THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2020-104 File No. DPLS-477

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with approval of Departure from Parking and Loading Spaces pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 11, 2020, regarding Departure from Parking and Loading Spaces DPLS-477 for Timothy Branch - Allora Crossing, the Planning Board finds:

1. **Request:** This application is for approval of a Departure from Parking and Loading Spaces DPLS-477 for a reduction of 138 parking spaces.

   In conjunction with this DPLS, the Planning Board approved Specific Design Plan SDP-1701-04 (PGCPB Resolution No. 2020-103) for the development of 243 multifamily dwelling units in the RM-5 pod of the Villages of Timothy Branch.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zones	L-A-C/R-M/M-I-O	L-A-C/R-M/M-I-O
Use	Vacant	Multifamily Residential
Gross Total Acreage	322.41	322.41
R-M Zone	250.15	250.15
L-A-C Zone	72.26	72.26
Total Dwelling Units in SDP-1701-04	**0**	**243**
Multifamily	0	243

OTHER DEVELOPMENT DATA:

PARKING – RM-5

	REQUIRED	APPROVED
162 One Bedroom Apartments (2.0 spaces per unit)	324	324
81 Two Bedroom Apartments (2.5 spaces per unit)	203	65
Total	527	389*

PARKING SPACE DETAILS – RM-5

PARKING SPACE SIZES	APPROVED
9.5' x 19' (Standard)	248
8' x 19' (Non-standard/compact)	70**
8' x 16.5' (Compact)	50
8' x 19' Accessible with 5' access aisle	2
8' x 19' Van-accessible with 8' access aisle	19

Notes: *This departure, DPLS-477, requests to provide 138 fewer parking spaces for the development than required; for an overall parking ratio of 1.6 spaces per unit.

**Up to one-third of the parking spaces may be compact. Parking spaces sized 8 feet by 19 feet are counted as compact. A total of 120 compact spaces are provided, which is less than the one-third (129) allowed.

3. **Location:** The subject pod, RM-5, is located in the southwestern corner of a larger development known as the Villages at Timothy Branch, which is located on the south side of MD 381 (Brandywine Road), approximately 1,000 feet east of its intersection with Short Cut Road. The subject property is in Planning Area 85A, Council District 9.

4. **Surrounding Uses:** The entire Timothy Branch property consists of 322.41 acres and is bounded to the north by MD 381; to the northwest by Short Cut Road; to the east by the Timothy Branch Stream Valley; to the south by vacant land in the Mixed Use-Transportation Oriented (M-X-T) and Heavy Industrial Zones, and a commercial development in the Commercial Shopping Center (C-S-C) Zone; and to the west by US 301 (Robert Crain Highway), a single commercial parcel zoned Commercial Miscellaneous, and three parcels in the Light Industrial (I-1)-zone along the US 301 frontage. In addition, there is an internal parcel (Parcel E) located in the central northern portion of the property, which is split-zoned Planned Industrial/Employment Park (I-3) and Employment and Institutional Area (E-I-A) and is developed as an existing warehouse. The 72.26-acre Local Activity Center-zoned (L-A-C) portion of the property is in the northeastern corner, just south of MD 381, and the 250.15-acre, Residential Medium Development-zoned (R-M) portion is located in the south, abutting US 301. The residential development included in SDP-1701-04 is in the R-M Zone only.

   The RM-5 development is bound by an undeveloped portion of RM-4 to the north, the right-of-way (ROW) of Mattawoman Drive to the east, the ROW of US 301 to the west, and a golf cart business in the C-S-C Zone and undeveloped land in the M-X-T Zone to the south.

5. **Previous Approvals:** Zoning Map Amendments (Basic Plans) A-9987-C and A-9988-C were approved by the Prince George's County District Council on July 11, 2008, rezoning the property from the I-3 and E-I-A Zones to the L-A-C and R-M Zones, subject to 12 conditions and one consideration. The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* retained the subject property in the R-M and the L-A-C Zones.

The Prince George's County Planning Board approved Comprehensive Design Plan CDP-0901 for the L-A-C-zoned portion on October 7, 2010 (PGCPB Resolution No. 10-111). The District Council elected to review the case on November 14, 2011 and issued an Order of Approval on January 23, 2012, subject to 46 conditions. Subsequently, the applicant requested a reconsideration of the decision, which was reviewed and approved by the Planning Board on March 19, 2015. The final resolution (PGCPB Resolution No. 10-111(A)), including 38 conditions, was adopted by the Planning Board on the same day.

The Planning Board approved CDP-0902 for the R-M-zoned portion on October 7, 2010 (PGCPB Resolution No. 10-110). The District Council elected to review the case on November 14, 2011. The District Council remanded the case to the Planning Board on January 23, 2012, and the case was reapproved by the Planning Board on April 5, 2012. The District Council reviewed the revised approval and issued an Order of Approval on November 4, 2013, subject to 50 conditions. Subsequently, the applicant requested a reconsideration of the decision, which was reviewed and approved by the Planning Board on March 19, 2015. The final resolution (PGCPB Resolution No. 10-110(A)) including 42 conditions, was adopted by the Planning Board on the same day. The Planning Board approved CDP-0902-01 on May 14, 2020 with revisions to residential development standards and recreational facility requirements. The March 17, 2020 Prince George's County Council issuance of CR-10-2020, *An Emergency Resolution Concerning Emergency Operations-Public Meetings, Sessions and Hearings* postponed all actions of the District Council, so they have not yet had the opportunity to elect or waive their right to review the application. A final order or waiver from the District Council is not expected until at least June 2020.

