions during the development life of the project. The Board finds that the note referenced earlier and attached to the approved Illustrative Site Plan is further evidence of this fact since the Illustrative Plan itself was not intended to "function as a final design drawing" and was to be "subject to change."

The Board agrees with the testimony of Mr. Ferguson wherein he noted that earlier plan approvals and physical development in place has not occurred in strict conformance with the Illustrative Plan in the following respects:

"The street circulation network is different in some significant ways:

- "1. Ruby Lockhart Boulevard was realigned to lead directly into Pod E, instead of leading to the future bridge over the Beltway at the end of Evarts Street;
- "2. A third traffic circle was added along Ruby Lockhart Boulevard to accommodate a realigned street network in the Town Center;
- "3. Glenarden Parkway was realigned to change its relationship with both a community park and its illustrated terminus at Campus Way was not platted;
- "4. Circulation around the rear of the Wegmans was added;"

"Development components were relocated or omitted:

- "1. The fitness center was moved from the Best Buy site to the entry to the development (which was the subject of the "-01" revision to the subject CSP);

- “2. Structured parking was not constructed in the retail block with the Party City, wine & spirits store and the KBQ restaurant;
- “3. Separate retail on the southeast side of the Wegmans, along Campus Way, was not constructed;
- “4. No structured parking was included in the Detailed Site Plan approval of the hotel to be constructed behind the Wegmans. Additionally, that hotel was approved at 4 floors and 106 rooms instead of 12 stories and 240 rooms;
- “5. Additional retail pad sites were added at the perimeter of the parking lot in front of PetSmart, Best Buy and J.C. Penney.”

The Board agrees and finds that development approvals (including an earlier revision to the CSP) and actual development on site have not been in literal conformance with the Illustrative Plan. However, actual development was never intended to be in literal conformance with the Illustrative Plan. Notwithstanding that fact, the Board finds that in general, development of Woodmore Town Center thus far is in substantial conformance with the Illustrative Plan. The Town Center includes a number of varied retail uses anchored by large retail uses including Wegmans, Costco and Best Buy as generally shown on the Illustrative Plan. The residential development has occurred in the general area noted on the CSP and residential development, which is ongoing, includes single family detached and single family attached units. The internal road and circulation system is generally in conformance with the Illustrative Plan. After approval of this CSP, the overall development will continue to be substantially in conformance with the Illustrative Plan. All uses proposed on the original CSP as approved will be provided and the general orientation and layout will also be in conformance with the Illustrative Plan. It should be noted that the approved CSP never required residential multi-family uses to be constructed above ground floor retail uses.

- a. Phasing lines and the phasing schedule shall be shown on the plan. A stipulation shall be added to the phasing schedule as follows:**
  - i. Prior to release of the 151<sup>st</sup> residential permit in Pod F, permits for 100,000 sq. ft. of retail space in Pod D shall have been issued. Of these 100,000 sq. ft. of retail space, at least one third shall be for tenants occupying space consisting of 30,000 sq. ft. or less.**

**Comment:** This condition has been fulfilled.

- ii. Prior to the release of the 301<sup>st</sup> residential permit in Pod F, permits for an additional 100,000 sq. ft. of retail space in Pod D shall have been issued.**

This condition has been fulfilled, as more than 100,000 square feet of retail space has been constructed in Pod D. As of July 17, 2015, only 205 residential building permits have been issued for the subject project. Therefore, the trigger for performance of this condition has not yet technically been reached.

**iii. Of the first 500 residential permits, at least 108 shall be in Pod D.**

This condition does not affect the subject application; 205 residential building permits for the overall development have been submitted, so the trigger for performance of this condition has not yet been reached.

**iv. Prior to the release of the 701<sup>st</sup> residential permit, permits for an additional 150,000 sq. ft. of retail space in Pod D shall have been issued, and a permit shall have been issued for one of the hotel sites.**

This condition is fulfilled in regard to the minimum amount of retail space. The Hampton Inn application, for which a DSP was approved recently fulfills the second portion of this requirement. Only 205 residential building permits have been issued for the subject project, therefore, the trigger for performance of this condition has not yet technically been reached.

**v. Permits for at least 150,000 square feet of office space shall have been issued.**

This condition has not been fulfilled. See Condition vii below.

**vi. Permits for at least 400,000 square feet of office space shall have been issued, prior to release of the 900<sup>th</sup> residential permit.**

**Comment:** It is not yet timely to expect conformance to the requirements of this condition as the trigger of “prior to release of the 900<sup>th</sup> residential permit” has not yet been reached. As of July 17, 2015, only 205 residential building permits have been issued for the subject project. Also see Condition vii below.

**vii. The conditions requiring building permits for office use may be waived or modified if the applicant demonstrates to the satisfaction of the Planning Board and the District Council that insufficient market demand exists for said office use. If the applicant demonstrates that it has graded pad sites for 150,000 square feet of office space and stubbed utilities to those pad sites and the applicant has continuously in good faith marketed those pad sites for a period of one hundred and eighty days through an exclusive listing agent, and has been unable to obtain a user, said effort shall constitute a**



**satisfactory demonstration to justify waiver or modification of said office permitting requirement. The Planning Board's and District Council's waiver of the office space permitting requirements will not be unreasonably withheld, conditioned, or delayed.**

**This waiver provision is intended solely to provide an opportunity for the applicant to proceed with the construction of residential units based upon satisfying the above criteria. It does not authorize the applicant to convert commercial office space to residential use. This conceptual site plan requires a minimum of 550,000 square feet of commercial office. At no time may the residential maximum exceed 1,100 units. At no time may the minimum and/or maximum office ranges or the hotel space allocations of 360 rooms be converted to residential uses.**

The above condition related to the staging or phasing conditions of the office development. The market for office has not been strong in this community. The requirements of the condition have been completed.

- b. In order to expedite the construction of office uses, within 60 days from the final approval of the conceptual site plan by the District Council, the applicant shall enter into an agreement with a nationally recognized brokerage firm having expertise in the marketing of commercial office space. The applicant shall consult with and consider recommendations from local civic associations along the MD 202 corridor, as well as the City of Glenarden, in identifying and selecting this broker, although the final decision concerning which broker will be retained shall be exclusively a determination of the applicant. Once retained, the selected broker shall focus on attracting quality office users to the project. The broker shall provide monthly progress reports to the Prince George's County Economic Development Corporation, the City of Glenarden, and the District Council. The applicant shall also meet monthly with an advisory panel comprised of up to four designated representatives from the City of Glenarden, as well as up to four designated representatives from the civic associations along the MD 202 corridor in order to provide progress reports on marketing efforts and solicit input and suggestions concerning office marketing strategies. The brokerage agreement, reporting requirement and monthly meeting requirement shall remain in force and effect until no less than 250,000 square feet of office space is purchased and/or leased by an office developer. In lieu of entering into a brokerage agreement, within sixty days from the final approval of the conceptual site plan by the District Council, the applicant may directly enter into an exclusive agreement with an office developer in order to provide for construction of office uses within the project.**

The requirements of the condition above have been fulfilled.

