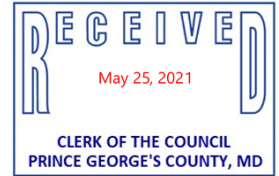


May 25, 2021



DVG Apartments
8455 Colesville Road
Silver Spring, MD 20910

Re: Notification of Planning Board Action on
Departure from Parking and Loading Standards
DPLS-488 - East Pines

Dear Applicant:

This is to advise you that, on **May 20, 2021**, 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 this final notice 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, Clerk of the County Council, at 301-952-3600.

(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: Adam Bossi
Reviewer

Attachment: PGCPB Resolution No. **2021-59**

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

R E S O L U T I O N

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 April 29, 2021, regarding Departure from Parking and Loading Standards DPLS-488 for East Pines, the Planning Board finds:

1. **Request:** This application is for approval of a Departure from Parking and Loading Standards DPLS-488, for a reduction of 250 parking spaces from 553 to 303. The companion detailed site plan, DSP-19041, was approved for the development of a mixed-use building and attached parking structure to include 224 multifamily dwelling units and 13,960 square feet of ground floor commercial space (PGCPB Resolution No. 2021-58).
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-18/R-55	R-18/R-55
Use(s)	Residential multifamily and single-family detached	Residential multifamily and commercial
Gross Acreage	3.24	3.24
Parcels	0	1
Lots	2	0
Dwelling Units	74 multifamily and 1 single-family	224 multifamily
Total Commercial Gross Floor Area (square feet)	0	13,960

OTHER DEVELOPMENT DATA

Parking Spaces

	Required	Provided
Multifamily – 165 one-bedroom units and 59 two-bedroom units (2 spaces per one-bedroom unit and 2.5 spaces per two-bedroom unit)	478	239
Commercial (normal parking generation group, 1 space per 150 sq. ft. for the first 3,000 sq. ft. of GFA, plus one space per every 200 sq. ft. of GFA above the first 3,000 sq. ft. GFA)	75	64
Handicap-Accessible*	-	-
Total**	553	303

Note: *Accessible spaces are shown on building architectural plans for the parking garage but are not included in the parking tabulations. A condition for the parking tabulation to be updated to demonstrate conformance with Section-27-566(b)(1) of the Zoning Ordinance is included in PGCPB Resolution No. 2021-58 for the approval of DSP-19041. A minimum of eight accessible spaces are required.

**This departure, DPLS-488, requests to provide 250 fewer parking spaces for the development than required.

Loading Spaces

	Required	Provided
Residential	1	1
Commercial	2	1
Total*	3	2

Note: *A condition is included in PGCPB Resolution No. 2021-58 for the approval of DSP-19041 for the provision of a third loading space, as required by Section 27-582(a).

3. **Location:** The site is located on the east side of Riverdale Road, approximately 660 feet west of Veterans Parkway. The site is in Planning Area 69 and Council District 03.
4. **Surrounding Uses:** The subject property is bound to the north by the right-of-way of Riverdale Road. The portion of this right-of-way abutting the subject site is to be developed as part of the Purple Line light rail transportation project. Specifically, the Beacon Heights-East Pines Station will be located directly adjacent to the northwest corner of the site. To the east, the site is bound by the right-of-way of 67th Place and single-family detached residential development in the

One-Family Detached Residential (R-55) Zone. To the south, the site is bound by single-family detached residential development in the R-55 Zone and by multifamily residential development in the Multifamily Medium Density Residential (R-18) Zone. The site is bound to the west by the right-of-way of 67th Avenue, with a vacant property in the Commercial Shopping Center (C-S-C) Zone beyond.

5. **Previous Approvals:** The subject property is composed of two existing lots known as Lot 1 of Parcel A, Block T, Section 5 of East Pines and Lot 1 of Block T, Section 5 of East Pines, located on Tax Map 43 in Grids B3 and C3. Lot 1 of Parcel A, Block T was recorded in the Prince George's County Land Records in Plat Book WWW 35 page 19 on May 20, 1959. Lot 1 of Block T was recorded in the Prince George's County Land Records in Plat Book BB 14 page 96 on November 13, 1947. The existing multifamily and single-family residential buildings on the property were built prior to 1965.