The Planning Board approved Preliminary Plan of Subdivision (PPS) 4-09003 covering the entire Timothy Branch project on October 28, 2010 (PGCPB Resolution No. 10-117). The applicant's request for a reconsideration of this decision was granted and, on April 5, 2012, the Planning Board heard testimony regarding the reconsideration and approved 4-09003, subject to the 32 conditions contained in PGCPB Resolution No. 10-117(A/1).

The Planning Board approved SDP-1304 on October 23, 2014 (PGCPB Resolution No. 14-116) for rough-grading, dedication, and construction of Mattawoman Drive, installation of stormwater management (SWM) features, and construction of a sound attenuation berm along a portion of US 301. The current proposed site development has an approved SWM Concept Plan, 11355-2009-02 dated January 24, 2020.

The Planning Board approved SDP-1701 on September 14, 2017 (PGCPB Resolution No. 17-119) for the first phase of residential development of the R-M Zone portion of Timothy Branch. The SDP included 323 dwelling units, inclusive of 39 single-family detached, 18 single-family semidetached, 194 single-family attached (townhouses), and 72 two-family attached (two-over-two) dwelling units.

Two amendments to SDP-1701 have since been approved. The first, SDP-1701-01, was approved by the Planning Board on July 12, 2018 (PGCPB Resolution No. 18-64) for additional architectural models and to modify the maximum allowed lot coverage within the Phase 1

development area. The second amendment, SDP-1701-02, was approved by the Planning Director on May 4, 2020 to add a new architectural model and modify a previously approved architectural model.

6. **Design Features:** The proposed development consists of nine residential apartment buildings, a centrally located clubhouse and recreational features, a maintenance shed, and associated site features. The layout of the site provides Buildings 1 through 4 adjacent to, and oriented parallel to Mattawoman Drive. Interior to the south-central portion of the site, is a clubhouse and pool complex, with Buildings 5 and 6 located to its south and north respectively, and Buildings 7 and 8 sited to the west of the pool. Building 9 is in the northwestern portion of the site, north of Building 8, with a dog park and open space provided to its east. A single driveway with a median connects to Mattawoman Drive at the southeast corner of the site, between Buildings 1 and 2. The location of the driveway will provide those entering the site with a view of the clubhouse. Parking lots wrap the southern, western, and northern perimeter of the site, with additional parking shown through the east-central portion of the site. DPLS-477 has been requested to reduce the number of parking spaces normally required for the development. A small maintenance building is provided in the northwest corner of the property adjacent to a trash enclosure. Sidewalks are provided internal to the site and connecting to the sidewalk on the west side of Mattawoman Drive.

   The nine residential apartment buildings are proposed to be of the same general design and layout. Each building is 9,368 square feet in size, three stories in height, and topped with gabled roofs clad in composite shingles. The 5,900-square-foot clubhouse and pool complex are the main, private on-site recreational amenities provided for residents of RM-5. These features are in the south-central portion of the site in a courtyard area framed by Buildings 5, 6, 7, and 8.

7. **Departure from Parking and Loading Spaces DPLS-477**: The applicant requires a departure from Section 27-568(a) of the Zoning Ordinance for a reduction in the number of parking spaces. As detailed in Finding 2, the proposed development is required to provide 527 parking spaces and the applicant has proposed 389 spaces, for a reduction of 138 parking spaces. The multifamily development includes 162 one-bedroom units, for which 2.0 spaces are required per unit, and 81 two-bedroom units, for which 2.5 spaces are required per unit. The applicant proposes a parking ratio of 1.6 spaces per unit for the entire development. The applicant has submitted a statement of justification to address the required findings for the Planning Board to grant the departure in Section 27-588(b)(7) of the Zoning Ordinance, 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;

   The applicant has provided justification to show the proposed parking ratio is sufficient to serve the parking needs of RM-5 and protect the residential character of the development.

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

The site is relatively small and constrained by a wide build-to line requirement along Mattawoman Drive. The departure is the minimum necessary to ensure an adequate level of parking is provided, while appropriate space is dedicated to other required needs, including landscaping and recreational amenities.

(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 the wide build-to line requirement associated with US 301 to the west and Mattawoman Drive to the east, and nearby environmental features. The combination and size of these features make the site worthy of special consideration. In addition, the applicant provided data from other nearby apartment complexes to show lower parking ratios satisfactorily served the needs of similar developments.

(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 spaces required have been found to be impractical.

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

The existing network of nearby public streets and private alleys is not conducive to on-street parking. RM-5's location at the southwest corner of the Timothy Branch development also makes it less convenient for future residents to park off-site.

Based on the analysis above, the Planning Board approved DPLS-477, to allow a reduction of 138 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 Planning**—The Planning Board adopted, herein by reference, a memorandum dated May 11, 2020 (Masog to Bossi), which provided an analysis of previous conditions of approval. Access and circulation are acceptable. Regarding the

DPLS, it was determined that sufficient justification was provided to support the request for a lower parking ratio in RM-5.

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-477 for Timothy Branch - Allora Crossing, to allow for 138 fewer parking spaces than normally required.

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 temporarily absent at its regular meeting held on Thursday, June 11, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of July 2020.

Elizabeth M. Hewlett
Chairman

Jessica Jones

By Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY
David S. Warner /s/
M-NCPPC Legal Department
Date: June 26, 2020