- c. This development shall be required to provide retail uses, office uses and residential uses. This requirement shall supersede the provisions of Section 27-547 (d) of the Zoning Ordinance which requires that at least two of the three categories listed therein be included in the development.**

The proposed revisions would preserve the inclusion of retail, office and residential uses in the development. Therefore, conformance to the requirements of this condition may be found.

- d. Amend the Illustrative Plan dated September 21, 2005 to include an inset drawing depicting certain infrastructure shown cross-hatched thereon. This infrastructure shall be constructed in its entirety as part of the first phase of the development in order to facilitate the construction of commercial office uses. It shall include certain internal roads and associated water and sewer lines and storm drainage facilities.**

This condition has been fulfilled.

- e. The applicant shall be prohibited from requesting a text amendment to the Prince George's County Zoning Ordinance, which would authorize the conversion of any land area included within this conceptual site plan from commercial office use to residential use.**

The subject condition has been adhered to in the development to date of the subject project.

- f. Within the first phase of the development, the applicant will designate a sufficient land area to accommodate a 250,000 square foot office building and a sufficient land area to accommodate a hotel/conference center site. This land will be designated for a potential public/private venture between the applicant and Prince George's County ("County") whereby the County, if it so desires, will have the opportunity to market the land area for office development to a governmental and/or private sector developer. It is the intent of this public/private venture to facilitate and expedite the improvement of the designated land for commercial office use. The designated land will be made available for sale and/or construction at fair market value determined at the time of said sale and/or construction, as appropriate.**

**The designated land area will remain available to the County for its marketing efforts for a period of two years from the date of the final approval of this conceptual site plan or until the applicant has secured another buyer and/or user for the subject land area, whichever occurs first. The applicant shall be entitled to all proceeds which may result from any sale or construction which occurs as a result of this public/private venture.**

This condition has been fulfilled.

- g. All of the requirements and rights contained in condition 1 shall be binding upon and inure to the applicant, its successors and/or assigns.**

All conditions of planning and zoning approvals run with the land. Therefore, all of the requirements and rights contained in Condition 1 are binding upon and inure to the applicant, its successors and/or assigns.

- h. Standards shall be submitted for the architectural appearance (size, massing, character, materials, details) of the office, retail and recreational buildings.**

This condition has been fulfilled for all of the existing development. The above condition is fulfilled with the review of each detailed site plan for the project.

- i. Label all the facilities in the recreation area of Pod F and indicate on the plan the main elements in the community building. The community building shall not be smaller than 3,500 square feet in gross floor area.**

This condition has been fulfilled and the community building is not smaller than 3,900 square feet.

- j. Any substantive amendment to this conceptual site plan or any of the conditions attached to this conceptual site plan (including without limitation a request for waiver or modification of the office permitting requirement under the 180-day waiver provision, as contained in condition 1.a.vii. above) shall be reviewed and approved by the District Council.**

**Comment:** This resolution, as a matter of course, will be transmitted for review and approval by the District Council, in accordance with Section 27-131 of the Zoning Ordinance.

- k. The total number of stacked townhomes (two over two units) shall not exceed 98 units.**

Detailed Site Plan DSP-07057 has been approved allowing for a maximum of 98 two-family dwellings. This condition has been adhered to. As of July 15, 2015, no

building permits have been issued for stacked townhomes (two over two units). However, 124 building permits have been issued townhouses and 82 for single-family detached units. The subject application has an impact on this requirement such that the number of 2-over-2 units will not exceed 98 units.

**Note:** The comments relating to Conditions 1(a)-1(k) are intended for informational purposes only. Conformance to these requirements was required and found at the time of certification of the original CSP in 2006. Conformance to these requirements need not be evaluated when approving a revision to the CSP because conformance to this condition has already been found. However, the Planning Board reviewed this revised plan and found that the conditions continue to be satisfied on the revised CSP.

2. **Prior to or concurrent with the submission of any detailed site plan for any development parcel, the applicant, his heirs, successors and/or assignees shall submit for approval by the Planning Board a detailed site plan for signage to provide the Planning Board and the community with a concrete idea of the exact quantity, location and appearance of all the signs in the development. This signage plan shall not be required to be submitted prior to or concurrent with a detailed site plan for infrastructure only. At the time of submitting said signage plan to staff of MNCPPC, the applicant shall also submit a copy of said signage plan to the City of Glenarden and community stakeholders.**

Conformance to this requirement was met in the adoption of a detailed comprehensive signage plan that governs signage for the overall development, including the commercial shopping center. Signage for the relocated uses and the new institutional uses will be reviewed at the time of detailed site plan.

- 2A. **At the time of submission of the first preliminary plan of subdivision for the project, the applicant and successors or assignees shall submit for approval a full traffic study, as required in the Planning Board's *Adopted Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Staff and Planning Board shall thoroughly review the anticipated impacts of the project on major intersections within Glenarden. At the time of submission of the first detailed site plan, the applicant and successors or assignees shall submit for approval a study showing the effects of the proposed connection between the project and Glenarden Parkway, unless otherwise requested by the District Council.**

This condition has been fulfilled.

3. **Prior to signature approval of the conceptual site plan, the following revisions shall be made:**
  - a. **A tree-lined boulevard with median, or a double row of street trees on each**

**side, or another equivalent treatment agreed to by and between the applicant and staff, shall be provided between Campus Way North and the Residential Pod F community center.**

This condition has been fulfilled.

- b. Provide additional retail shops with second level office/residential along the north/south corridor of the main street in the proposed location of the retail kiosk areas.**

This condition has been fulfilled and was also part of the approval of a detailed site plan, however, the construction of residential above the retail shops has not yet occurred.

- c. Provide additional shops with second level office/residential along the east/west corridor of the main street in place of the proposed location of the retail kiosk area.**

This condition has been fulfilled and was also part of the approval of a detailed site plan, however, the construction of residential above the retail shops has not yet occurred.

- d. Show proposed locations for civic uses such as a library, museum, cultural center, etc., on the town center main street.**

**The final determination concerning the feasibility of providing these uses as well as their location(s) shall be determined by the applicant in consultation with the City of Glenarden prior to or by the time of the approval of the appropriate detailed site plan.**

This condition has been fulfilled and was also part of the approval of a detailed site plan, however, the construction of residential above the retail shops has not yet occurred.

- e. Show proposed locations for entertainment and cultural activities, public service and dining on the town center main street. The final determination concerning the feasibility of providing these uses as well as their location(s) shall be determined by the applicant in consultation with the City of Glenarden prior to or by the time of the approval of the appropriate detailed site plan.**

This condition has been fulfilled and was also part of the approval of a detailed site plan, however, the construction of residential above the retail shops has not yet occurred.

- f. Extend the retail shops with second-level office/residential along the east/west corridor of main street.**

This condition has been fulfilled and was also part of the approval of a detailed site plan, however, the construction of residential above the retail shops has not yet occurred.

