



TOWN OF UNIVERSITY PARK

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March 11, 2010

Honorable Redis Floyd
Clerk, Prince George's County Council
Office of the Clerk of the Council
14741 Governor Oden Bowie Drive, Room 2198
Upper Marlboro, Maryland 20772

Re: Detailed Site Plan DSP-09006 Belcrest Plaza
Prince George's Plaza Transit District Development Plan
Subareas 12 and 13A
Departure from Parking and Loading Standards DPLS-351
Departure from Design Standards DDS 600

Dear Ms. Floyd:

This letter is sent to note the appeal of the Town of University Park to the District Council in the matter of the above-referenced DSP-90069 and DPLS-351.

The Town is in support of responsible development at the Belcrest Plaza site, which is consistent with the Transit District Development Plan ("TDDP"). We believe that the current DSP proposal falls short of the TDDP, quality development and best practices. Originally the Maryland-National Capital Park and Planning Commission ("MNCPPC") staff requested the Applicant to provide a conceptual site plan, so that the overall concept of the proposed development could be considered; unfortunately, they refused to do so. We feel that this refusal severely hampered the ability of all parties to evaluate and participate in the discussion and review of the overall plan for development. In addition, the lack of a conceptual site plan review led to a number of instances where issues that are usually settled before a submittal for a DSP became points of contention. For example, provision of adequate public facilities had not been resolved when the DSP was reviewed before the Planning Board, and became a major area of discussion during that process. This is not generally the case.

Town Council members and I have attended numerous meetings between the MNCPPC Staff and Contee Company, LLP with respect to the Belcrest Plaza Mixed-Use development. Further, we attended all of the Planning Board hearings, and have carefully reviewed the first recommendation of MNCPPC staff to deny the application, which the Town supported, and the revised recommendation of approval with conditions, which the Town has supported in part and opposed in part. We have reviewed the Planning Board Resolution, and agree that it is an accurate record of what the Planning Board decided. Generally, the issues about which the Town continues to have great concern, and requests help from the District Council, are as follows: storm water management, traffic, architectural design and view-shed, sidewalks and bike lanes, utilities and undergrounding of utilities, density, and streetscape/street activation issues.

Specific issues of concern include, but are not limited to, the following:

1. Density – The Town does not support the approval of the changes in minimum and maximum height restrictions. In particular, the Town vigorously opposes the increases in building height on Parcel B, Georgian Plaza, with respect to the 31 story tower. This building, along with other increases in density, upends the assumptions on which the Transit District Development Plan (“TDDP”) was based. The developer has stated that the height restrictions are based on old, outdated concepts. If this is in fact the case, and we do not believe it is, such a drastic change should be considered in a public process, not in the context of a DSP and zoning change. At the same time that this significant increase in density is being proposed, other requested amendments severely compromise the original plan.
2. Toledo Terrace -The original recommendation of County and MNCPPC staff was unanimous: Toledo Terrace, which has a 70 foot wide right of way, was to be widened to 43 feet to accommodate two 11’ travel lanes, one two way center left turn lane and two 5’foot bicycle lanes, with 10’ wide minimum sidewalks. This is required by Mandatory Development Requirements P1 and S8 and Figure 8 and Table 10. Instead, due to the applicant’s request to stay within current limits, the Planning Board approved no bike lanes and an 8’ wide sidewalk. This is in direct contravention of the TDDP goals and purposes. The Town supports the two 5’foot wide bicycle lanes, a 12’ sidewalk and an 8’ tree planting strip.
3. Traffic management – The area that the Planning Board considered for traffic impacts was not the transportation study area (Figure 11 of the TDDP), which includes 19 intersections, but only the six intersections immediately within the development area. All subsequent findings and recommendations are built on this erroneous interpretation of the TDDP, and are contrary to the original recommendations of MNCPPC staff. As a result, and together with other misinterpretations of the “credits” due to the applicant, the traffic management plan contained in the Planning Board Resolution is incorrect, inadequate and not in keeping with the TDDP.
4. Utilities - A great deal of time was spent during the Planning Board hearing process to resolve the placement and undergrounding of utilities. The Town fully supports the undergrounding of the utilities. The Town continues to be concerned that the PEPCO request for sufficient space to underground, together with a reservation of sufficient area for the other utilities, has not been fully addressed. There is also a concern as to whether sufficient wastewater capacity has been provided.

5. Stormwater Management – The Town is downstream of this project, which currently has no stormwater management. Stormwater flows into the Town creek, which has been the subject of hundreds of thousands of dollars of reclamation work. While we would expect that any development process would improve this situation, we are not reassured that it will. The applicants have promised Town officials throughout this process, and then made the same representation to the Planning Board, that they would revise plans to demonstrate conformance with COMAR Title 26, Department of the Environment, Part 3, Subtitle 17, Water Management, Chapter 2, Stormwater Management, 26.17.02.00 et seq., as amended, incorporating by reference 2000 Maryland Stormwater Design Manual Volumes I and II (Maryland Department of the Environment, April, 2000) Supplement 1, which are the new state mandated requirements to be in effect by May, 2010. However, at the final Planning Board hearing, Mr. Genn, applicant’s representative, went back on this promise and stated only that the applicant would follow “applicable law”. The Planning Board rejected that statement and included condition 18. The Town fully supports this condition.
6. Shuttle service - Applicant should provide a private shuttle to and from the Prince George’s Plaza Metro station to mitigate vehicle traffic. This has not been required, and is critical to limiting traffic growth as a consequence of this project.
7. Street activation/design – the design of the project appears to make the same errors as the neighboring University Town Center design. The architecture is inward, there is no agreement with adjacent Prince George’s Plaza for any connection, and the overall design is not inviting. Combined with the decision to allow for narrower sidewalks along Toledo Terrace and the elimination of dedicated bicycle lanes, this defeats a primary goal of the TDDP, to create a pedestrian and bicycle friendly environment and to discourage the use of automobile usage within the TDOZ.
8. Parks – MNCPPC staff recommended to the Planning Board that a private outdoor open space of approximately 2.8 acres of land be developed on Parcel B, Georgian Plaza (where Building 2 is now shown on the plans). This was rejected by the Planning Board. The Town supports including this in the DSP requirements.
9. The Town opposes the allowance of two loading spaces that enter or exit directly onto Toledo Terrace, as requested in DDS-600.

The Town will appear and testify more fully as to its concerns when the District Council hears this matter. At that time, the Town may choose to provide additional documentation further amplifying on our concerns. Thank you.

Very truly yours



John Rogard Tabori
Mayor

cc: Parties of record, Chmn. Dernoga, Council Member Olson, Council Member Campos