

Prince George's County Departure From Design Standards No. 517

Applicant: Starwood Ceruzzi, L.L.C.

Location: The subject property is located on the north side of Ball Park Road, approximately 400 feet east of US 301

Request: Reduction in size of Parking Spaces and Access to loading within 50 feet of Residential Zone.

R E S O L U T I O N

WHEREAS, the applicant is requesting a departure from the requirements of Section 27-579(b); and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released January 2, 2001, recommends APPROVAL; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on January 11, 2001, the Prince George's County Planning Board agreed with the staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

I. Nature of Request:

The applicant requests a departure from the requirements of Section 27-579 (b) which reads as follows:

No portion of an exterior loading space, and no vehicular entrance to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan).

The applicant also requests a departure from Section 27-558 of the Zoning Ordinance in order to reduce the size of standard parking spaces. Standard parking space sizes are 9.5 feet by 19.0 feet. The applicant intends to use a universal parking space size of 9.0 feet by 19.0 feet and not provide any compact parking spaces.

II. Ordinance Requirements:

Section 27-239.01 of the Zoning Ordinance sets the following required findings for a departure from design standards:

- A. The purposes of the Zoning Ordinance will be equally well or better served by the applicant's proposal.**
- B. The departure is the minimum necessary, given the specific circumstances of the request.**
- C. 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.**
- D. The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.**

III. Findings:

- A. The purposes of the Zoning Ordinance will be equally well or better served by the departure. The fundamental purpose in the Zoning Ordinance is to protect public health, safety and welfare.

The site is a flag lot-shaped parcel (Parcel C of 3809 Subdivision) with approximately 100 feet of frontage onto Ball Park Road. The site is extremely irregular in shape and surrounded to the south, east and north by residentially zoned property. The residentially zoned property to the north and east consists of property in the R-R Zone that is designated as Patuxent River Primary Management Area (Parcel F of 3809 Subdivision) and is therefore not developable. Beyond the PMA to the east is the Prince George=s County Stadium. To the west is the existing Home Depot, which also has an approved Limited Detailed Site Plan and departure of 40 feet for access to loading within 50 feet of residentially zoned property. To the south, between the subject site and Ball Park Road is Parcel E of 3809 Subdivision. Parcel E is zoned R-R and is improved with an existing 2.5 acre stormwater management pond that serves the entire development. The balance of Parcel E consists of an overflow parking lot for the Prince George=s County Stadium. A perpetual easement has been granted to The Maryland National Capital Park and Planning Commission for the overflow parking on Parcel E.

The subject property=s irregular shape dictates the location of the building, parking field, loading and access to the loading. Consequently, the access to loading must follow along the southern boundary, adjacent to the R-R zoned property. Because Parcel E is used for stormwater management purposes and for parking for the stadium, access to loading

in this location will not be a threat to the health, safety and welfare of the public in any way.

With regard to the reduction in the size of standard parking bay sizes from the required dimension of 9.5 feet by 19.0 feet to 9.0 feet by 19.0 feet, the applicant has proposed to provide all the parking spaces at this universal size, foregoing the option to provide up to one-third (1/3) of the required spaces as compact spaces. With the universal-sized parking spaces, the area of the parking compound is virtually the same as a parking compound utilizing compact spaces. Departures have been granted for other development in the County for the same reason. The universal parking space size of 9.0 feet by 19.0 feet will not be a threat to the health, safety and welfare of the public in any way.

- B. In order to place the building on the site in such a way as to provide the necessary parking and circulation, it must be placed close to the rear property line, in the east corner of the site. The site is further constrained by an irregular property boundary to the south. Furthermore, Parcel E to the south, although it is zoned residentially, is used for stormwater management purposes and for overflow parking for the stadium. It is highly unlikely that it will ever be used for residential purposes. Furthermore, the access drive to the loading area cannot be located any further from the residentially zoned land without substantial disruption of proposed circulation patterns. Given the above, unique circumstances, the departure for access to loading is the minimum necessary.

With regard to the reduction in the size of the standard parking space dimension, the departure is the minimum feasible reduction (0.5A. per space in the width of the spaces only) that will allow the applicant to employ the increasingly-popular universal parking standard to achieve an efficient, functional parking layout. The applicant has proposed to provide all the parking spaces at this universal size, foregoing the option to provide up to one-third (1/3) of the required spaces as compact spaces.

With the universal sized parking spaces, the area of the parking compound is virtually the same as a parking compound utilizing compact spaces. Departures have been granted for other development in the County for the same reason.

- A. The departure is necessary in order to alleviate circumstance which are unique to the site, such as the extremely irregular shape of the lot which dictates the location of the building, parking compound, loading bays and access to the loading.

D. It is staff=s opinion that the departure will not impair the visual, functional or environmental quality of the site. In fact, the departure preserves these site characteristics whereas requiring full compliance with the Zoning Ordinance would likely impair them. Moreover, the residential property abutting the site is used for a stormwater management pond and an overflow parking lot for the Prince George=s Stadium. It is highly unlikely that this residential property will ever be developed for residential use. With regard to the reduction in size of the standard parking spaces, there will be no discernable difference in the visual quality; the parking lot will function as well, if not better, because there will be no compact spaces which are difficult for the average vehicle to negotiate; and from an environmental standpoint, the universal size parking space does not increase the area of the parking compound and therefore does not have a negative impact on surface runoff. Therefore, staff recommends APPROVAL of DDS-517.

NOW, THEREFORE, BE IT RESOLVED, that Departure from Design Standards is hereby APPROVED.

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 Brown, seconded by Commissioner Ely, with Commissioners Brown, Ely, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 11, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of January 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk