

August 5, 2020



Bald Eagle Partners
4800 Hampton Lane, Suite 200
Bethesda, MD 20814

Re: Notification of Planning Board Action on
Zoning Section DDS-660
Dewey Property

Dear Applicant:

This is to advise you that, on **July 30, 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 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, Acting 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: Jill Kosack
Reviewer

Attachment: PGCPB Resolution No. 2020-126

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 July 16, 2020, regarding Departure from Design Standards DDS-660 for Dewey Property, the Planning Board finds:

- Request:** The applicant requests a departure from design standards (DDS) for a reduction in the size of standard parking spaces to 9 feet by 18 feet in the Parcel 5 parking garage.

The companion detailed site plan, DSP-19050, (PGCPB Resolution No. 2020-125) for a mixed-use building consisting of 321 multifamily dwelling units and 1,258 square feet of commercial/retail uses on proposed Parcel 5 was approved by the Planning Board on the same day.

- Development Data Summary:**

	EXISTING	APPROVED
Zone	M-U-I/T-D-O	M-U-I/T-D-O
Use(s)	Surface parking	Multifamily and Commercial/Retail
Gross Acreage	21.16	21.16
Total Gross Floor Area	-	351,608 sq. ft.
Residential		350,350 sq. ft.
Commercial		1,258 sq. ft.
Dwelling Units Total		321
Multifamily		321

OTHER DEVELOPMENT DATA

Parking Spaces

	MAX. PERMITTED*
Residential Development – 321 units (1.25 spaces/unit in the Downtown Core)	401
Commercial Development – 1,258 sq. ft. (2.5 spaces/1,000 sq. ft. of GFA in the Downtown Core)	3
	APPROVED
Total	334
Standard Spaces (9-foot x 18-foot)**	326
Handicapped Accessible	6
Handicapped Van-Accessible	2

Notes: *There is no minimum number of off-street parking or loading spaces within the Prince George’s Plaza TDDP, only a maximum number of surface parking spaces, as specified on page 259.

**DDS-660 was approved, to reduce the standard parking space size from 9.5 by 19 feet to a standard 9 by 18 feet.

3. **Location:** The subject property is located in Council District 2 and Planning Area 68. More specifically, the project is located on the north side of Toledo Road, approximately 240 feet west of Adelphi Road. Proposed Parcel 5, which is the subject of this specific DDS, is located in the south-central portion of the property, just north of Toledo Road.
4. **Surrounding Uses:** The entire Dewey site is bounded by Belcrest Road to the west, Toledo Road to the south, and Adelphi Road to the east. Abutting properties to the north, and a property to the east, are zoned One-Family Detached Residential (R-55). These properties are in the Development District Overlay (D-D-O) Zone associated with the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George’s County Gateway Arts District*, and are developed with institutional uses. A single parcel located to the east is also in the R-55 and D-D-O Zones, developed with a recreational use and owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC). A single parcel to the east is zoned Mixed Use-Infill (M-U-I), in a Transit District Overlay (T-D-O) Zone, and is vacant and owned by M-NCPPC. To the west, beyond Belcrest Road, are multifamily dwelling units in the M-U-I, the Multifamily High Density Residential (R-10), and the One-Family Triple-Attached Residential (R-20) Zones. Beyond Toledo Road, to the south, is the University Town Center development with commercial and multifamily uses in the Mixed Use–Transportation Oriented (M-X-T) Zone.
5. **Previous Approvals:** The property is a portion of a larger 47.7-acre site, which was subject to Conceptual Site Plan CSP-00024 (PGCPB Resolution No. 00-195), approved by the Prince George’s County District Council on January 8, 2001. The CSP created two subareas,

Subarea 2 (21.46 acres) and Subarea 3 (26.24 acres). The subject site represents a portion of the site known as Subarea 2. Within Subarea 2, Parcel 6 (3.87 acres) was the subject of foreclosure proceedings (Civil Action No. CAE 11-11871) and is not included with this application. CSP-00024-01 was approved by the Prince George's County Planning Board on November 15, 2001.

The property was rezoned to the M-U-I Zone, and retained in the T-D-O Zone, through the adoption of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (Prince George's Plaza TDDP). Pursuant to the general applicability and administration section (page 195) of the TDDP, a DSP in the transit district does not have to conform to a previously approved CSP; therefore, neither CSP is relevant to the review of the companion DSP.