- g. Provide additional retail shops along the north/south corridor of main street adjacent to the proposed department store.**

This condition has been fulfilled and was also part of the approval of a detailed site plan, however, the construction of residential above the retail shops has not yet occurred.

- h. Identify future shops/retail/restaurant at vacant space adjacent to Office Tower A and adjacent parking structure.**

This condition has been fulfilled at certificate of approval.

- 4. The detailed site plan(s) for private recreational facilities submitted for approval by the Planning Board shall comply with the standards outlined in the *Park and Recreation Facilities Guidelines*.**

This condition is triggered at time of approval of a detailed site plan for the project, not the subject CSP revision. If at the time of DSP the multifamily project is required to provide recreational facilities, those facilities should adhere to the *Park and Recreation Facilities Guidelines* as appropriate.

- 14. At the time of detailed site plan, the following standards shall be observed:**

- a. Sixty percent of three sides of the clubhouse shall be brick, and the building shall be placed in a visually prominent location.**
- b. Rooflines for all dwelling types shall be varied and provide for reverse gables where appropriate to add interest to the streetscape.**
- c. Lighting fixtures throughout the development shall be coordinated in design. Such fixtures shall be reviewed and approved by DPW&T and/or the City of Glenarden as appropriate prior to or by the time of approval of the appropriate detailed site plan.**
- d. Special paving materials shall be provided in appropriate access areas, such as, central recreation area, the entrance to the multifamily development, and the office/retail development.**
- e. A double row of 2½- to 3-inch caliper trees shall be provided along major boulevards on both sides of the sidewalks, if determined to be necessary. The inside row of trees are allowed to be located in the yard and may be used to fulfill Section 4.1 of the 2010 *Prince***

*George's County Landscape Manual.* In addition, a double row of two and one half to three inch caliper trees shall be provided along the interior street which extends from the extension of Glenarden Parkway to the residential Pod F community center, which road segment shall not be required to be a boulevard with median.

- f. **Increase the number of units fronting onto Campus Way North and ensure adequate but not excessive parking areas in close proximity to all units.**
- g. **The location of future pedestrian connections, crosswalks, and proposed locations for bus stops, shall be shown on the plans. The plans shall show the location of the connection between Campus Way North and Brightseat Road.**

The subject application is a revision of the CSP not a DSP, therefore these requirements are not relevant to the approval of the application, but will be reviewed in the DSP phase of development, as appropriate.

**16. The following transportation-related conditions shall be fulfilled:**

- a. **The applicant, its successors and/or assignees, shall complete the following improvements:**
  - i. **Construct Campus Way North extended from its current planned terminus at the boundary of the subject property through the site to the proposed Evert Road bridge as a four lane divided highway, approximately 3,000 linear feet.**
  - ii. **Add a 4<sup>th</sup> thru lane along Maryland Route 202, from Lottsford Road to the northbound I-95 ramp, approximately 3,600 linear feet.**
  - iii. **Add a 4<sup>th</sup> thru lane along Maryland Route 202, from I-95 to Lottsford Road, approximately 3,600 linear feet.**
  - iv. **Add a double left turn lane along Maryland Route 202 to northbound St. Joseph's Drive, approximately 900 linear feet.**
  - v. **Rebuild and install the traffic signal at the intersection of Maryland Route 202 and St. Joseph's Drive.**
  - vi. **Reconstruct St. Joseph's Drive from Maryland Route 202 to Ruby Lockhart Drive to six lanes in width.**

- vii. In addition to making the improvements set forth above, the applicant, its successors or assignees, shall pay a Road Club fee. The amount of this fee shall be determined at the time of the approval of the first preliminary subdivision plan filed for this property. This amount shall be paid at building permit on a pro- rata basis. In determining this amount, the applicant shall receive a credit for any road improvements which it is making at its expense and which are part of the regional improvements identified in the MD 202 Corridor Study.**
  
- viii. The timing for the construction of required transportation improvements shall be determined at the time of preliminary subdivision plan approval.**

**17. In conformance with the Adopted and Approved Largo-Lottsford Master Plan, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:**

- a. Provide the master plan trail along the public roadways extending from Campus Way North to office area "E" as indicated on the submitted CSP.**
  
- b. Provide the urban pedestrian walkways as indicated on the submitted CSP. The width of the sidewalk within these walkways should be no less than eight feet in areas of street trees, planters, or pedestrian amenities.**
  
- c. Provide sidewalks or wide sidewalks along both sides of all internal roads.**
  
- d. Provide the trail connection through the park and/or school site from Campus Way North to the pedestrian walkway south of area "C."**
  
- e. A more specific analysis of all trail and sidewalk connections will be made at the time of detailed site plan. Additional segments of trail or sidewalk may be recommended at that time.**

The sidewalks and bike lanes that have been constructed pursuant to prior development approvals. The submitted CSP revision is consistent with Condition 17.



At time of detailed site plan approval, the pedestrian network will be evaluated in more detail and additional sidewalks or pedestrian walkways may be recommended.

**18. The applicant shall undertake the following actions regarding public parks:**

- a. Dedication to the Commission of 13.5± acres as shown on Department of Parks and Recreation Exhibit “A.”**
- b. Land to be dedicated shall be subject to conditions 1 through 7 of attached Exhibit “B.”**
- c. The applicant shall construct the following recreational facilities on the dedicated parkland: two combination football/soccer fields, softball field, 100-space parking lot, pavilion, drinking fountain, restroom facility and architectural fence. Other facilities of equal value may be substituted with written approval from the Department of Parks and Recreation.**
- d. A concept plan showing the location and design of the recreational facilities on dedicated parkland shall be submitted to DPR for review 60 days prior to submission of the preliminary plan for the residential portion of the development.**
- e. The recreational facilities shall be designed and constructed in accordance with the applicable standards in the *Park and Recreation Facilities Guidelines*.**
- f. Prior to submission of final plat of subdivision for the residential lots, the applicant shall enter into a public recreational facilities agreement (RFA) for the construction on dedicated parkland.**
- g. The applicant shall submit a performance bond, letter of credit, or other suitable financial guarantee to DPR to secure the grading and construction of the recreational facilities on park property, in an amount to be determined by the DPR, at least two weeks prior to applying for building permits.**
- h. Detailed construction drawings for recreational facilities on park property including grading plan, layout and details shall be submitted to DPR for review 60 days in advance prior to submission of the detailed site plan for the residential development.**

- i. Construction of the park shall be completed prior to issuance of 50 percent of the residential building permits.**

The application comports with the requirements of this condition.

- 20. A minimum of sixty percent of all facades of street frontage elevations of multifamily units shall be brick.**

The multifamily units approved for the project include 438 units proposed to be relocated as part of this revision. This requirement will be enforced at the time of the review of the DSP, when architectural elevations for the development are submitted for review.

- 21. Prior to approval of the applicable detailed site plan, relocate office building parking structure at Ruby Lockhart Boulevard entrance from close proximity to the northeast property line adjacent to proposed single-family dwelling units. Alternatively, the applicant may be relieved of this requirement upon demonstrating to the Planning Board that the parking structure has been attractively finished and sensitively designed so as to be compatible with the adjoining office building.**

This requirement was addressed at the time of the first revision of the CSP when the office use was relocated from Pod A to Pod E and the commercial retail was approved in its place. Subsequently, the 24-hour Fitness, McDonald's, and Verizon Store were approved as part of the DSP for that location.

- 22. At time of preliminary plan application, a Phase II noise study shall be submitted for review that addresses noise impacts for I-95, MD 202 and Campus Way North. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn for outdoor activity area and 45 dBA Ldn for interior areas, and the recommendations of the Phase II noise study shall be addressed on the preliminary plan and TCPI.**

This requirement is triggered at time of preliminary plan application, which has already occurred, not at the current time of approval of revisions to the CSP. Any noise issues associated with the proposed relocation of uses will be addressed during DSP review.

- 23. Prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of residential structures within the 65 dBA Ldn noise corridors have been designed to reduce interior noise levels to 45 dBA (Ldn) or less.**

This requirement is triggered at the time of approval of building permits. This condition could impact the multifamily component if the buildings are located within the 65dBA Ldn noise contour.

- 24. At time of preliminary plan, the applicant shall demonstrate that the proposed impacts to the Patuxent River Primary Management Area (PMA) or expanded stream buffer shall be minimized to the greatest extent possible, and any required variation requests or letters of justification shall be submitted.**

This requirement is triggered at time of preliminary plan application, which has already occurred, not at the current time of approval of revisions to the CSP. No impacts to the PMA are anticipated to result from the proposed CSP revision.

- 25. No pole signs shall be erected in the development. Free standing pylon signs will be allowed.**

Signage for the proposed relocated uses and the institutional use will be evaluated at the time of the DSP.

**Detailed Site Plan Consideration: Prior to submission of any future applications, the applicant will continue to study and will not foreclose the option of providing additional sleeved perimeter block development of retail shops with second-level office/residential use in conjunction with a 50,000- to 125,000-square-foot retail tenant at the core or in close proximity to the town center main street.**

This requirement is not applicable because it is triggered prior to the approval of a DSP, and the revisions to this plan are not related to the above DSP consideration.

10. **Prince George's County Landscape Manual:** The Landscape Manual conformance will be reviewed at the time of DSP. The following discussion of the relevant provisions of the Landscape Manual is provided for informational purposes only, for implementation at the time of Detailed Site Plan review:
- a. **Section 4.1, Residential Requirements**—Requires a certain number of plants be provided for residential dwellings depending on their size and type, and will apply to the multifamily component.
  - b. **Section 4.2, Requirements for Landscape Strips along Streets**—Requires a landscape strip be provided for all nonresidential uses and parking lots abutting all public and private streets, which may occur within the development depending on the final site design. This may apply to the retail or institutional uses at the time of DSP review.

- c. **Section 4.3, Parking Lot Requirements**—Specifies that proposed parking lots larger than 7,000 square feet provide planting islands throughout the parking lot to provide visual relief from the view of large expanses of pavement. Any future parking compounds associated with the development over 7,000 square feet in size will be required to adhere to this requirement.
  - d. **Section 4.4, Screening Requirements**—Requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining existing residential uses, land in any residential zone, and constructed public streets. This requirement will apply to future development at the time of DSP.
  - e. **Section 4.6, Buffering Development from Streets**—Requires buffering within any yard of residential developments from streets, and buffering along Historic and Scenic Roadways. It is not anticipated that his requirement will apply to future development.
  - f. **Section 4.7, Buffering Incompatible Uses**—This section requires that vegetated buffers be included along shared property lines where the abutting uses are deemed incompatible by the Landscape Manual. The requirement may apply around the perimeter of the site in the future and will be evaluated at the time of DSP.
  - g. **Section 4.9, Sustainable Landscaping Requirements**—Requires that a percentage of the proposed plant materials be native plants, along with other sustainable practices. This requirement will apply and should be demonstrated on the landscape plan as part of the DSP review.
11. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property measures more than 40,000 square feet and contains more than 10,000 square feet of existing woodland. The Environmental Planning Section has reviewed the submitted plans for the project and recommends approval. Therefore, it may be said that the subject project conforms to the applicable provisions of the WCO.
12. **Prince George’s County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Conformance to the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of approval of a DSP for the project.
13. **Further Planning Board Findings and Comments from Other Entities:**
- a. **Historic**—In an e-mail dated June 1, 2015, the Historic Planning Section stated that they had reviewed the materials provided on the Woodmore Towne Centre at Glenarden project and determined that it will have no effect on Historic Sites, Historic Resources, or Historic Districts.

- b. **Archeological**—In a memorandum dated May 29, 2015, the archeological coordinator stated that a Phase I archeological survey was completed on the Woodmore Towne Centre property in July and August 2006 under Preliminary Plan of Subdivision 4-06016. Further, the archeological coordinator stated that the Historic Preservation Section has received four copies of the final report, *Phase I Archeological Survey of the Woodmore Towne Centre at Glenarden Property, Prince George's County, Maryland, Preliminary Plan 4-06016*. The archeological coordinator also stated that all review comments have been addressed and two archeological sites were identified on the Woodmore Towne Centre property, 18PR836 and 18PR837, both twentieth century farmsteads. In conclusion, the archeological coordinator stated that no further work was recommended and that the Planning Board concurs that no further archeological work is necessary on the Woodmore Towne Centre property and the archeological requirements for this property have been fulfilled.
- c. **Community Planning Division**—The Community Planning Division provided the following comments:

“The Woodmore Towne Centre Conceptual Site Plan (CSP-03006) was approved in 2006. It authorized the construction of 2,000,000 square feet of residential development (single-family and multifamily); 2,000,000 square feet of commercial retail and office space; and 1,100,000 square feet of hotel and conference center space. Subsequent Detailed Site Plan approvals and modifications to the original CSP allowed the construction of retail space outside of the original designated mixed-use town center area plus reductions in the number of proposed single-family and multifamily residential units. The original CSP was also modified to allow construction of approximately 700,000 square feet of retail space without upper-floor multifamily residential units. Currently permitted development levels at the site include 1,261,989 square feet of residential space; 717,920 square feet of retail and office space; and 65,051 square feet of hotel space.”

The above statement related to the subsequent DSP's and CSP relating to the construction of retail space outside of the original designated mixed-use town center area and the number of proposed single-family and multifamily units is not accurate. The only CSP revision approved thus far, CSP-03006-01, was submitted and approved for the project was for the purpose of relocating the previously approved office within Pod A to Pod E. There was not any proposal to reduce the number of the single-family or multifamily units through the CSP.

