

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 15-80

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

File No. DPLS-418

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Parking and Loading Spaces DPLS-418, Cambridge Place at Westphalia, Parcels 1 and 2, requesting approval of a departure to reduce the required number of parking spaces by 159 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 July 30, 2015, the Prince George's County Planning Board finds:

1. **Request:** The subject application is a request for a departure to reduce the required number of parking spaces by 159 spaces.
2. **Location:** The subject property is located on the south side of Westphalia Road, approximately one-half mile east of its intersection with Pennsylvania Avenue (MD 4) in Planning Area 78, Council District 6.
3. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant Industrial/Office Building	Residential
Acreage	68.94	68.94
100-year floodplain	3.33 acres	3.33 acres
Net Tract Area	65.61 acres	65.61 acres
Proposed Parcel 1		16.67 acres
Number of Unit(s)	0	301 Multifamily Units
Proposed Parcel 2		52.27 acres
Gross Floor Area (sq. ft.)		
Existing Industrial	142,500	142,500
Multifamily	0	407,500
Recreational	0	5,915
TOTAL		555,915 Sq. Ft.

Floor Area Ratio (FAR) in the M-X-T Zone

Base Density:	0.4 FAR
Total FAR Permitted:	1.4 FAR (including 1.0 residential bonus)
Total FAR Proposed:	.20

OTHER DEVELOPMENT DATA

Multifamily Bedroom Distribution and Parking Required

Building Type	No. of Buildings	Units per Building	Total Units
Type 1	6	22	132
Type 2	6	26	156
Type 3	1	13	13
Total	13	N/A	301

PARKING DATA

	REQUIRED	APPROVED
Total parking spaces (301 multifamily units/13 buildings)	740	581*
Handicapped spaces	15	27 (all van-accessible)
Loading spaces	0	0**

*The applicant is requesting a departure from parking and loading standards (DPLS) to reduce the number of required parking spaces. The applicant is also requesting a departure from design standards (DDS) to allow tandem spaces.

4. **Surrounding Uses:** The site is bounded to the north by Westphalia Road. Further north of Westphalia Road is M-NCPPC-owned property located in the Rural Residential (R-R) Zone, and residential development in the Multifamily Medium-Density Residential (R-18) and R-R Zones. West and south of the subject property is Light Industrial (I-1)-zoned development. The subject property is bounded to the east by the single-family development, known as the Smith Home Farm in the Residential Medium-Development (R-M) Zone.
5. **Previous Approvals:** On June 18, 1979, the District Council approved Zoning Map Amendment A-9198, for Light Industrial (I-1) zoning on the subject site, with a site plan, on approximately 139 acres of land, located on south side of Westphalia Road, east of Pennsylvania Avenue (MD 4).

The subject property is Parcel C of the Penn-East Park subdivision. The site is developed with an existing 142,500-square-foot office and industrial building that was constructed in 1983, pursuant to Detailed Site Plan DSP-83045. The building was designed for the repair of turbine engines used at power plants then owned by the Potomac Electric Power Company (PEPCO). The subject site was later rezoned from the Light Industrial (I-1) Zone to the M-X-T Zone through the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* which was approved by the District Council on February 6, 2007. The existing industrial building remains vacant today.

Conceptual Site Plan CSP-11003 was approved for the subject property October 24, 2013 (PGCPB Resolution No. 13-122) with 14 conditions. The CSP approved a square footage range for industrial/retail uses and up to 325 multifamily units. Preliminary Plan 4-11012 was approved

on June 5, 2014 (PGCPB Resolution No.14-52) to subdivide existing Parcel C into two parcels, Parcels 1 and 2, with 23 conditions. On July 30, 2015, Detailed Site Plan DSP-4021 was approved as a companion case to the departure in conjunction with Departure from Design Standards DDS-629 for 301 multifamily units on Parcel 1 (PGCPB Resolution No. 15-79).

7. **Prince George's County Zoning Ordinance:** The subject departure application has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The number of parking spaces required in the M-X-T Zone is to be calculated by the applicant in accordance with Section 27-574 of the Zoning Ordinance and submitted for Planning Board approval at the time of detailed site plan. The applicant is requesting a Departure from Parking and Loading Standards from Section 27-568 to reduce the number of required parking spaces by 159 from 740 to 581 spaces.
8. **Parking and Loading Requirements (Departure from Parking and Loading Standards DPLS-418):** Section 27-568 of the Zoning Ordinance stipulates the minimum number of required off-street parking spaces for the multifamily development. According to Section 27-568 of the Zoning Ordinance, Off-Street Parking and Loading, the proposed units generate the following parking requirements:

Type	# of Units	Spaces per Unit	Parking Spaces
One-bedroom units	75	2.0 spaces per unit	150 spaces
Two-bedroom units	176	2.5 spaces per unit	440 spaces
Three-bedroom units	50	3.0 spaces per unit	150 spaces
TOTAL			740 spaces

