

CORRECTED RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Design Standards DDS-654, National Harbor Beltway Parcel, Parcel 7, requesting departures from parking space size and driveway width within the parking garage 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 January 9, 2020, the Prince George's County Planning Board finds:

1. **Request:** A Departure from Design Standards, DDS-654, is requested from the requirements of the Prince George's County Zoning Ordinance, to allow the reduction of the standard parking space size to 9 feet by 18 feet and the driveway width to 18 feet. This DDS is the companion case of Detailed Site Plan DSP-07073-12 (PGCPB Resolution No. 2020-03), which was approved on the same date by the Prince George's County Planning Board.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Parcel 7 Uses	Recreational/ Outdoor Exhibition Areas	Hotel and Parking Garage
Total Gross Acreage	49.79	49.79
Parcel 7 Acreage	7.26	7.26
Parcel 7 Gross Floor Area	0	82,000 sq. ft.

Floor Area Ratio (FAR)	
Gross floor area of Beltway Parcel	2,431,917 sq. ft.
Gross floor area of Waterfront	4,277,153 sq. ft.
Total gross floor area for the entire National Harbor	6,709,070 sq. ft.
Area of the entire property associated with the CSP	537.17 acres
FAR proposed	0.29
FAR allowed per the CSP	0.31

OTHER DEVELOPMENT DATA

Parcel 7	REQUIRED	APPROVED
Total Parking Spaces*	75	2,467**
Handicap-Accessible Spaces	3	32
Total Loading Spaces	1	1
Bicycle Parking Spaces	0	0

Notes: *See Finding 7 for a discussion of the requested DDS for parking space size and driveway width on Parcel 7.

**It should be noted that the previous uses approved within the Beltway Parcel of the National Harbor development were found to provide sufficient parking per M-X-T Zone requirements. The additional parking spaces in the proposed parking garage are being provided to ensure that peak parking demands are always met for the unique uses within all of National Harbor.

3. **Location:** The overall Beltway Parcel site is generally located approximately one mile east of the Woodrow Wilson Bridge, in the southwest quadrant of the intersection of I-95/495 (Capital Beltway) and MD 210 (Indian Head Highway), in Planning Area 80 and Council District 8. The tract is south of the Capital Beltway, and west of Oxon Hill Road, with frontage on Oxon Hill Road to the east, National Avenue to the north, and MGM National Avenue to the south. The Beltway Parcel is on an elevated plateau overlooking the waterfront entertainment/retail complex portion of National Harbor. The specific portion of the property subject to this amendment is currently identified as Parcel 7 and is south of MGM National Avenue and Monument Avenue, in the southwest corner of the Beltway Parcel.
4. **Surrounding Uses:** Parcel 7 is in the southwest corner of the Beltway Parcel, which has a long narrow configuration (approximately 3,400 feet long and 600 feet wide) stretching northeast to southwest along the Capital Beltway, which forms the northwest boundary of the parcel. To the north of Parcel 7 is MGM National Avenue and beyond the MGM Casino, other commercial uses, and the Addison Family Cemetery (Historic Site 80-050). On the south and east sides of the site is land owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC), Betty Blume Neighborhood Park, and the grounds of Oxon Hill Manor. To the west is Monument Avenue and the Potomac River Waterfront park.
5. **Previous Approvals:** The site is part of the larger development known as National Harbor, which has a long approval history and consists of two major land areas, the Waterfront Parcel and the Beltway Parcel. All Mixed Use-Transportation Oriented (M-X-T) zoned properties within the National Harbor development were rezoned through eight zoning map amendments approved in the 1980s and 1990s. The M-X-T Zone was originally approved with conditions for part of the National Harbor site in 1983, in response to six individual rezoning applications, A-5619, A-5620, A-5621, A-5635, A-5636, and A-9433, which were consolidated for a waterfront project proposal known as the Bay of America. The Rural Residential (R-R) Zone represents the original

zoning applied to the area when it first became subject to zoning authority in 1957. The 1984 *Approved Subregion VII Sectional Map Amendment* recognized the existing M-X-T and R-R Zones for this property. An addition to the M-X-T Zone at the northeast end of the property along Oxon Hill Road was approved with conditions by application A-9593 in 1986, in conjunction with a second development proposal for the waterfront center known as Port America. The Residential Medium Development (R-M) Zone on the southeastern side of the property near Oxon Hill Road was approved with conditions by application A-9825 in 1990, also in conjunction with Port America project.

Originally, the subject property was approved with Preliminary Plan of Subdivision (PPS) 4-88081, then known as Port America, and adopted by the Planning Board in June 1988. The PPS approved 12 parcels (Parcels A-L) and 3 outlots, for a total of 82.13 acres.

