

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed Departure from Parking and Loading Spaces DPLS-473, Quincy Manor, requesting a reduction of 647 off-street parking spaces in accordance with Subtitle 27 of the Prince George’s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on September 26, 2019, the Prince George’s County Planning Board finds:

1. **Request:** The subject application is a departure from the number of parking and loading spaces required for the entire development, requesting a reduction of 647 off-street parking spaces from the requirements of Section 27-568 of the Zoning Ordinance.
2. **Development Data Summary:**

| | EXISTING | APPROVED |
|---------|--|---|
| Zone(s) | R-18/R-35/D-D-O | R-18/R-35/D-D-O |
| Use(s) | Platted single-family attached residential and a community building, including a police substation | Semi-detached residential, multifamily residential* |
| Lots | 404 | - |
| Parcels | 7 | 7 |
| Units | 404 | 371* |

Parking Data

| | |
|---|------------|
| Required | |
| 371 units @ 2 spaces per unit | 742 |
| 291 units with bedrooms in excess of one per unit @ 0.5 space | 146 |
| Total | 888 |
| | |
| | |

| | |
|--|--------|
| Provided | |
| Standard spaces (Pre-1970 standards 9'x 20') | 224 |
| Compact spaces (8' x 16.5') | 17 |
| Total | 241** |
| On-street parking spaces | 180*** |

Notes: * A total of 371 dwelling units have been constructed on the site since the 1950s, in various building types.

** DPLS-473 was requested and approved by the Planning Board on the same date with the companion DSP-09013-01.

*** There are 180 existing on-street parking spaces that have been used by the residents in the subject development. These on-street parking spaces were allowed to count towards the parking requirements when the existing buildings were constructed.

3. **Location:** The property is located in Planning Area 69 and Council District 5. More particularly, the subject property is located on the north and south sides of Newton Street, Madison Way, and on the east and west sides of 54th and 55th Avenues, approximately 200 feet from the intersection of Quincy Street and 55th Avenue.
4. **Surrounding Uses:** The subject property is bounded to the west by multifamily residential units in the R-18 Zone, in the Town of Bladensburg; to the east by single-family detached houses in the One-Family Detached Residential Zone, in the Town of Cheverly; to the north by the Newton Green senior multifamily project in the R-18 Zone; and to the south by multifamily residential units (Monroe South Parke Cheverly Apartments) in the R-18 Zone, and several semidetached residential units in the One-Family Semidetached, and Two-Family Detached, Residential (R-35) Zone.
5. **Previous Approvals:** The subject site is known as Quincy Manor and Monroe Gardens, currently also known as Cheverly Gardens for marketing purposes, and is recorded in Plat Book MMB 236, 14–22. The 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment* (Port Towns Sector Plan and SMA) retained the property in the R-18 and R-35 Zones and superimposed a Development District Overlay (D-D-O) Zone on the northeast portion of the property.

The site has a Preliminary Plan of Subdivision 4-08022, which was originally approved by the Prince George’s County Planning Board on December 4, 2008, then reconsidered and approved on April 9, 2009, with the amended resolution of approval (PGCPB Resolution No. 08-178(A)) adopted by the Planning Board on the same day. This PPS approved 411 lots and 7 parcels for the construction of single-family attached (townhouse) dwelling units, which were platted.

Subsequently, DSP-09013 was approved on January 21, 2010, for 404 single-family attached (townhouses) dwelling units and a 1,680-square-foot community building, including a 197-square-foot police substation. None of the townhouses have been constructed. Only the community building approved with that DSP has been constructed on the site.

The site has a previously approved Stormwater Management Concept Plan No. 33617-2007-00. Since there are no improvements proposed with this DSP and no disturbance of any part of the site, no new concept plan is needed.

6. **Design Features:** This DSP application seeks to remove the recorded townhouse lots, and revert the entire site to a larger parcel layout to reflect the existing on-site brick multifamily residential buildings. No development is proposed with this application.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the applicable requirements of the Zoning Ordinance, as follows:
 - a. The subject application is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs permitted uses in all residential zones. The existing semi-detached and multifamily buildings were built as permitted uses in the R-18 and R-35 Zones.
 - b. The companion DSP-09013-01 to validate the existing residential buildings on the site that were built in the 1950s but do not possess valid use and occupancy (U&O) permits, does not meet several requirements of Section 27-442, regarding regulations in residential zones. The applicant has requested variances to Section 27-442, and the Planning Board approved the variances with the DSP in PGCPB Resolution No. 19-105.
 - c. DPLS-473: A departure from the number of parking and loading spaces required, for a reduction of 647 parking spaces has been requested. In accordance with the current parking ratio as stated in Section 27-568, the site needs to provide 888 off-street parking spaces. The subject development has 241 on-site parking spaces and therefore, a departure of 647 spaces has been requested. There are an additional 180 on-street parking spaces found on the public streets serving the subject site that have been traditionally used by the occupants of the existing buildings. If the 180 on-street parking spaces were included in the parking calculation, the departure would be only for 467 spaces. The on-street parking was allowed to fulfill parking requirements at the time the development was constructed in the 1950s.

Section 27-588(b)(7) of the Zoning Ordinance sets forth the required findings for approval of a departure from the number of parking and loading spaces required, as follows:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

(i) The purposes of this Part (Section 27-550) will be served by the applicant's request;

Section 27-550 of the Zoning Ordinance sets forth the following purposes:

(a) The purposes of this Part are:

- (1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**
- (2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**
- (3) To protect the residential character of residential areas; and**
- (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The parking areas demonstrated on the plans have existed since the buildings were constructed in the early 1950s and consist of on-street parking on both sides of most streets (only one side on Madison Way), as well as several, small, conveniently located, on-site surface parking lots. The existing parking has proven to be sufficient to serve the parking needs of all persons associated with the buildings and uses through decades of operational experience. At the time of construction, the number of parking spaces required was calculated at a rate of one space per multifamily unit and on-street parking spaces could be counted toward that total. Therefore, a total of 371 spaces would have been required. Current parking calculation rates result in a total requirement of 888 spaces. When considering both on-street and on-site spaces, a total of 421 spaces are existing, which exceeds the parking requirement at the time of construction.