The application indicates a deficit of 159 parking spaces. The provisions of Section 27-588(b)(7) require that the Planning Board make the following findings in order to approve the DPLS application:

(7) **Required findings.**

(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;**

The purposes of Section 27-550 are as follows:

(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;

Applicant's Justification: Since the proposed development of luxury apartment units typically attracts younger single professionals or young married couples the need for the recommended number of 740 spaces is not critical. In general, it is unlikely that every unit would require two parking spaces. Retirees or temporarily assigned military personnel would also create a lower demand for parking. Anticipating the various types of users and their requirements, the proposed 581 parking spaces can satisfy the actual parking demand. According to a parking analysis performed by The Traffic Group on July 22, 2014 for the applicant, the total number of proposed parking spaces is sufficient for this development. The consultant determined that during studies performed in 2013 and 2014, for similar projects in Prince George's and Howard counties, that the average peak occupancy is 1.25 parking spaces per unit. A rate of 1.3 parking spaces per unit is recommended for this development. That would result in 392 spaces -well below the requirement of 740 spaces and the 581 parking spaces proposed at a rate of 1.93 spaces per unit.

- (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;**

Applicant's Justification: The site fronts on Westphalia Road and does not adjoin to any other public street. Parking is currently not permitted on Westphalia Road. Public streets would not be used or available for parking.

- (3) To protect the residential character of residential areas; and**

Applicant's Justification: The site is directly adjacent to light industrial uses except on the east side of the site where it is bounded by R-M zoned land designated for the future Smith Home Farms development. Thus the character of the adjacent residential area would not be affected by the departure.

- (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

Applicant's Justification: In general, the provided garage and surface parking spaces are convenient and support the proposed use. The proposed parking has been distributed almost evenly by having parking available in the front and sides of each building and also in garages within

the building. The parking areas for each building averages 40–45 spaces and are in proximity to each building.

The Planning Board concurs with the provided justification that the purposes of this Subtitle are equally well-served by the applicant's proposal.

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

Applicant's Justification: The proposed site development encompasses nearly 90% of the property leaving no practical areas to expand the impervious area to create new parking spaces. There are existing environmental constraints caused by the wetlands to the west and some steep slopes to the north and west of the site that limit the development area. Retaining walls are already being utilized in to support proposed surface parking in conjunction with garage spaces. Additional parking would necessitate greater impervious surface which would require additional land to treat the runoff in bio-swales or other ESD devices. A balance of impervious verses additional land has been reached. If additional land was available, the additional impervious areas due to parking would tip the balance and begin to create a situation where the project is no longer economically viable.

The Planning Board finds that the departure is not the minimum necessary. The parking regulations require 740 parking spaces for 301 dwelling units based on the number of bedroom percentages. The site plan indicates 581 spaces are provided, including 125 tandem spaces. The provision of additional compact spaces would yield more parking, necessitating a lesser departure.

(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;

Applicant's Justification: Westphalia Road has been realigned, widened, and improved several times over the years without much regard for the adjacent properties and how it would affect them. The existing topography is a result of the road improvements. The last improvements allowed for a high point in the road which translated into a steeper decline into the site after the proposed grade was determined. This created a situation where potentially usable land became encumbered by steep slopes and retaining walls, limiting the amount of available land for parking.

The Planning Board finds that the departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location.

- (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**

Applicant's Justification: The use of compact spaces comprises 11% of the surface parking spaces. Although up to 33% compact spaces are permitted, they tend to be too small for some of today's vehicles. Too many compact spaces could result in adjacent spaces not being used efficiently as a result of vehicles straddling spaces. A Departure from Design Standards is requested to allow the area in front of each garage space to be counted as a tandem parking space. All methods for calculating the number of spaces have been used.

The Planning Board finds the applicant has applied the correct method for calculating the number of spaces required. However, the applicant is not proposing to maximize the number of compact spaces for the development, citing maneuverability of vehicles. The Planning Board does not agree and the applicant should provide additional compact spaces as allowed by Section 27-559 of the Zoning Ordinance for non-tandem and non-garage spaces.

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

Applicant's Justification: With the adjacent uses of light industrial to the west, Westphalia Road to the north, vacant Industrial (I-1) land to the south, and vacant R-M-zoned land to the east, there will not be an infringement on adjacent residential areas.

The Planning Board finds that the parking and loading needs of residential areas will not be infringed upon.

- (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;**

Applicant's Justification: The adjacent use to the west is a recycling center which has plenty of impervious surface but no defined parking lot or spaces. The warehouse operation to the west has approximately 200-250 parking spaces to

accommodate that use. To the south and east there is no current development, just vacant wooded land. To the north, across Westphalia Road, are single family dwellings with driveways and a small neighborhood park with 35 parking spaces.

The applicant asserts that an appropriate number of off-street parking spaces have been proposed and there will be no need to use off-site parking. The Planning Board concurs, subject to the provision of additional compact parking spaces.

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

Applicant's Justification: The current proposal implements recommendations of the Sector Plan; approval of the departure would not impair the Sector Plan.

The Planning Board finds the application conforms to the land use recommendations of the Westphalia Sector Plan SMA which includes a residential use at this location. Approval of the departure will not adversely impact the land use recommendations of the area master plan.

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

The application does not lie within a municipality.

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

The Planning Board is not aware of any public parking facilities proposed in the Prince George's County Capital Improvement Program (CIP) 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 is no public transportation currently available in the area.

- (ii) **Any alternative design solutions to off-street facilities which might yield additional spaces;**

Applicant's Justification: No desirable alternative design solution was found. An alternative design solution would be to construct a parking structure, which

would not be economically feasible for 159 additional parking spaces, particularly when demand does not necessitate the additional parking spaces.

The Planning Board recognizes that one potential design solution would be to construct a parking garage to satisfy the parking requirement on-site; however, parking garages are costly and the provision of a garage is outside of the scope of improvements proposed by this applicant at this time. Moreover, such a design solution would detract from the residential character of the neighborhood. The Planning Board does not find a parking garage is necessary as adequate parking will exist to serve the proposed use. However, providing additional compact spaces in the shared parking compound will result in additional parking spaces provided. This option should be utilized to ensure adequate parking for residents and their guests.

- (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;**

Applicant's Justification: The existing uses to the north are residential and a community park; to the east is vacant residential land; to the west is an existing warehouse and recycling center with general hours of operation between 8AM and 6 PM; and, to south is a vacant industrial/utility use.

The M-NCPPC-owned community park to the north has approximately 30 spaces; however, they would not be available for public parking after daylight hours.

- (iv) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

This finding is not applicable because the site is in the M-X-T Zone; nonetheless, the applicant is providing handicap parking (27 van-accessible spaces) well in excess of what is required by Subtitle 4 (15 spaces).

The criteria for approving a DPLS have been met. The Planning Board does not find that granting this departure is inconsistent with the purposes of the Zoning Ordinance. The applicant's justification provides sufficient evidence in support of the departure—the property is efficiently utilized and no additional parking on the site appears possible. The site does not abut any existing residential uses, and there is little if any potential for resident's to park across Westphalia Road at the community park. Thus, there appears to be little potential for the departure to have a negative

impact upon residents of the area. However, the departure should be reduced commensurate with the provision of additional compact spaces.

9. **Further Planning Board Findings and Comments from Other Entities:**

- a. **Community Planning**—The applicant is proposing 581 spaces where 740 are required by the County Ordinance. There is concern that the applicant may be requesting too large of a parking reduction.

The Planning Board finds that with the provision of additional compact parking spaces, sufficient parking will be available for residents and their guests.

- b. **Transportation Planning**—Based on information provided in the applicant's Statement of Justification, there are 581 parking spaces being proposed for the subject development. Given the proposed mix of bedroom types, a total of 740 spaces are required. The applicant is requesting a DPLS for 159 spaces.

The following factors were evaluated in an effort to determine potential impacts as a result of the 159-space deficiency:

- Proximity to residential neighborhoods
- Alternative locations for overflow parking
- Parking rates

The distance from the entrance of this development to the closest residential neighborhood (Chester Grove apartments) is approximately 600 feet, which is generally farther than most drivers want to park from their unit, let alone the entrance to the development. Therefore, the departure should have no impact on adjacent residential areas.

Subtitle 27 requires 740 spaces based on the mix of 1, 2 and 3-bedroom units being proposed. The 740-space requirement corresponds to an average rate of 2.45 spaces per dwelling unit. The applicant submitted a summary of a parking survey conducted in 2013–2014 within the jurisdictions of Howard and Prince George's County. The survey was based on an evaluation of eight apartment complex in Howard County and three in Prince George's County. The survey concluded that these 11 facilities had an average parking rate of 1.25 spaces per dwelling unit. Due to the fact that the apartments used in the survey were not similar in size, nor is it clear what the utilization rate was for any of those facilities, a meaningful conclusion cannot be drawn from the survey. It is also recognized that there are significant variations in parking rates based on household types and due to dynamics such as family size and transportation mode choices.

10. Based on the above analysis, the Planning Board finds the departure is deemed acceptable as required by Section 27-288(b)(7) of the Prince George's County Code.

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 Departure from Parking and Loading Standards application to reduce the amount of parking provided by no more than 159 spaces for a minimum of 581 parking spaces, subject to the following condition:

1. Provide a total of 87 compact vehicle parking spaces.

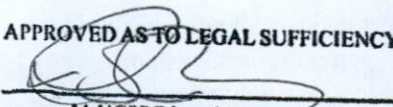
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

* * * * *

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, July 30, 2015 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of July, 2015.

APPROVED AS TO LEGAL SUFFICIENCY

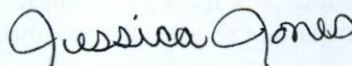

M-NCPPC Legal Department

Date

7/31/15

Patricia Colihan Barney
Executive Director

By


Jessica Jones
Planning Board Administrator

PCB:JJ:CF:ydw