Subsequent to the approval of 4-88081, the site was approved for DSP-88045, also in June 1988. The Beltway Parcel was cleared of trees, graded, and stabilized in the late 1980s, in accordance with that approved DSP.

DSP-88087 was approved in October 1988. Subsequently, the land area of Parcel L, 17.51 acres, was dedicated by deed to the Maryland State Highway Administration (SHA) for the Capital Beltway. The remainder of the site, 64.62 acres, was recorded, in accordance with the approved PPS and DSP, into 11 parcels (Parcels A-K), 7 outlots (Outlots A-G), and 3 rights-of-way dedicated for public use (North Port America Grande Boulevard, South Grande Boulevard, and Port America Grande Boulevard) in Plat Book NLP 153, plat 56 through 59, in June 1990.

A Vacation Petition (V-06004), to vacate a total of 64.45 acres was approved by the Planning Board (PGCPB Resolution No. 06-287) in January 1990. This vacation petition included Subdivision Plat NLP 153, plat 56 through 59 in their entirety, except for Outlots E, F, and G (0.17 acre), which were conveyed to M-NCPPC (recorded in Liber 7684 folio 513).

In 1998, the Prince George's County District Council affirmed the Planning Board's decision on Conceptual Site Plan CSP-98012 for National Harbor for approximately 534 acres of land in the M-X-T, R-R, and R-M Zones, including the subject site.

In 2001, PPS 4-01048 for the entire 534 acres was approved by the Planning Board (PGCPB Resolution No. 01-163).

In April 2006, the *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* (Henson Creek-South Potomac Master Plan and SMA) retained the subject site in the M-X-T Zone.

In 2008 and 2014, revisions to the CSP (01 and 02 respectively) were submitted and approved for the Waterfront Parcel only, which did not affect the Beltway Parcel.

DSP-07073 was approved by the Planning Board on July 9, 2009 for 6,600 square feet of commercial uses on the current proposed Parcel 7, as well as a large paved area for recreational/outdoor exhibition, displays, entertainment, or performance uses on proposed Parcels 4 and 5 (shown as Parcel A at that time). DSP-07073-01 for a 1,078,237-square-foot entertainment establishment of a commercial nature with a video lottery facility on Parcel 4-A was approved by the Planning Board on May 8, 2014, and subsequently appealed to the District Council. The Council heard the case on July 14, 2014 and issued an order of approval for the application on July 21, 2014. DSP-07073-02 for a gas station/food and beverage store; commercial recreational/outdoor exhibition areas; a 500-room hotel; 891 multifamily/timeshare residential units; retail, restaurant, entertainment; and a heliport consisting of a total of 1,278,100 square feet was approved by the Planning Board on March 3, 2016; however, it has not been fully constructed at this time.

The site also has an approved Stormwater Management (SWM) Concept Plan, 48280-2007-00, pursuant to which the stormwater pond for the Beltway Parcel was constructed and is located in Betty Blume Park on M-NCPPC-owned land. In addition, SWM Concept Plan 46294-2015, dated November 19, 2015, applies to the subject site.

6. **Design Features:** The amendment to the DSP requests a 7-story, 2,467-space parking garage with a pedestrian bridge that will connect the garage with the MGM Casino, and an 8-story, 150-room hotel on Parcel 7. During the final design and construction, the total number of parking spaces may change, but not exceed 2,500. Any changes to the number of spaces and locations, per level, after DSP certification may require an amendment to the DSP. Prior approved amendments of the DSP remain the same and modifications are only proposed to Parcel 7. A subsequent amendment will be required to modify the MGM casino to accommodate the pedestrian bridge, as has been conditioned.

The site access is provided from two right-in-only ingress points and two right-out-only egress points, as there is one-way, northbound traffic on MGM National Avenue adjacent to Parcel 7. The first 15-foot-wide entrance drive is in front of the proposed hotel and provides access to the hotel, the bottom level of the parking garage, and an egress to MGM National Avenue. A turnaround circle is provided in front of the hotel for drop-off and pick-up. In the northeast corner of Parcel 7 is an ingress and egress point that provides access to the third level of the parking garage. The parking garage entrance is configured with one entrance and one exit lane and two reversible entrance/exit lanes, that will allow for flexibility during peak times.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Design Standards DDS-654**—The applicant has submitted DDS-654 requesting a reduction of the standard, nonparallel, parking space size from 9.5 feet wide by 19 feet long to 9 feet wide by 18 feet long on proposed Parcel 7, and a reduction of the one-way drive aisle from 22 feet to 17 feet 10 inches, pursuant to Section 27-239.01 of the Zoning Ordinance. This is a universal parking space size that is typically utilized in structured parking,

and all parking on Parcel 7 is in a garage. A departure from Sections 27-558(a) and 27-560(a) of the Zoning Ordinance are requested, which sets forth the following requirements, respectively:

