

RESOLUTION

WHEREAS, the Prince George’s County Planning Board has reviewed Departure from Design Standards DDS-650, Capital Court, requesting a departure from design standards from the requirements of Section 27-558(a) of the Prince George’s County Zoning Ordinance, to reduce the size of the parking spaces to a minimum of 9 feet by 18 feet, 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 April 11, 2019, the Prince George’s County Planning Board finds:

1. **Request:** A Departure from Design Standards DDS-650 is requested from the requirements of Section 27-558(a) of the Prince George’s County Zoning Ordinance, to provide a reduced parking space size. This DDS is the companion case of Detailed Site Plan DSP-17049 (PGCPB No. 19-45) and Departure from Parking and Loading Standards DPLS-460 (PGCPB No. 19-47) that were approved on the same date by the Planning Board.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	C-O	C-O
Use	Vacant	Multifamily Residential (260 Dwelling Units)
Total Acreage	7.72	7.72
Total Gross Floor Area (GFA) (sq. ft.)	0	311,076
Total Multifamily Dwelling Units	0	260

3. **Location:** The overall Capital Court site is located in the southeastern quadrant of the intersection of MD 214 (Central Avenue) and I-95/495 (Capital Beltway), on the south side of MD 214. The site is in Council District 6 and Planning Area 73, and known as Parcel 1 of the Capital Court subdivision, as recorded in Prince George’s County Land Records in Plat Book SJH 248, page 82.
4. **Surrounding Uses:** The property is bounded to the west by the townhouse development within Capital Court, in the Commercial Office (C-O) Zone; to the north by the public right-of-way of MD 214, with vacant and commercially developed land in the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones beyond; to the east by the public right-of-way of Harry S. Truman Drive, with vacant land in the Planned Industrial/Employment Park (I-3) Zone beyond; and to the south by the public rights-of-way of Capital Lane and Capital Court, with the Largo-Kettering Public Library in the C-O Zone beyond.

5. **Previous Approvals:** This property was part of a larger parcel, which was the subject of Preliminary Plan of Subdivision (PPS) 4-86201, approved by the Prince George's County Planning Board on January 29, 1987. A Detailed Site Plan, DSP-04046, for the subject property was approved by the Prince George's County District Council on May 9, 2005, for a church with 4,150 seats. Construction of the church and parking lot, consisting of 1,038 parking spaces, had proceeded in approximately 2006, but was never completed. The 2004 *Approved Sector Plan and Sectional Map Amendment for Morgan Boulevard and Largo Town Center Metro Areas* (Morgan Boulevard and Largo Town Center Sector Plan and SMA) retained the subject property in the C-O Zone.

Subsequently, a portion of the above referenced property (36.42 acres) became the subject of PPS 4-16031, which was approved by the Planning Board on June 15, 2017 (PGCPB Resolution No. 17-82). A DSP for infrastructure, DSP-16041, to replace the church development with 307 single-family attached units (townhouses) and a multifamily development, was approved by the Planning Board on June 22, 2017 (PGCPB Resolution No. 17-86).

The overall Capital Court subdivision is also the subject of an approved Stormwater Management (SWM) Concept Plan, 60156-2016-01, which was approved on March 6, 2017, and is valid through March 6, 2020. The current proposal requires revisions to the SWM concept plan.

6. **Design Features:** The applicant proposes to develop this phase of the Capital Court project, consisting of 7.72 acres, with three multifamily buildings, for a total of 260 dwelling units, four 20-bay garage structures, indoor and outdoor recreation amenities, and associated infrastructure. The dwelling units are proposed as follows:

- 44 studio units
- 67 one-bedroom units
- 139 two-bedroom units
- 10 three-bedroom units

COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Design Standards DDS-650:** 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 parking spaces and utilizes compact spaces, as allowed.

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

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

(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, SWM, and 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 modern standards in the region, which are typically 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, 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.

(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 site contains unique constraints that limit the buildable area and necessitate a smaller parking space size to more efficiently use the space. These constraints include a slope created for the Harry S. Truman Drive overpass at MD 214 and structurally unstable fill. In addition, utility easements along Harry S. Truman Drive require the proposed retaining wall to extend further into the site, reducing the developable area.

(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 plant quantities that meet the Landscape Manual standards. Thereby, the departure allows the proposed development to have visual and environmental quality relative to the parking lot.

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 concerned agencies and divisions, and their comments are incorporated herein by reference. The major referral comments are summarized, as follows:

- a. **Transportation Planning**—The Planning Board incorporated herein by reference a memorandum dated March 13, 2019 (Burton to Burke), which provided the following summarized comments:

The applicant has submitted two departure requests pertaining to on-site parking, DDS-650 and DPLS-460. While these departures are separate requests, the amount of parking proposed for the subject site is contingent upon approval of both departure requests.

Overall, from the standpoint of transportation, it is determined that this plan meets the findings required for a DDS regarding the size of the parking space, and the findings required for a DPLS to provide fewer parking spaces.

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 the above-noted application.

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 Bailey, with Commissioners Washington, Bailey, Geraldo, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, April 11, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of May 2019.

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department

Date 4/22/19

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:TB:gh