The Prince George's County Planning Board approved Preliminary Plan of Subdivision (PPS) 4-19031 on May 7, 2020 (PGCPB Resolution No. 2020-75). The PPS provides for consolidation of the two existing lots into a single parcel for mixed-use development, subject to 18 conditions.

Stormwater Management (SWM) Concept Plan 23685-2019 has been issued for the site and is valid until December 11, 2022.

6. **Design Features:** The 3.24-acre subject site consists of the 0.13-acre Lot 1, and the 3.11-acre Lot 1 of Parcel A. The former is zoned R-55 and is developed with a detached single-family dwelling. Lot 1 of Parcel A is zoned R-18 and is developed with a 74-unit garden-style apartment complex. The existing site is on a hillside with pronounced slopes to 67th Avenue and Riverdale Road. This DSP proposes to raze all existing improvements and construct a 449,711-square-foot vertical mixed-use building with 224 multifamily residential units, 13,960 square feet of ground floor commercial uses, and a 303-space parking structure. This proposed development is unique in that the Purple Line's Beacon Heights-East Pines Station will be constructed adjacent to the site, and a light rail corridor will be installed along the site's Riverdale Road frontage.

The proposed mixed-use building is a seven-story structure with an attached six-story parking structure that will be oriented toward Riverdale Road. The grade of the existing site will be significantly altered to place the new building with ground-level frontage along Riverdale Road, at approximately the same grade as the roadway and future Purple Line station. The south side of the building will be partially set into the hillside, with only the top three levels visible above grade. A streetscape design, to include seating areas and landscaping, is shown along Riverdale Road that intends to work in concert with the development of the Purple Line Station. On the southeast side of the building, an area for a small dog park is provided. Within the footprint of the building, an open, exterior courtyard is provided with recreational amenities for the residential use. Two vehicular access points are provided, one at 67th Avenue and one at 67th Place. Due to the construction of the Purple Line, 67th Place is proposed as a cul-de-sac, therefore prohibiting direct vehicular access to the site from Riverdale Road on that side. Sidewalks are provided around the perimeter of the building and along the property's frontage of 67th Avenue and

67th Place. The main pedestrian entrance to the building lobby is at its northwest corner, directly adjacent to the future Purple Line station. Additional pedestrian access points to the building are provided, with a key secondary entrance and walkway provided to 67th Place on its southeast side.

The parking structure at the northeast corner of the building includes spaces for 303 vehicles. A total of 553 parking spaces are required for the proposed development. DPLS-488 is a companion application to DSP-19041 and requests to reduce the number of required parking spaces as discussed in Finding 7. Two internal loading spaces are shown, but a minimum of three are required to conform with Part 12 of the Prince George's County Zoning Ordinance. In approving DSP-19041, the Planning Board required an additional loading space be provided. An interior pick-up and drop-off area is provided, adjacent to the residential lobby of the building, for residents and rideshare services.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Parking and Loading Spaces DPLS-488:** The applicant requires a departure from Section 27-568(a) of the Zoning Ordinance, for a reduction in the number of parking spaces. As noted in Finding 2, the proposed development is required to provide 553 parking spaces and the applicant has proposed 303 spaces, for a reduction of 250 parking spaces. The required findings for the Planning Board to grant the departure in Section 27-588(b)(7) of the Zoning Ordinance, are 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(a) of the Zoning Ordinance outlines four purpose statements: (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 submitted SOJ indicates that the proposal is consistent with the purposes of off-street parking, and the Planning Board concurs that under the current parking arrangement, sufficient parking is provided on-site to serve the uses. The DSP and additional supplemental materials outline a series of transportation demand management strategies and proffers to be implemented within the development to

promote alternative transportation options and reduce demand for on-site parking. Proffers include the provision of SmarTrip fare cards or memberships for rideshare services for residents and employees of the building during initial lease up. An area for pedestrian drop-off and rideshare pickup is provided internal to the building, as well. Further, the site is adjacent to the proposed Beacon Heights-East Pines Purple Line station and will be highly accessible to this public transportation option, and existing local bus routes that traverse Riverdale Road.