The size of parking spaces shall be as follows:

TYPE OF SPACE	MINIMUM SIZE (IN FEET)
Standard car spaces:	
Parallel	22 feet by 8 feet
Nonparallel	19 feet by 9.5 feet
Compact car spaces:	
Parallel	19 feet by 7 feet
Nonparallel	16.5 feet by 8 feet

Driveways between rows of parking spaces shall have the minimum widths indicated in the following table:

ANGLE OF PARKING	WIDTH OF DRIVEWAY (IN FEET); ONE-WAY	WIDTH OF DRIVEWAY (IN FEET); ONE-WAY
90 degrees	22	22
60 degrees	18	22

The applicant requests a DDS for the size of standard parking spaces and the width of drive aisles pursuant to Section 27-239.01. There are four criteria under 27-239.01(b)(7) that must be met for this departure to be approved. The criteria, with discussion, are noted below:

- (i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The design for the parking garage uses a universal design for parking. Subtitle 27 requires spaces with dimensions 19 feet by 9.5 feet; the proposed universal design has spaces with dimensions 18 feet by 9 feet. The applicant states that the proposed size of the parking spaces will allow the applicant to provide off-street parking sufficient to serve the needs of the project. The statement of justification (SOJ) also notes that other garages within the National Harbor project have been approved with the smaller universal spaces.

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

The applicant contends that the departure regarding the parking space size would reduce the overall footprint of the parking garage in an area of the site that has significant parking demands and limited space. It is also noted that the future Zoning Ordinance contemplates the use of smaller parking spaces and particularly the universal size.

- (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; and;**

It is noted that the entirety of the garage is not needed to satisfy required parking for the site. The site is a set of unique uses, including a performance venue, that serves to attract visitors to the County, and the applicant makes the case that efficient and accessible parking is needed to ensure that peak parking demands are always met. From that standpoint, being able to provide this parking within a limited footprint meets the uniqueness requirement.

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

Once again, the size reductions proposed by the departure allow for a smaller footprint for the parking structure and alleviate the need for a taller structure. This helps to limit the visual and environmental impact of the parking structure.

By virtue of positive findings for each of the criteria for departure approval for the parking space size, the Planning Board found that the departure from the standards in Section 27-558(a) is approvable.

The applicant originally requested a parking angle of 75 degrees and an aisle width of 17 feet 10 inches and the use of one-way traffic. The standard in Section 27-560(a) is 18 feet for one-way traffic and a parking angle of 60 degrees (there is no standard in the County for a 75-degree parking angle). The Desman Review was presented to assist in justifying the departure by providing industry standards and examples. Very few jurisdictions use a 75-degree parking angle. The parking standards from the U.S. Army's Transportation Engineering Agency (SDDCTEA) suggest a need for an aisle width of 20 feet. It is essential when reviewing angle parking that the maneuvering of vehicles be well-understood. As the parking angle increases, vehicles need a larger aisle width in order to be able to pull straight into a parking space without hitting cars in the opposite line of parking. At the time of the hearing, the Planning Board determined, based on additional technical information presented by the applicant, that the parking angle and an aisle width of 18 feet could be functional.

Given the additional information and examples presented by the applicant at their hearing, the Planning Board found sufficient information was provided to justify the departure from the driveway width standards in Section 27-560(a) to 18 feet.

From the standpoint of transportation and in consideration of the findings contained herein, the Planning Board found that the departure for parking space size and driveway width is acceptable.

8. Further Planning Board Findings and Comments from Other Entities: The subject application was referred to the concerned agencies and divisions and the referral comments are summarized, as follows:

- a. **Permits**—The Planning Board reviewed a memorandum dated October 29, 2019 (Bartlett to Hurlbutt), incorporated herein by reference, which offered numerous comments on the subject application, that have been addressed through revisions to the plans.
- b. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board reviewed a memorandum dated November 14, 2019 (Giles to Hurlbutt), incorporated herein by reference, DPIE offered numerous comments on the subject application that have been provided to the applicant. It was noted that the DSP is consistent with the intent of the approved SWM Concept Plan 46294-2015, dated November 20, 2018 and had no comments on the departures. Other comments will be addressed through DPIE's separate permitting process.
- c. **Town of Forest Heights**—The Town of Forest Heights did not offer comments on the subject application.

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 to allow a standard, nonparallel, parking space size of 9 feet in width by 18 feet in length and an 18-foot-wide parking drive aisle width within the parking garage on Parcel 7 only.

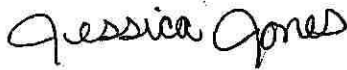
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

* * * * *

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 9, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of January 2020.

Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

EMH:JJ:JH:nz

APPROVED AS TO LEGAL SUFFICIENCY.



M-NCPPC Legal Department

Date 3-3-2020