For purposes of history of the project, the original Detailed Site Plan DSP-07057 for the residential area of the project included 503 dwelling units (consisting of 202 single-family detached units, 203 townhouse units and 98 two-over-two's) developed for KHovnanian. The subsequent land owner/developer, DR Horton, submitted a revision to the DSP to reduce the number of dwelling units from 503 (by reducing only the number of single-

family detached dwellings in order to provide larger lots) to 479 units. The original Detailed Site Plan DSP-07011-01 for the commercial area of the development and the multifamily component included 108 dwelling units to be built above the retail in two to four stories, and was approved as such in Detailed Site Plan DSP-07011-01 (PGCPB Resolution No. 09-03) which was adopted on January 29, 2009. However, at the time of construction of the shopping center, the multifamily units were not built atop the retail. The multifamily development on Lots 1 and 2 (as now platted), was never approved as part of the DSP, and has only been approved as shown on the conceptual site plan (illustrative plan) and the preliminary plan of subdivision. That multifamily component was approved as 450 dwelling units on the preliminary plan in addition to the 108 units previously discussed. The retail was never reduced from the amount originally approved, which included a minimum of 400,000 square feet of retail. The confusion may rest in that 700,000 square feet has been built thus far, but the approved CSP allows up to 2,000,000 of commercial, 550,000 of which must be office, and the remaining could be retail.

“The proposed CSP modification to allow construction of 438 multifamily housing units represents a significant step in the long-range development of Woodmore Towne Centre as a mixed-use community. The new multifamily residences would broaden the range of housing choices available at Woodmore Towne Centre to include rental units for the first time. Construction of a second hotel would add to the development site's attractiveness as a location for hospitality and related services. Together, the proposed uses have the potential to strengthen the demand for retail services on the site.”

It should be noted that the total number of multifamily units currently approved in the CSP and the preliminary plan of subdivision is 450 plus the 108 already approved, or a total of 558 multifamily units. Therefore, the reference to “new” multifamily should not be construed to be new units introduced to the development, only relocated units.

“Although the proposed multifamily housing is a welcome addition to Woodmore Towne Centre, the proposed location for this development will challenge achievement of increased walkability and pedestrian activity between the proposed new use and the existing retail core. Given *Plan 2035's* criterion of a walkable “core” for Local Town Centers, our preference would be for both proposed uses, particularly the multifamily housing, to be located closer to the retail center. Staff acknowledges, however, that current market conditions may not permit this option for either proposed use. In that event, we would recommend that the applicant work with commission and county staff to enhance connectivity *and* public safety along Ruby Lockhart Boulevard to encourage pedestrian and bicycle access to the retail core. This will help to mitigate the impact on pedestrian/bicyclist mobility of the distance between the proposed multifamily housing and the retail center.”

The issue raised above relating to the reduced walkability of the community is not a valid concern. The distance from the entrance of the multifamily development to the entrance to the core of the town center is approximately 1,500 linear feet. This is a reasonable distance to expect residents to walk. The statement relating to the placement of the multifamily development closer to the retail development is not feasible because of environmental features. Another alternative is to place the multifamily units closer to the retail center by placing the buildings directly within a parking compound area, which would reduce available parking and could upset the parking to commercial square footage ratio established and required by law, or the multifamily could be required to remain above the retail as was represented on the original CSP. This latter proposal has been marketed for years and has not come to fruition because demand is not there for this type of housing. However, the 108 multifamily component over the commercial core retail may come to fruition in the future, because the existing retail was built to structurally accommodate multifamily above commercial as a second phase of development.

It should also be noted that in the original approved CSP, the hotel and conference center were to be located within Pod B. In approving CSP-03006 in Resolution PGPCB No. 05-205, the Board noted on Page 8 of said Resolution that the hotel and conference center would “provide residents and guests with evening retail activity”. The Board also found that the location of the proposed hotel would provide “a means by which guests will be in close proximity to adjacent mass transit systems, employment centers, restaurants and retail opportunity.” Therefore, the Board found that the hotel and conference center within Pod B would promote walkability within the community. There is no reason why constructing multi-family residential units within Pod B would render the community any less walkable.

- d. **Transportation**—The Transportation Planning Section provided the following comments:

“The request involves several items that affect the overall transportation system, as noted below:

“The plan proposes to move uses within the overall conceptual plan. The original conceptual plan proposed a number of development pods within the site. The changes focus on Pod B (in the southwest corner of the development), Pod D (the retail area in the middle of the development) and Pod E (the area in the northwest corner of the development). Pod B, which was originally planned for a hotel/conference center, is now proposed for multifamily residential and a small commercial/retail component. Pod E, which was originally planned for office development, is now proposed for hotel, office, and institutional development. Lots 1 and 2 within Pod D were originally planned to have residential atop ground-floor retail, are now proposed to be strictly retail. It is noted that multifamily residential use could still be placed anywhere within Pod D.

“The plan proposes no changes to maximum development yields on the plan.

“The plan proposes no changes to the access or circulation plans for the site.

“As such, the particulars of the revision offer little reason for objection by staff of the Transportation Planning Section (TPS). From a planning perspective, the site is part of the Landover Gateway local center as designated by *Plan Prince George’s 2035 Approved General Plan*. The same plan designates this site within an Employment Area.

“Issue is taken with one item in the justification statement provided by the applicant, which notes that “this Conceptual Site Plan actually results in a reduction of density and intensity.” In truth, the proposal is very marginal in its density reduction (specifically 450 reduced to 438 multifamily units). Given the planning context for this site within a designated General Plan center and employment area and adjacent to a designated regional transit district, however, it is generally more desirable to increase density and intensity, particularly when that increase has the potential to improve walkability and improve the mix of uses. However, the conditions of approval do not allow for conversion of office or retail to residential uses.

“The traffic study that supported approval of the original conceptual plan and the preliminary plan of subdivision took a large trip reduction due to the availability of transit and the presence of a mix of uses on the site. The removal of multifamily residential uses from Lots 1 and 2 within Pod D, with the easy access of that location to bus transit, retail services, and recreational services, removes a key opportunity for trip reduction. The applicant notes that housing is permitted elsewhere in Pod D, but most of that development has occurred with no provision for a vertical mixed use, except for the 108 units that were approved at part of the DSP-07011-01 above the retail core. Locating multifamily residential within Pod B will place that housing in a location that is less walkable to other services.”

It should be noted that the relocated multifamily component from atop retail on Lots 1 and 2 is only the distance of approximately 1,500 linear feet. The Planning Board does not agree that the advantages of the natural beauty and tranquility of the residential living in Pod B is outweighed by a short walk to the retail core.

The subject site was placed in the M-X-T Zone by means of a zoning map amendment. However, the resolution approving the zoning case A-9613 included Condition 7, which requires that a comprehensive traffic study and staging plan be submitted for review at the time of conceptual site plan. This was done at the time of the original Conceptual Site Plan



CSP-03006, and the analysis of that study resulted in the approval of the development proposal on that plan with several conditions. Given that the development proposal maximum quantities and the mix of uses would not be changed, it is determined that the current application complies with the zoning condition and that no new traffic study is required at this time.

