



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

Preliminary Plan of Subdivision 4-18007

Waiver of the Rules of Procedure and Reconsideration Request

Woodmore Overlook Commercial

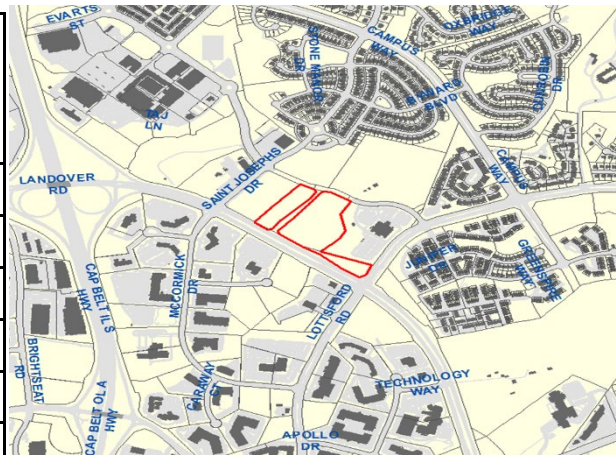
REQUEST	STAFF RECOMMENDATION
Waiver of the Rules of Procedure Reconsideration Request	DISCUSSION

Location: In the northwest quadrant of the intersection of MD 202 (Landover Road) and Lottsford Road.

Gross Acreage:	18.33
Zone:	M-X-T
Gross Floor Area:	32,930 sq. ft.
Lots/Dwelling Units:	164
Parcels:	6
Outparcels:	1
Planning Area:	73
Council District:	05
Election District:	13
Municipality:	N/A
200-Scale Base Map:	203NE08/203NE09

Applicant/Address:
Woodmore Overlook, LLC
4326 Mountain Road
Pasadena, MD 21122

Staff Reviewer: Thomas Sievers
Phone Number: 301-952-3994
Email: Thomas.Sievers@ppd.mncppc.org



Planning Board Date:	02/13/2020
Planning Board Action Limit:	02/16/2020
Memorandum Date:	01/22/2020
Date Received:	01/17/2020
Previous Parties of Record: (Applicant)	12/31/2019
Previous Parties of Record: (M-NCPPC)	01/24/2020



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

January 22, 2020

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Sherri Conner, Supervisor, Subdivision and Zoning Section
Development Review Division

FROM: Thomas Sievers, Senior Planner, Subdivision and Zoning Section
Development Review Division

SUBJECT: Preliminary Plan of Subdivision 4-18007
Waiver of the Rules of Procedure and Reconsideration Request
Woodmore Overlook Commercial

By letter dated December 31, 2019 and received on January 17, 2020, Norman Rivera, representing Woodmore Overlook, LLC., requested a waiver of the Prince George's County Planning Board's Rules of Procedure (Section 10(a)), which requires that a reconsideration request be submitted no less than 14 calendar days after the date of notice of the final decision. In this case, the resolution of approval (PGCPB Resolution No. 19-32) was adopted by the Planning Board on March 28, 2019. If the waiver is granted, the applicant requests a reconsideration to amend Condition 6(a) and delete Condition 6(b) of the resolution. Per Section 10(e) of the Rules of Procedure, reconsideration may only be granted if, in furtherance of substantial public interest, the Board finds that an error in reaching the original decision was caused by fraud, surprise, mistake, inadvertence, or other good cause.

The preliminary plan of subdivision (PPS) approval (PGCPB Resolution No. 19-32) included Condition 6(a) and Condition 6(b), requiring off-site road improvements associated with the development, as follows:

6. **Prior to issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the**

appropriate operating agency (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):

- a. MD 202 at Lottsford Road: Convert the existing eastbound right-turn lane to a shared through/right-turn lane.**
- b. Lottsford Road at Campus Way North: Provide a second, southbound, left-turn lane along Campus Way.**

The applicant is requesting that Condition 6(a) be amended to reflect an alternative improvement for a third left-turn lane on the southbound MD 202 (Landover Road) approach to the eastbound Lottsford Road. The applicant also requests that Condition 6(b) be deleted to not require a second southbound left turning lane along Campus Way, at the intersection of Lottsford Road and Campus Way North, for the reasons detailed below.

As set forth in the request, the applicant states that the recently approved Detailed Site Plan, DSP-18024 (PGCPB Resolution No. 19-72) on the subject site, approved development, which was a reduction from the development approved with the subject PPS 4-18007. The applicant further states that the reduced development approved with the DSP results in a reduction in trip generation for the subject site and reduces the off-site road improvements needed for adequate public facilities contemplated with PPS 4-18007. The applicant wishes to have this information recognized as “good cause,” allowing the Planning Board to grant their requested reconsideration to amend Condition 6(a) and delete Condition 6(b), in order to allow the applicant to construct the appropriate improvements, as related to the development approved with the DSP.

If the Planning Board grants the applicant’s request for a waiver and reconsideration, staff will provide an analysis on the merits of the request at a later Planning Board hearing.