The public streets surrounding and within the subject site were clearly designed with the intent of on-street parking as many include extended

curbing at intersections to protect parked vehicles. As these are neighborhood streets, there is no conflict between traffic and on-street parking. As previously noted, the existing parking areas have existed since the multifamily complex was constructed and have not been a detriment to the residential character of the area. Both on-street and off-site spaces are conveniently and appropriately located.

In addition, the site is located within established neighborhoods. There are several Washington Metropolitan Area Transit Authority (WMATA) and TheBus stops along Newton Street and at MD 202 and 55th Avenue, just north of the site. The convenient public transportation service existing in the area will provide additional transportation options for the residents, other than rely solely on automobiles that may result in less parking. The above-stated purposes will be well served by the requested DPLS.

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

As previously discussed, the existing parking has served the multifamily development since the early 1950s. No site improvements are proposed with this application, so no new parking needs are created. The applicant is simply seeking approval of the subject DPLS application to validate existing conditions for the purpose of seeking a U&O permit. Given the existing situation and the specific circumstance of the subject site, the departure is the minimum necessary.

(iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;

As noted above, the parking areas demonstrated on the plans have been in existence since the buildings were constructed in the early 1950s, in conformance with the then-applicable parking regulations. At the time of construction, the number of parking spaces required was calculated at a rate of one space per multifamily unit and on-street parking spaces could be counted toward that total. Therefore, a total of 371 spaces would have been required. When considering both on-street and on-site spaces, a total of 421 spaces are existing, which well exceeds the requirement at the time of construction. The companion DSP seeks to validate the site as it is without creating any new dwelling units.

The development team has not been able to locate any record of an initial

U&O permit for the project, which has resulted in the inability to obtain certification of a nonconforming use for the portion of the property outside of the D-D-O Zone. The subject applications seek to validate the existing conditions on-site so that the owner/applicant may obtain a valid U&O permit. This is a condition very specific to the subject use, given its nature and history at this specific location. While the exact date of construction is uncertain, it has been pinpointed to the early 1950s when the number of parking spaces required were considerably less and on-street parking could be counted toward those requirements. This request seeks to alleviate these circumstances, which are unique to this developed area of the County.

- (iv) **All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and**

All methods for calculating the number of parking spaces required have been used. The number of parking spaces that were needed at time of the construction was 371. At that time, on-street parking could be included in the parking calculation. When considering both on-street and on-site spaces, a total of 421 spaces existed, which exceeds the then-required 371 spaces. In accordance with current parking ratios, a total of 888 spaces is required. Since this application does not create any new dwelling units, no additional parking need is created.

- (v) **Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

Single-family detached residences to the east and duplexes to the south are served by individual driveways, as well as on-street parking. Multifamily uses in the surrounding vicinity are all served by substantial surface parking lots, which are not conveniently located to the subject development. The departure seeks to validate the on-site conditions, which have existed since the early 1950s, and will not result in the infringement upon the parking or loading needs of adjacent residential areas.

- (B) **In making its findings, the Planning Board shall give consideration to the following:**

- (i) **The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property;**

Adjacent uses will be adequately served by the existing parking. As

noted above, the existing on-street and off-site parking spaces were sufficient to meet the requirement when the project was constructed. On-street parking is provided on both sides of most streets (only one side of Madison Way).

(ii) The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;

The Port Towns Sector Plan and SMA placed only a portion of the overall site within the D-D-O Zone and included an exemption which qualified the D-D-O Zone portion of the site for certification as a nonconforming use. No record of an initial U&O permit for the project can be found, which has resulted in the inability to obtain certification of a nonconforming use for the portion of the property outside of the D-D-O Zone. The subject applications seek to validate the existing conditions on site so that the owner/applicant may obtain a valid permit. If the entirety of the property had been placed within the D-D-O Zone, the subject application would not be necessary. Given the D-D-O Zone granted an exemption for a portion of the development, it is logical that the same policy should be applied to the remainder of the development.

(iii) The recommendations of a municipality (within which the property lies) regarding the departure; and

This site is not within a municipality. Therefore, this consideration is not applicable.

(iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.

This requirement is not applicable. There are no known public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.

(C) In making its findings, the Planning Board may give consideration to the following:

(i) Public transportation available in the area;

There are several bus stops served by both TheBus and WMATA Metrobus less than 0.25-mile of the site. Operational experience indicates that those public transportation facilities have been well utilized.

In conclusion, the Planning Board found that all the required findings have been met and approved DPLS-473.

8. Further Planning Board Findings and Comments from Other Entities: The subject application was referred to concerned agencies and divisions. The referral comments are summarized, as follows:

- a. **Transportation**—The Planning Board found that the plan raises no active transportation (bicycle and pedestrian) issues by virtue of the site reverting from previously approved and planned development to the existing site conditions. Any issues were written into conditions on the PPS.

The Planning Board approved DPLS-473 and concurred with the applicant that all findings for approval have been met. The Planning Board further concluded that from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP as described in the Zoning Ordinance.

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 Parking and Loading Spaces DPLS-473, for a reduction of 647 parking spaces from the requirements of Section 27-568 of the Zoning Ordinance for the existing multifamily residential development.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council for Prince George’s County, Maryland within thirty (30) days of the final notice of the Planning Board’s decision.

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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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, September 26, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of October 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

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