

September 6, 2005

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Gary Wagner, Planner Coordinator, Urban Design Section

SUBJECT: Conceptual Site Plan, CSP-01008
Greenbelt Station (Reconsideration)

The Conceptual Site Plan for Greenbelt Station was approved by the Planning Board on July 26, 2001 (PGCPB No. 01-160 (C)). On September 24, 2001, the District Council affirmed the Planning Board's decision, subject to conditions adopted by the Board, and with additional conditions 37 through 41. The District Council's decision was appealed by the City of Greenbelt to the Court of Special Appeals of Maryland, which held that the approval of the Conceptual Site Plan was in error for reasons related to transportation adequacy.

By letter dated February 1, 2005, the applicant requested that the Planning Board reconsider the Conceptual Site Plan to address the transportation related issues. On March 17, 2005, the Planning Board granted a request to reconsider its prior action for the above-mentioned case. The reconsideration has been on hold while the District Council created new legislation (CB-36-2005) to amend the findings required for transportation adequacy for a Metro Planned Community in the I-1 Zone. The District Council is scheduled to hear CB-36-2005 on September 12, 2005. The Transportation Planning Section provided a memorandum dated September 6, 2005 (Masog to Wagner), which provides information related to the merits of the reconsideration, based on the approval of CB-36-2005. The Urban Design Section recommends that the following information contained in that report replace the language contained in the last paragraph of Finding 16 on page 27 of the Planning Board's resolution for the Conceptual Site Plan (PGCPB No. 01-160 (C)):

REVISED FINDING

CB-36-2005 amends the findings required for a Metro Planned Community at the time of Conceptual Site Plan (Section 27-475.06.03(b)(2)(F)(viii)) to read thusly:

“Unless a finding of adequacy was made at the time of preliminary plat approval, the proposed development will be adequately served within a reasonable period of time by existing, programmed , or guaranteed transportation facilities, as follows:

- (aa) Adequate roads will be available to serve the development and all traffic it will generate, or an adopted and approved Master Plan shows those roads, which have their construction scheduled and 100% funded in the current adopted County Capital Improvement Program, State Consolidated Transportation Program, or Federal Highway Administration Program; and the generated traffic will be accommodated by roads and intersections in the development's traffic study area, so that they will operate at adequate levels of service, as defined in the General Plan and the Guidelines for Analysis of Traffic Impact of Development Proposals; or
- (bb) If existing or programmed facilities will not be adequate to serve traffic generated by the development, then the applicant (and successors or assigns) will fund transportation improvements or trip reduction programs that will alleviate the inadequacy, through funding guaranteed by the applicant and bonding with either the Federal Highway Administration, the State Highway Administration, or the Department of Public Works and Transportation (said bonding amounts established pursuant to agreements by and between the applicant with the respective agency) which secures 10% of facilities construction costs at the time of Conceptual Site Plan or Detailed Site Plan;”

A revised traffic study or revised traffic data have not been reviewed in support of this reconsideration. The conditions originally recommended in support of the plan were determined to be sufficient to correct the identified inadequacies, but were not sufficient to meet the actual finding that was required at that time. With regard to the findings that are currently required consistent with CB-36-2005, once again, the transportation conditions are sufficient to correct the identified inadequacies. At this time, two additional conditions are required to meet the requirement of the finding established by CB-36-2005:

1. A condition is needed to require that a ten percent guarantee of the cost of all off-site transportation facilities be provided to the appropriate operating agencies. This ten percent guarantee should be provided in writing prior to the approval of the Detailed Site Plan.
2. A condition is needed to require that a report detailing the cost of all off-site transportation facilities shall be submitted at the time of review of the Detailed Site Plan. Such report shall be referred to the appropriate operating agencies. Full concurrence of the agencies shall be required, and any modifications to the report agreed upon by the applicant and the agencies shall be a part of the record for the Detailed Site Plan.

With such conditions in place in addition to the transportation-related conditions placed upon CSP-01008, the Transportation Planning Section believes that the plan would conform to the findings required for approval of the Conceptual Site Plan.

The transportation staff is aware that the applicant seeks to revise the land use quantities within the proposal, and that a revision of the scope of off-site transportation improvements will also be considered. Nonetheless, the scope of the reconsideration was very narrow, and there will be a later opportunity to review these important issues.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the subject plan as required under Section 27-475.06.03 of the Prince George's County Code. It is recommended that all existing transportation-related conditions be retained, and that two additional conditions be required:

1. The applicant (and his successors and/or assigns) shall fund all off-site transportation improvements required by this resolution through funding that secures a minimum of ten percent of facilities construction costs. Such funding will be accomplished by bonding (or a similar approved funding instrument) with either the Federal Highway Administration, the State Highway Administration, or the County Department of Public Works and Transportation, with said bonding amounts established pursuant to agreements by and between the applicant with the respective agency. Proof of such funding shall be required prior to Detailed Site Plan approval.
2. A report detailing the cost of all off-site transportation facilities shall be submitted at the time of review of the Detailed Site Plan. Such report shall be referred to the appropriate operating agencies for their review. Full concurrence of the agencies shall be required prior to Detailed Site Plan approval, and any modifications to the report agreed upon by the applicant and the agencies shall be a part of the record for the Detailed Site Plan.

REVISED RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and REAPPROVE CSP-01008, subject to the following additional conditions:

42. The applicant (and his successors and/or assigns) shall fund all off-site transportation improvements required by this resolution through funding that secures a minimum of ten percent of facilities construction costs. Such funding will be accomplished by bonding (or a similar approved funding instrument) with either the Federal Highway Administration, the State Highway Administration, or the County Department of Public Works and Transportation, with said bonding amounts established pursuant to agreements by and between the applicant with the respective agency. Proof of such funding shall be required prior to Detailed Site Plan approval.
43. A report detailing the cost of all off-site transportation facilities shall be submitted at the time of review of the Detailed Site Plan. Such report shall be referred to the appropriate operating agencies for their review. Full concurrence of the agencies shall be required prior to Detailed Site Plan approval, and any modifications to the report agreed upon by the applicant and the agencies shall be a part of the record for the Detailed Site Plan.