In consideration of these findings, the Planning Board determined that the plan conforms to the required findings for approval of the conceptual site plan from the standpoint of transportation, in consideration of the requirements of Sections 27-276 and 27-546. It should be noted that the original conceptual site plan contains a number of transportation-related conditions; these conditions shall remain in force with the approval of this revision.

- e. **Subdivision**—The property is the subject of Preliminary Plan of Subdivision (PPS) 4-06016 which was approved by the Planning Board (PGCPB Resolution No. 06-212(A)) and is valid until December 31, 2015. Based on the applicants justification statement this request relates to Pod B, D and E, as reflected on the approved CSP.

These pods of development are made up of a combination of record lots and outlots. Prior to the expiration of the PPS the outlots must be platted as lots consistent with an approved DSP or a new PPS is required.

The following table constitutes the development approved with the PPS:

	<b>APPROVED</b>
Zone	M-X-T
Acreage	244.67
Lots	375 Residential 39 Commercial
Parcels	17
Dwelling Units	
Multifamily	450
Single-Family Attached	162
Single-Family Detached	208
Mid-rise Condos	108
Townhouse Condos	53
2-over-2 Condos	98
<b>Total</b>	<b>1,079</b>

Development is subject to the findings and conditions of the PPS. The resolution contains the following cap on development which must not be exceeded without a new PPS:

“Total development within the subject property shall be limited to uses which generate no more than 3,112 AM and 3,789 PM peak-hour vehicle trips, with trip generation determined in a consistent manner with the March 2006 traffic study. 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 PPS contains additional findings and conditions which will be reviewed with the DSP. The proposed relocation of land uses will be evaluated for conformance to the PPS which will include but is not limited to circulation, access, environmental analysis, noise mitigation and lotting pattern.

- f. **Trails**—The conceptual site plan was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and/or the appropriate area Master Plan in order to provide the appropriate recommendations.

Conceptual Site Plan Number: CSP-03006/02  
 Name: Woodmore Town Centre  
 Type of Master Plan Bikeway or Trail

Municipal R.O.W.*		Public Use Trail Easement	
PG Co. R.O.W.*	X	Nature Trails	
SHA R.O.W.*		M-NCPPC – Parks	
HOA		Bicycle Parking	X
Sidewalks	X	Trail Access	

\*If a Master Plan Trail is within a city, county, or state right-of-way, an additional two four feet of dedication may be required to accommodate construction of the trail.

The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 1990 *Approved Largo-Lottsford Master Plan and Adopted Sectional Map Amendment* (area master plan).

Two master plan trails are in the vicinity of the subject site. These include designated bike lanes and continuous sidewalks along Campus Way North and Evarts Street, and a potential pedestrian bridge link over the Capital Beltway linking the Woodmore Towne Centre with the future development on the former Landover Mall (see MPOT map). It should also be noted that designated bike lanes and standard or wide sidewalks were approved through the Woodmore Towne Centre via prior approvals, and these have been constructed along Ruby Lockhart Boulevard.

The designated bike lanes and sidewalks have already been constructed along both Ruby Lockhart Boulevard and Evarts Street. A wide sidewalk has also been constructed along Ruby Lockhart Boulevard. Designated bike lanes have also been provided along the portion of Campus Way North that is within the subject site. These facilities fulfill the master plan recommendations for these roads, and provide the necessary elements for pedestrians and bicyclists typically included in Complete Street projects.

A vehicular and pedestrian connection across the Capital Beltway may be provided if the extension of Evarts Street comes to fruition. An additional pedestrian connection linking the Woodmore Towne Centre with the former Landover Mall site is not warranted until the redevelopment of the mall site occurs.

The *Approved Countywide Master Plan of Transportation* (MPOT) includes several policies related to pedestrian access and the provision of sidewalks. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians and provision of complete streets:

**Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

**Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

Bike lanes and sidewalks have already been constructed along the major internal roads, as discussed above. The main focus of the review of future revisions to the subject site regarding trails, bicycle, and pedestrian facilities will involve the provision of complete streets, pedestrian safety features, and possible pedestrian walkways through some of the larger expanses of surface parking. These issues are most appropriately dealt with at the time of Detailed Site Plan.

The submitted CSP revision is consistent with previous approvals and with the MPOT and area master plan. Designated bike lanes and standard/wide sidewalks have already been constructed along several internal roads consistent with the approved plans and CSP-03006. Internal pedestrian connections related to the proposed CSP revisions will be evaluated in more detail at the time of Detailed Site Plan.

- g. **Parks**—In a memorandum dated June 16, 2015, the Department of Parks and Recreation provided the following comments:

“The staff of the M-NCPPC Department of Parks and Recreation (DPR) has reviewed the above referenced revision to the conceptual site plan application for conformance with the requirements of the Zoning Ordinance No.13 –1988 (Basic Plan A-9613-C), 1990 *Approved Largo-Lottsford Master Plan and Adopted Sectional Map Amendment*, the Land Preservation and Recreation Program for Prince George’s County, current zoning and subdivision regulations as they pertain to public parks and recreation.”

“The subject property consists of 244.67 acres of land located in the northeast quadrant of Landover Road and I-95/495. The property is zoned M-X-T. The

applicant has requested revisions to CSP-03006 development Pods B, D and E. This amendment to the conceptual site plan will not increase the density or intensity of residential uses.

“The applicant conveyed 11.73 acres of land to M-NCPPC for a Public Park. The parkland is located in the eastern quadrant of the intersection of Campus Way North and Ruby Lockhart Blvd. The deed of parkland had been recorded in Prince Georges County Land Records at Liber 33003, Folio 489. D.R. Horton, Inc., a Delaware Corporation (“Residential Owner”) and Woodmore Towne Centre LLC, (“Commercial Owner”), collectively the “Owners/Developers of Woodmore Towne Centre, entered into the recreational facilities agreement with M-NCPPC for the construction of the following recreational facilities in the park:

- “• Artificial Turf Soccer/Football Field (225’ X 360’)
- “• Restroom Facility with 150 square feet of storage area
- “• Asphalt Parking Lot (108-space)
- “• Entry Pavilion (1,500 sq. ft.)
- “• Multi-Age Play Area
- “• Picnic Area
- “• Architectural Fence (1,612 linear feet; 4-foot height)
- “• Asphalt Trail (2,040 linear feet; 10-foot width)
- “• Landscaping

“The construction drawings for the recreational facilities in the park have been prepared by the applicant and approved by DPR staff. As part of this CSP-03006-02 application, the applicant submitted an illustrative exhibit which shows three sports fields on the dedicated parkland. It should be noted that this property is not labeled as public parkland. In addition, the plan does not show the correct mix of recreational facilities approved for construction. The applicant should revise the illustrative exhibit to indicate ownership of parkland and show approved recreational facilities to be constructed in the park.

