

May 19, 2020

Balk Hill Ventures, LLC
1919 West Street
Davidsonville, MD 21035



Re: Notification of Planning Board Action on
Zoning Section – DDS-669
Woodmore Commons

Dear Applicant:

This is to advise you that, on **May 14, 2020**, the above-referenced application was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-228.01 of the Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of the final notice **May 19, 2020** of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, at 301-952-3600.

Please be advised that, pursuant to Council Resolution 10-2020, adopted on March 17, 2020, the District Council suspended certain time periods that may be applicable to an appeal of the matter approved by the Planning Board in the attached resolution. For questions concerning your right to appeal, please contact the Office of the County Clerk at Clerkofthecouncil@co.pg.md.us.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Sincerely,
James R. Hunt, Chief
Development Review Division

By: N. Andrew Bishop
Reviewer

Attachment: PGCPB Resolution No. 2020-77

cc: Donna J. Brown, Acting Clerk of the County Council
Persons of Record

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed 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 May 7, 2020, regarding Departure from Design Standards DDS-669 for Woodmore Commons, the Planning Board finds:

- Request:** The Departure from Design Standards (DDS), requests a reduction of the standard parking space size to 9 feet by 18 feet. In conjunction with this DDS, the Planning Board approved a Detailed Site Plan DSP-04067-09 (PGCPB Resolution No. 2020-76, for the development of five multifamily residential buildings, including 268 dwelling units, a 5,000-square-foot clubhouse, and surface parking that was approved by the Planning Board on the same day.

2. Development Data Summary:

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use	Vacant	Multifamily Residential
Total Acreage	9.34	9.34
Parcels	2	2
Total Gross Floor Area (sq. ft.)	0	307,976
Total Multifamily Dwelling Units	0	268

PARKING AND LOADING TABULATION

Use	Number of Spaces Provided*
Total On-site Surface Parking	376
Handicap-Accessible	8
Standard Spaces	255
Compact	113
Total Loading Spaces	1
Multifamily	
1 space/100 to 300 Dwelling Units	1

Note: **Per Sections 27-574 and 27-583 of the Prince George's County Zoning Ordinance, there is no specific required number of parking or loading spaces in the M-X-T Zone. The applicant has included an analysis to be approved by the Prince George's County Planning Board. See Finding 7 for a discussion of the parking analysis.

3. **Location:** The subject property is located at the northeast quadrant of the intersection of Ruby Lockhart Boulevard and Saint Joseph's Drive, in Planning Area 73, Council District 5. The companion DSP includes two parcels, which are located on Tax Map 60 in Grid E3, and are known as part of Parcel 1, recorded in Liber 33973 folio 99, and a plat for Balk Hill Village Subdivision recorded in Plat Book PM 217-92 on March 2, 2007. Parcel 1 is proposed to be subdivided with the approval of Preliminary Plan of Subdivision (PPS) 4-18024 into Parcels 10 and 11, which are the subject of this application.
4. **Surrounding Uses:** The site is bounded by uses in the Mixed Use-Transportation Oriented (M-X-T) Zone. The property to the north includes commercial office uses and single-family attached and detached residential dwellings. The property to the east is approved for the development of single-family attached residential units, known as Woodmore Overlook. The site is further bounded by the public rights-of-way of Ruby Lockhart Boulevard to the south, with future commercial development beyond, and Saint Joseph's Drive to the west, with commercial development beyond.
5. **Previous Approvals:** In 2002, the subject property was rezoned from the Planned Industrial/Employment Park (I-3) Zone to the M-X-T Zone by the Prince George's County District Council through Zoning Map Amendment (Basic Plan) A-9956-C. On March 22, 2018, the District Council subsequently adopted an ordinance to amend conditions 5 and 10 of A-9956-C.

The Prince George's County Planning Board approved Conceptual Site Plan CSP-03001, on September 11, 2003, which included the approval of 393 residential units, 20,000 square feet of commercial/retail space, and 329,480 square feet of commercial/office space. After the District Council's approval of the revised conditions attached to A-9956-C, an amendment, CSP-03001-01, was approved by the Planning Board on June 25, 2019 to revise the mix of uses on Parcels 1 and 2, reduce the commercial square footage to 65,000-100,000 square feet, and add 284 multifamily dwelling units.

The Planning Board initially approved PPS 4-03094 on February 19, 2004. Subsequently, the Planning Board approved PPS 4-18024 on September 26, 2019, for Parcels 1 and 2, which are a portion of the larger property approved with PPS 4-03094. The approval of 4-18024 supersedes the prior approval of 4-03094 for existing Parcels 1 and 2, which is the property included in the companion DSP application.