The property is the subject of two recent preliminary plans of subdivision (PPS) for commercial and residential development: 4-18022, which was approved by the Planning Board on June 27, 2019 (PGCPB Resolution No. 19-82(C)); and 4-19033, which was approved by the Planning Board on November 21, 2019 (PGCPB Resolution No. 19-129).

6. **Design Features:** The site is currently improved with a surface parking lot, which is to be fully razed with the companion DSP. The companion DSP also proposes to grade the entire 21.16-acre site and to build a SWM pond through the middle of the property, in preparation for future development. In addition, two public roads that form an L-shape, in the southwestern corner of the property, will be dedicated to the City of Hyattsville.

The only non-infrastructure improvement proposed with the companion DSP is construction of a 5-story building, with 321 multifamily dwelling units and 1,258 square feet of commercial/ retail uses, in the south-central portion of the property, on proposed Parcel 5. The building will have an internal parking garage that will be accessed on the west side from proposed public Road B. Just north of the parking garage entrance are two loading spaces that will also be accessed directly from Road B, which requires an amendment to the Prince George's Plaza TDDP standards. The applicant proposes a high-visibility sidewalk to transverse the wide vehicular entrance, to give priority to pedestrians. Above-ground transformers will be located in the streetscape within the tree and furnishing zone of Road B and Toledo Road. These transformers are adjacent to sidewalks and viewable from the rights-of-way, but will be screened by decorative screen panels and landscaping.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Design Standards DDS-660**—The spaces being provided within the parking garage (except for the handicap-accessible spaces) are all based on a reduced dimension of 9 feet by 18 feet, instead of 9.5 feet by 19 feet, as required by the Zoning Ordinance. Pursuant to Section 27-587 of the Zoning Ordinance, the applicant is proposing to reduce the size of the parking spaces, as described above. The applicant has submitted an SOJ to address the required findings for a DDS indicated in

Section 27-239.01(b)(7)(A) of the Zoning Ordinance. 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 reduction in size of the parking spaces for the entirety of the development will sufficiently provide off-street parking spaces for all the needs of the project. Nine-foot widths have been used in many of the structured parking facilities serving recent developments in the County and have functioned, without incident, in a variety of locations. In addition, the newly adopted Zoning Ordinance provides for 9-foot by 18-foot spaces in various instances.

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

The departure of six inches in width by one-foot in length is relatively insignificant on a space-by-space basis. As noted, this space size is contemplated by the newly adopted Zoning Ordinance, as well as smaller space sizes. The departure will enable the parking garage to function efficiently and provides adequate parking for residents.

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 is providing parking within a structure to serve its residents, and is a relatively compact site in an area where most parking is in structures. In addition, the site is within the Downtown Core of the transit district, so reduced square footage for parking spaces is desirable to maximize the value of the land. These features lend a unique character to the site.

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

The reduced parking space size will still accommodate vehicles, while allowing adequate parking spaces in the same amount of area, thus reducing the disturbed area.

In summary, the Planning Board has determined that the departure is supportable, and would note that a number of departures of this nature have been supported for use in parking garages.

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 Planning**— The Planning Board adopts, herein by reference, a memorandum dated March 16, 2020 (Masog to Hurlbutt), which noted that access and circulation are acceptable with no specific comments on the DDS. From the standpoint of transportation, and in consideration of the findings contained herein, it is determined that this plan is acceptable.
- b. **City of Hyattsville**—The Planning Board adopts, herein by reference, a letter dated March 3, 2020 (Hollingsworth to Hewlett), which offered numerous comments on the subject application that are summarized, as follows:

The City Council voted in support of the applicant’s proposed Detailed Site Plan (DSP-19050) and Departure from Design Standards (DDS-660) application subject to conditions, which were incorporated into the approval of DSP-19050, as appropriate.

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-660 to allow a standard, nonparallel, parking space size of 9 feet by 18 feet in the Parcel 5 parking garage.

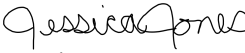
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

* * * * *

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 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, July 16, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of July 2020.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:JH:nz

APPROVED AS TO LEGAL SUFFICIENCY, David S. Warner /s/, M-NCPPC Legal Department, July 31, 2020