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

The submitted SOJ indicates that the proposed on-site parking has been designed in the most efficient way possible to accommodate the steep terrain.

The applicant proposes that the reduced parking will encourage many residents and visitors to take the Purple Line train, as well as other alternative modes of transportation. Currently, a limited amount of on-street parking will be available for use. No additional exhibits depicting alternative on-site parking locations or alternative striping were provided. However, based on a review of the submitted site plans, it does not appear that there is sufficient space on the subject property to provide additional on-site parking spaces or that restriping the spaces to a narrower width would accommodate additional spaces. This departure is the minimum number of spaces 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;

Special circumstances impacting the site are its steep topography and unique location immediately adjacent to a new Purple Line light rail station. As the site is adjacent to the Beacon Heights-East Pines station, the site is uniquely postured with direct access to this new public transportation option. Topography-related constraints minimize the amount of usable land for additional parking spaces.

(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

Pursuant to Section 27-568, the proposed development would be required to provide 553 parking spaces, inclusive of 478 parking spaces for residential uses and 75 parking spaces for the 13,960 square feet of commercial space.

The applicant contends that pursuant to Section 27-568, if the development were within one-half mile of a Metrorail station, 393 parking spaces would be required. While this calculation does not specifically apply in this case, the future

development of the Beacon Heights-East Pines Purple Line light rail station directly adjacent to the site warrants consideration in the requested reduction of parking spaces for the development.

The applicant proposes to use the Institute of Transportation Engineers *Parking Generation Manual, 5th Edition*, which includes a lower parking generation rate for multifamily and retail uses, which better reflects more contemporary parking generation rates and trends. Under these guidelines, the subject site would need to provide 299 (258 residential and 41 retail) parking spaces to meet the expected parking demand.

The applicant's analysis has shown that the proposed location adjacent to a mass-transit station and exploration of using alternative parking calculations supports a reduction in the total required quantity of parking spaces to serve the development.

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

The transportation demand management strategies incorporated into the DSP integrate multiple transportation options for the initial residents and employees of the development. These include unbundled parking, the provision of one parking space per residential unit, incentives for initial tenants and employees of the building to use or try out alternative means of transportation, and inclusion of a designated Transportation Coordinator as a building employee. Based on these measures, the proposed parking arrangement meets the minimum requirements and is not expected to infringe upon the parking needs of surrounding residential neighborhoods.

Regarding loading needs, three loading spaces are required for the proposed development and only two are provided. A condition for three loading spaces to be provided, as required by Section 27-582(a) of the Zoning Ordinance, was included in the approval of DSP-19041 (PGCPB Resolution No. 2021-58).

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;

Surplus parking near the subject property was not identified. Given the site's unique location at the new Beacon Heights-East Pines Purple Line light rail station, the applicant's plan and proffers for incentivizing building occupants and visitors to use public transportation and reduce the number of vehicle dependent residents is appropriate.

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

The subject site is located within a Neighborhood Activity Zone as defined in the East Riverdale-Beacon Heights Sector Plan. The Sector Plan includes a series of recommendations for the subject property and its general vicinity for mixed-use land uses, and vertical development with ground floor commercial uses and residential units above. As presented in the applicant's SOJ, the Sector Plan includes specific recommendations for development of the subject property to be in harmony with development of the Purple Line's Beacon Heights-East Pines Station.

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

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

The subject property is not located within a municipality and there are no public parking facilities proposed in the County Capital Improvement Program within the general vicinity of the property. These considerations are not applicable to this DPLS.

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

(i) Public transportation available in the area;

Currently, bus service is available to and from the subject property. The applicant's SOJ identifies four bus routes operated by TheBus and Metrobus with service within one-half mile of the subject site. In addition, the Purple Line's Beacon Heights-East Pines station will be adjacent to the proposed development. The introduction of the new light rail travel option steps from the front door of the building is a unique situation. It is the driving factor that makes the requested departure reasonable.

(iii) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;

The subject site includes residential and commercial uses. The proposed parking garage can accommodate 303 spaces inclusive of standard, compact, handicap-accessible, and electric vehicle charging station spaces. Of the 303 spaces, 224 are identified for residents, 15 are identified for visitors, and 64 are identified for commercial uses. While one space per residential unit is

provided, individual unit lessors will have the option to rent a parking space with their apartment or not. Those spaces renters do not wish to utilize would then be available as additional visitor spaces. Pay for parking spaces enables the number of visitor parking spaces to increase. No off-site parking is proposed.

The opportunity to share retail and residential parking spaces throughout the day is proposed. In essence, as demand for the retail spaces drops in the evening, demand for the residential spaces increases in the evening, and vice versa. This pattern occurs on the weekend days as well. The proposed retail parking for the site will function accordingly, sufficiently serving retail customers during the day hours and transitioning to serve visitors of the residential uses during the evening.

Based on the analysis above, the Planning Board concludes that the transportation management demand strategies proffered by the applicant are critical to reducing parking demand on-site and incentivizing use of public transportation and other alternative transportation services. A condition for the provision of the transportation management demand strategies proffered by the applicant to ensure the provided parking is sufficient is included in PGCPB Resolution No. 2021-58 for companion DSP-19041. Based on the sum of the analysis, the Planning Board approves DPLS-488, to allow a reduction of 250 parking spaces, from 553 to 303 parking spaces.

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

- a. **Transportation, Pedestrian and Bicycle Planning**—The Planning Board adopts, herein by reference, a memorandum dated April 1, 2021 (Smith and Hancock to Bossi), which notes that the site is adjacent to Riverdale Road, which is a master plan arterial roadway. The rights-of-way are slightly altered from the recommendations in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), as the Purple Line rights-of-way have been updated. The rights-of-way displayed are consistent with those shown on the PPS, as approved.

Sections 27-283, Site Design Guidelines and 27-274(a)(2), Parking, Loading and Circulation, provide for the design of the multimodal facilities associated with the subject application. The DSP proposes two access points, along 67th Avenue and 67th Place, modifying the current circulation layout of four access points onto the site. Due to the construction of the Purple Line, 67th Place is proposed as a cul-de-sac, therefore prohibiting direct vehicular access to the site from Riverdale Road on this side. The submitted plans also propose continuous sidewalks around the perimeter of the building and along property frontage of 67th Avenue and 67th Place, connecting to the Purple Line Station. The Planning Board finds the vehicular and pedestrian circulation depicted in the DSP conforms with the guidelines pursuant to Sections 27-283 and 27-274. Regarding vehicular parking, DPLS-488 requests a reduction in the required

number of parking spaces and is discussed in detail in Finding 7. Multiple conditions of approval of the DSP are associated with the companion departure request.

The submitted plans propose a loading area with two loading spaces on the west side of the lower level of the building. Three loading spaces are required, and a condition is provided in PGCPB Resolution No. 2021-58 for DSP-19041 for the required number of loading spaces to be provided.

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 Standards DPLS-488 East Pines to allow for a reduction in the number of parking spaces required by 250, from 553 spaces to 303 spaces.


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 Geraldo, with Commissioners Washington, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular at its regular meeting held on Thursday, April 29, 2021, in Upper Marlboro, Maryland.

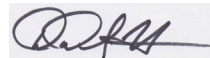
Adopted by the Prince George's County Planning Board this 20th day of May 2021.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: May 14, 2021