“The Preliminary Plan 4-06016, Conditions 22(i) states:

**22. Land to be dedicated shall be subject to the following:**

- (i) **No stormwater management facilities, or tree conservation or utility easements, shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond,**

**maintenance and easement agreements shall be required prior to the issuance of grading permits.**

“This condition required the applicant to obtain a written consent from DPR for the construction of the underground SWM facility and enter into maintenance and easement agreements prior to the issuance of grading permits. Unfortunately, the applicant constructed an underground SWM facility prior to conveyance of parkland. DPR staff did not have the opportunity to be involved in the review of the underground facility or to discuss the needs for the maintenance and/or an easement agreement.

“The Detailed Site Plan for Infrastructure, DSP-07011 Condition 12 states:

- 12. Storm water management shall be allowed on parkland only if it is located underground and as far toward the southeastern end of the park parcel as feasible based upon grading constraints. The applicant shall submit a written request to DPW&T to locate stormwater management facilities underground (a copy shall be provided to DPR). In the event that written permission cannot be obtained from DPW&T for the construction of an underground SWM facility, an at-grade pond shall be allowed on public parkland at a location acceptable to DPR. If this is necessary as mitigation, the applicant shall construct on the park property, a multi-age playground and provide enhanced landscaping program. The playground and landscaping shall be incorporated into the park concept plan to be reviewed and approved by DPR staff prior to certificate approval of the DSP-07011. The SWM facilities on parkland shall be maintained in perpetuity by the applicant and its successors and/or assigns. However, the maintenance of this stormwater management facility shall not be the responsibility of any future HOA for residential portions of the development.**

“**Comment:** Condition 12 of the DSP-07011 allows the applicant to construct an underground SWM facility on parkland with the condition that the applicant will maintain the SWM facility on parkland in perpetuity. The applicant informed DPR staff that the applicant entered into a maintenance agreement with Department

of Permitting Inspections and Enforcement (DPIE) for maintenance of the SWM facility on parkland. Unfortunately M-NCPPC was not part of this agreement as a property owner. DPR staff requested the applicant to provide a copy of the maintenance agreement to DPR for review and comments. Unfortunately at the time of the writing of this memo we have not received copy of the maintenance agreement to determine if this document sufficiently sets forth the rights, responsibilities, and liabilities of the applicant and M-NCPPC as the property owner. DPR staff is concerned about the impacts of required regular and major maintenance of the SWM facility by the applicant as well as the operation and maintenance of the park which includes a planned 108-space parking lot located on top of the underground SWM facility. See attached DPR Exhibit "A." In our opinion, the applicant should submit the existing maintenance agreement to DPR for review. If DPR staff determines that the existing maintenance agreement is insufficient to address M-NCPPC rights, responsibilities, and liabilities as the property owner, the existing maintenance agreement should be amended or a new agreement should be executed to the satisfaction of M-NCPPC."

"In summary, the M-NCPPC Department of Parks and Recreation (DPR) recommends that approval of the Conceptual Site Plan CSP-0300-02 be subject to the following conditions:

- "1. Prior to certificate approval of the CSP-03006/02, the applicant shall submit to DPR staff for review the existing maintenance agreement between the applicant and the Prince George's County Department of Permitting Inspections and Enforcement to determine if the agreement sufficiently sets forth the rights, responsibilities, and liabilities of all the parties including the applicant, the M-NCPPC and the DPIE."

The Planning Board adopted this proposed condition of approval.

- "2. If DPR staff determines that the existing maintenance agreement insufficiently addresses M-NCPPC rights, responsibilities, and liabilities as a property owner, the existing maintenance agreement shall be amended or a new agreement shall be executed to the satisfaction of M-NCPPC. This amended agreement shall be executed prior to issuance of 250<sup>th</sup> building permit and be recorded in the Land Records of Prince George's County."

Staff continues to analyze this condition and the Planning Board did not adopt this recommended condition of the DPR because it is unrelated to the proposed CSP revision.

“3. Prior to certificate approval of the CSP-03006/02, the applicant shall revise the illustrative exhibit to indicate ownership of parkland and show approved recreational facilities to be constructed in the park.”

The Planning Board adopted this proposed condition of approval.

- h. **Environmental**—The Planning Board finds that as the submitted plans show no changes to the approved limits of disturbance and it conforms to the approved Type 1 Tree Conservation Plan TCP1-013-05-01. However, if any changes to the limits of disturbance are proposed in the future, a revision to that approved tree conservation plan would be required.
- i. **Prince George’s County Fire Department**—In a memorandum dated May 26, 2015, the Prince George’s County Fire Department offered comment on private road design, needed accessibility and the location and performance of fire hydrants.
- j. **Department of Permitting, Inspections and Enforcement(DPIE)**—The Planning Board did not receive a referral.
- k. **Prince George’s County Police Department**—In a memorandum dated June 2, 2015, the Prince George’s County Police Department stated that after reviewing the plans for the project, they have no recommendations on the revision to the CSP.
- l. **Prince George’s Health Department**—The Environmental Engineering Program of the Prince George’s County Health Department has completed a desktop health impact assessment review of the conceptual site plan submission for Woodmore Towne Centre at Glenarden and has the following comments:

“(1) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. At the Detailed Site Plan phase, please indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light on planned and existing residential areas.”

Attention to this issue is ensured by the inclusion of a condition that would require at, at time of approval of a Detailed Site Plan for the project, that all proposed exterior light fixtures be shield and positioned so as to minimize light trespass caused by spill light on planned and existing residential areas.

- “(2) The site is adjacent to major roadways, i.e., the Capital Beltway (I-95/495), Landover Road (MD 202), and Campus Way North. Several large-scale studies demonstrate that increased exposure to fine particulate air pollution is associated with detrimental cardiovascular outcomes, including increased risk of death from ischemic heart disease, higher blood pressure, and coronary artery calcification. There is an emerging body of scientific evidence indicating that fine particulate air pollution from traffic is associated with childhood asthma. Published scientific reports have found that road traffic, considered a chronic environmental stressor, could impair cognitive development in children, such as reading comprehension, speech intelligibility, memory, motivation, attention, problem-solving, and performance on standardized tests. The applicant should consider options to mitigate exposure to fine particulate air pollution.”

This particular item is outside the Planning Board’s legislative authority to establish conditions regarding air pollution.

- “(3) Major roadways such as the Capital Beltway (I-95/495), Landover Road (MD 202), and Campus Way North are a source of noise which can be detrimental to health with respect to hearing impairment, sleep disturbance, cardiovascular effects, psycho-physiologic effects, psychiatric symptoms, and fetal development. Sleep disturbances have been associated with a variety of health problems, such as functional impairment, medical disability, and increased use of medical services even among those with no previous health problems. It is noted that the conceptual site plan already has mitigating conditions related to noise.”

Attention to this issue is ensured by inclusion of a condition requiring at time of approval of a Detailed Site Plan for the project, that noise issues be evaluated. Note that noise issues are normally only evaluated regarding residential and quasi-residential land uses.

- “(4) The public health value of access to active recreational facilities has been well documented. The conceptual site plan includes a variety of year-round recreational facilities that will be a health benefit for residents and community members of all ages.”