DSP-04067 was originally approved by the Planning Board on September 29, 2005. A number of amendments have been made to the DSP for the existing residential uses within the Balk Hill development north of the subject site.

On June 20, 2012, D.R. Horton, Inc. conveyed Parcels 1 and 2 to the Revenue Authority of Prince George's County. On October 20, 2014, the Revenue Authority issued a request for qualifications, soliciting interested purchasers of both parcels. The applicant, Petrie Richardson, was the only potential purchaser to submit a response and executed a contract of sale.

In addition, it is noted that the site is the subject of the requirements of Stormwater Management (SWM) Concept Plan 45273-2018-00, approved on October 10, 2019, and will expire on October 10, 2022.

6. **Design Features:** The applicant requests this DDS in conjunction with a DSP to develop proposed Parcel 11 with a multifamily residential development, including 268 dwelling units in five, four-story, buildings and a 5,000-square-foot community center. Access to the parcel is from a shared easement extending from Ruby Lockhart Boulevard, which forms the southern boundary of the site. No development is proposed on Parcel 10 at this time, but will be the subject of a future DSP. The five multifamily residential buildings are located in the southern and eastern portions of the site. The proposed clubhouse is in the central western portion facing the future development on Parcel 10.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Design Standards DDS-669:** The applicant requires a departure from Section 27-558(a) of the Zoning Ordinance, which requires nonparallel standard parking spaces to be 9.5 feet by 19 feet, but allows up to one-third of the required spaces to be compact, measuring 8 feet by 16.5 feet. The applicant is proposing 9-foot by 18-foot standard parking spaces and utilizes compact spaces, as allowed.

Section 27-239.01(b)(7)(A) of the Zoning Ordinance contains the following required findings, in order for the Planning Board to grant the departure:

- (i) **The purposes of this subtitle will be equally well or better served by the applicant's proposal;**

The reduced parking space size will allow more space on the site for landscaping, open space, and provide a more compact multifamily development, while still allowing for proper on-site circulation.

- (ii) **The departure is the minimum necessary, given the specific circumstances of the request;**

The proposed parking space width of 9 feet is reflective of other standards in the region, such as Montgomery, Frederick, and Charles Counties, which are between 8.5 and 9 feet wide. In addition, the proposed departure meets the size requirements of the standards in the recently adopted Zoning Ordinance, Prince George's County Council Bill CB-13-2018. A 9-foot width is based on design standards for a vehicle that is 6 feet, 7 inches wide, such as a large sport utility

vehicle, and will be adequate for most motor vehicles. Furthermore, this departure has been sought as a means of achieving an adequate number of parking spaces on the site.

- (iii) **The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;**

The recent approval of CSP-03001-01 and PPS 4-18024 contemplated the development and construction of 284 multifamily units on the property. However, due to the site's constraints, the buildable area is limited and necessitates a smaller parking space size, to more efficiently use the space. Therefore, only 268 dwellings are proposed, and this reduction in the number of units will provide a higher parking ratio for the number of units. In addition, it is noted that the reduced parking space size of 9 feet by 18 feet is more comparable to most other neighboring Maryland jurisdictions.

- (iv) **The departure will not impair the visual, functional, or environmental quality or integrity of the site or the surrounding neighborhood.**

The departure will allow the applicant to maximize the efficient use of the site to provide parking, as well as additional greenspace and landscaping, which is visually and functionally attractive. Thereby, the departure in parking space size will allow the proposed development to provide a more visually appealing and improved environmental quality. In addition, it is noted that the reduction in parking space size will improve the functionality of the site by enabling the provision of much-needed parking for future residents of this site.

Based on the analysis above, the Planning Board approved the departure request to reduce the dimensions of the proposed standard parking spaces from 9.5 by 19 feet, to 9 feet by 18 feet.

8. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the following concerned agencies and divisions. The referral comments are summarized, as follows:
- a. **Transportation Planning**—The Planning Board adopted a memorandum dated April 13, 2020 (Masog to Bishop), which provided a discussion of the applicable previous conditions of approval, the requested departure, and the parking requirements under Section 27-574 that have been included in the findings for the companion DSP. The Planning Board finds that, from the standpoint of transportation, this plan is acceptable if the application is approved as conditioned.

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 Departure from Design Standards DDS-669, to allow the standard parking spaces to be 9 feet wide by 18 feet long.

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 Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner and Hewlett voting in favor of the motion, with Commissioner Bailey absent, and with Commissioner Geraldo temporarily absent at its regular meeting held on Thursday, May 7, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of May, 2020.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC Legal Department

Date: May 12, 2020