The adequacy, siting and variety of recreational facilities would, by condition of this approval be addressed at the time of approval of a detailed site plan for the project.

- “(5) Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors have a significantly higher prevalence of obesity and



diabetes. There are three market/grocery stores and two convenience stores within ½ mile radius of this location. The site provides a variety of food choices and the addition of the proposed fast food facility is not anticipated to increase adverse health effects.”

As noted above, the subject project addresses this Health Department concern as the Wegman’s Grocery Store is located with the Woodmore Towne Centre.

- m. **Maryland State Highway Administration (SHA)**—In an e-mail received from the SHA on June 4, 2015, the SHA has no comments on the subject project. It was further stated that they would defer to the Adequate Public Facilities Ordinance regarding any additional traffic being generated and the proposed mitigation for that traffic. All the state roads required by the Woodmore Towne Centre have been completed.
- n. **Verizon**—In an e-mail dated June 11, 2015, Verizon requested that the project include a ten-foot public utility easement (PUE) adjacent, parallel and contiguous to the right-of-way, along all roadways dedicated for public use, free and clear of any surface obstructions.

A revision of the conceptual site plan is not normally the stage of approval at which public utility easements are included in the project. However, the applicant has been made aware of Verizon’s request in this respect.

- o. **The Town of Glenarden**—In a letter dated June 8, 2015, from Kenneth M. Jones, Jr., Esquire, City Manager of Glenarden to Ruth Grover, the City Manager explained what he saw as critical issues for the future of the Woodmore Towne Centre at Glenarden. More specifically, he stated that the proposed changes to the Woodmore Towne Centre project reduced the walkability of the town center and reduce the core impact of the center from the surrounding neighborhoods. In his opinion, the approved concept for Woodmore Towne Centre as approved in Conceptual Site Plan CSP-03006 and as amended by CSP-03006-01 is for an urban core with 6, 10 and 12-story buildings, with the 12-story building placed proximate to the Capital Beltway as a signature element to the Woodmore Towne Centre at the City of Glenarden. In his opinion, the plans as submitted remove the notes and labels for a six-story tall hotel in Pod B, a ten-story retail and residential building in Pod D and a 12-story tall office building in Pod E. These changes alter the character of the Woodmore Towne Centre as originally envisioned.

Further, the City Manager asserted that what is of greater concern is the future viability of the project given the suggested changes. The higher density and urban feel of the project as supported by the City Council and agreed to by the developer in the past would be forever erased, in his opinion. What would remain, would be a power center or a strip mall. Further, he claimed that a strip mall or power center concept would not have been approved by the Council in 2006 if it had been presented.

In addition, the City Manager stated that concessions had been made when the City backed changes in, for example, lot sizes or replacing an office building with a 24-hour fitness center. With respect to the Nordstrom Rack that is considering locating in Woodmore Towne Centre, he acknowledged that there would be gains from having them locate in Prince George's County but suggested that it would be best if the Nordstrom Rack could be incorporated into a residential over retail building. He cited the applicant's assertion that they had marketed for twelve years without interest and that an anchor tenant like Nordstrom Rack will draw other tenants.

He expressed a willingness to help the applicant to find a previously illusive development partner for D.R. Horton, claiming there have been expressions of interest from a number of developers even without an anchor tenant like Nordstrom's Rack.

In conclusion, the City Manager stated that if a true town center is to be established in the subject location, the current request by the applicant should not be granted.

References to the June 8, 2015, letter signed by the City Manager should be clarified. In the original Staff Report, the contents contained within that letter were attributed to the City of Glenarden and its City Council. In actuality, the comments contained within the June 8, 2015 letter came from the City Manager and were intended to address potential issues, but were not an expression of a position taken by the City Council.

However, at the Planning Board hearing, two members of the City Council of Glenarden explained to the Planning Board that the City Council had not had the opportunity to review or vote on the application and that, in fact, they had not contributed to the viewpoint expressed in the City Manager's letter to staff. Conflicting views were expressed during the hearing before the Planning Board with regard to the City of Glenarden. The City Manager provided a letter signed by the Mayor of the City. However, the President of the Glenarden City Council and one of the individual City Council members both testified that the City had not taken a formal position on the instant CSP revision application and that there was no consensus City position. Further, the Board finds that both testimony and documentary evidence submitted into the record by Edward Estes, who resides within the residential component of Woodmore Town Center, to be confusing, contradictory and in some respects misleading regarding the City's position.

14. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. They explained that the City Council had not been afforded the opportunity to schedule time with the applicant to discuss the proposed revision to the CSP.
15. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a CSP:

**(4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.**

The revision to the CSP conforms with respect to tree conservation to the requirements of most recently approved revision to Type 1 Tree Conservation Plan TCP1-0123-05-01. As there are no other regulated environmental features found on the subject property, this required finding may be made for the subject project.

16. The following recommendation is made based on the recognition that all previous conditions of approval, associated with the original Conceptual Site Plan CSP-03006, shall remain in full force and effect.

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 Conceptual Site Plan CSP-03006-02, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:
  - a. Revise the FAR Chart on the coversheet of the plan set as follows:
    - (1) Indicate the residential maximum residential square footage as 2,000,000 (not 2,000,00);
    - (2) Include a note stating that the "approval of Conceptual Site Plan CSP-03006-01 did not impact the maximum square footage permitted in the development."
    - (3) Add the institutional use proposed square footage to the table.
  - b. A note shall be added to the general notes of the CSP stating the following:

"All buildings shall be fully equipped with automatic fire suppression systems in accordance with applicable National Fire Protection Association standards and all applicable County laws."
  - c. Plans shall be revised as follows, or the indicated information shall be provided on the plans:
    - (1) Approved development for CSP-03006-01 is subject to the original minimum-maximum ranges of uses plus the addition of an institutional use and the associated 50–500 rooms not to exceed 500,000 square feet.
      - 900 to 1,100 residential units
      - 400,000 to 1,000,000 square feet of retail

- 550,000 to 1,000,000 square feet of office (subject to waiver provisions in Condition 1(a) of the approval of CSP-03006)
  - A maximum of 500,000 square feet of institutional uses
  - 400,000 square feet of retail and 550,000 square feet of office are required minimum amounts of the two uses. Applicant shall endeavor to achieve the permitted maximum amount of office use. No more than 2,000,000 square feet of retail, office, and institutional use combined are permitted.
  - Hotel use consisting of 360 rooms and conference center between 6,000 and 45,000 square feet.
- d. Submit to DPR staff for review the existing maintenance agreement between the applicant and the Prince George's County Department of Permitting Inspections and Enforcement to determine if the agreement sufficiently sets forth the rights, responsibilities, and liabilities of all the parties including the applicant, the M-NCPPC and the DPIE.
- e. Revise the illustrative exhibit to indicate ownership of parkland and show approved recreational facilities to be constructed in the park.

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Shoaff and Hewlett voting in favor of the motion, with Commissioner Washington temporarily absent at its regular meeting held on Thursday, July 2, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30<sup>th</sup> day of July 2015.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator