

R E S O L U T I O N

WHEREAS, the Prince George=s County Planning Board has reviewed Departure from the Parking and Loading Spaces DPLS-320, Lincolnshire, Phase II requesting a reduction of 112 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 November 16, 2006, the Prince George's County Planning Board finds:

1. **Request**—The subject application proposes to construct 156 multifamily dwellings as condominium units. A departure from the number of parking and loading spaces required has been requested for 112 spaces. Companion to this case are Detailed Site Plan DSP-05001, Variance VD-05001, and Departure from Design Standards DDS-568.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-18	R-18
Use(s)	Vacant	multifamily dwellings
Acreage	13.17	13.17
Lots	1	1
Parcels	0	0
Dwelling Units:		
Attached	0	0
Detached	0	0
Multifamily	0	156

Other Development Data

Gross Site Area	13.17 acres
100-year floodplain	0 acres
Net Tract Area	13.17 acres
Dwelling Units permitted (12 du./ac.)	158 units
Dwelling Units proposed	156 units
Maximum Lot Coverage	40 percent
Proposed Lot Coverage	38.5 percent
Minimum Green area	60 percent
Green area proposed	61.5 percent
Parking Required (156 x 3.00)	468 spaces
Parking Provided	336 spaces

Loading required (1 space per 100-300 DU)	1 space
Loading provided	1 space

3. **Location**—The subject application is located on the east side of Karen Boulevard extended, north of its intersection with Ronald Road within Planning Area 75A.
4. **Surroundings and Use**—To the north is an existing townhouse development in the R-T Zone, to the east is John Bayne Elementary School, to the south is an existing multifamily development, and to the west is the proposed Karen Boulevard and Lincolnshire Phase I, a 24-unit townhouse development recently approved as Detailed Site Plan DSP-04012.
5. **Design**—The proposed subdivision will have a single vehicular access point from the proposed extension of Karen Boulevard, which will be constructed as part of the project to the north, approved as DSP-04012. The plan proposes a two-part stormwater management pond, separated by a minor embankment created by the road entrance into the subdivision. The facility expands across the entire frontage of the property, with Karen Boulevard acting as the major embankment. The units across the stormwater management pond will front toward the pond and will be served by alleys in the rear of the dwellings. Steep slopes are proposed throughout the development, a result of the existing topography and the proposed unit type, which does not allow for the transitioning of grades from one building pad to another.
6. **Previous Approvals**—The property is the subject of Preliminary Plan 4-03084, which was adopted on January 29, 2004 as PGCPB Resolution No. 04-03. On October 27, 2005, the Planning Board granted a three-month extension. On April 20, 2006, the Planning Board approved a one-year extension to Preliminary Plan 4-03084. The subject preliminary plan is valid until April 29, 2007.

The preliminary plan included two tracts of land. On the west side of Karen Boulevard is R-T-zoned land that is not the subject of this detailed site plan, but was approved by the District Council as DSP-04012. The remaining portion is on the east side of Karen Boulevard and is zoned R-18, which is the subject of this application.

7. **DPLS-320**—The plan proposes a calculation of the required parking spaces for the site based on the proximity of the dwelling units from the Addison Road Metro. A portion of the site is located within the one-mile radius of the platform of the metro and a portion of the site is outside the one-mile radius of the platform.

Section 27-568(a) states the following:

Sec. 27-568. Schedule (number) of spaces required, generally.

- (a) **In all zones (except the M-X-T Zone), the minimum number of required off-street parking spaces for each type of use shall be as listed in the following schedule. In the schedule, each "employee" means each employee on the largest shift.**

Multifamily dwelling:		
(B) If wholly within a one mile radius of a metro station	1.33	Dwelling unit
	+0.33	Bedroom in excess of one per unit
(D) All others (CB-26-1989)	2.0	Dwelling unit
	+0.5	Bedroom in excess of one per unit

The applicant proposes that those units that are wholly located within the one-mile radius of the Metro platform are proposed to be calculated at a ratio of 1.99 spaces per unit and those located outside the one-mile radius will be parked at 3.0 spaces per unit, for a total of 343 required. In the past, staff has interpreted this provision to mean that the entirety of the site must be within the one-mile radius, in which case the number of required spaces would be 468. Therefore, the applicant is requesting a departure of 112 parking spaces. The applicant provides the following justification for the departure:

“The applicant, PDC Lincolnshire, LLC proposes to construct one hundred fifty-six (156) multi-family condominium dwelling units in sixteen (16) 4-story buildings. The subject 13.17 acre property is zoned R-18 and located on the east side of Karen Boulevard (extended) north of its intersection with Ronald Road. Surrounding land uses include: existing townhouse development in the R-T zone to the north, John Bayne Middle School to the east, multi-family development to the south, and a twenty-four (24) unit townhouse development (Lincolnshire Phase I) to the west.

“Because the subject site is located within one mile of the Addison Road Metro station property, the applicant calculated the required parking based on the ratio of 1.99 spaces per dwelling unit for a total of 311 required parking spaces, pursuant to §27-568. One indoor garage parking space was provided for each dwelling unit. The second required space was designed as a “tandem” space, i.e., one space behind each garage space. Twenty-five surface parking were also provided for overflow and guest parking.

“During its review of the Detailed Site Plan DSP-05001 the Technical Staff of the Maryland-National Park and Planning Commission determined that the subject site was not wholly within a one-mile radius of the Addison Metro station platform. Thirty-two (32) of the One hundred fifty-six (156) dwelling units are located outside of the one mile radius. Therefore in accordance with Staff’s strict interpretation the entire site must be parked at the ratio of three (3.0) spaces per dwelling unit for a total of four hundred sixty-eight (468) parking spaces.

“II. REQUEST

“The applicant proposes a less restrictive interpretation §27-568, whereby those dwelling units that are wholly located within the one mile radius of the Metro platform will be parked at the ratio of 1.99 spaces per unit and those located outside the one-mile will be parked at 3.0 spaces per unit. Pursuant to the Applicant’s reasoning a total of three hundred forty-three spaces (343) would be required. It is from the Staff’s ‘required’ number of spaces (468) that the Applicant is requesting a departure of One Hundred twelve (112) parking spaces. Applicant is proposing a total of three hundred fifty-six (356) spaces, 311 “structured” spaces and forty-five (45) surface spaces.

“III. JUSTIFICATION OF REQUEST

Sec. 27-588. Departures from the number of parking and loading spaces required.

(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;

“RESPONSE: The purposes of this part are: (1) to require off-street automobile parking lots and loading spaces sufficient to serve the parking and loading needs of all persons associated with the buildings and uses; (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; (3) to protect the residential character of residential areas, and (4) to provide parking and loading areas which are convenient and increase amenities in the Regional District.

“The proposed parking on site will be provided in accordance with the individual dwelling unit’s proximity to the Addison Road Metro station platform. Those within the one (1) mile radius will be parked at 1.99 spaces per unit while those units outside the one (1) mile radius from the station will be parked at the rate of three (3) spaces per unit. All 156 dwelling units will have two (2) directly accessible structured parking spaces (garage and tandem spaces). The Lincolnshire project has a single point of access from the adjoining public right of way for Karen Boulevard with the individual units set back a minimum of 130 feet from the street with no on-street parking.

“The site plan has been designed to provide all of the parking spaces in parking courts located to the rear of the buildings. The four story buildings themselves and the brick “wing” walls of the tandem structured parking spaces will screen the view of the majority of the vehicles from Karen Boulevard and the main vehicular spine road which serves all of the units. As stated two structured parking spaces are directly accessible from each dwelling unit and the balance of overflow surface parking spaces are located in the parking courts. These spaces will provide additional parking for both residents and their

guests.

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

“RESPONSE: While the request is technically a departure of One Hundred twelve (112) spaces, in reality only a small portion of the site area and 32 of the 156 total dwelling units are located beyond one (1) mile of the Metro platform. It has been the policy of the Technical Staff of M-NCPPC to require strict compliance within the language of §27-568 (a)(1)(B) ‘If wholly within one mile radius of a metro station’ and to measure the one-mile from the platform of the metro station. Based on staff’s strict interpretation of the ordinance Four Hundred sixty-eight (468) spaces (3.0 spaces per dwelling unit) would be required. This departure preserves the Staff’s interpretation, while at the same time increasing the number of spaces for those 32 dwelling units located outside the one mile radius as measured from the Metro station platform.

“(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;

“RESPONSE: The subject property is located in the ‘Developed Tier’ as identified by the 2002 Approved General Plan. As contemplated by General Plan in order to encourage and provide incentives for development within the older, more densely developed areas of the County the zoning code regulations should be revised to remove obstacles to quality infill development. Parking the Lincolnshire project at 3.0 spaces per dwelling unit would also ignore the site’s unique location in close proximity to the Addison Road to Metro. The Lincolnshire II project will introduce a new, more townhouse styled housing type into this area of the County. Traditional multifamily walk up garden apartments would require a significantly smaller building footprint for the same number of dwelling units. With a smaller building footprints and a less number of buildings this site could accommodate a greater number of surface parking spaces. The majority of the land area of the 13.17-acre site and 124 of the 156 dwelling units are ‘wholly’ located within a one mile radius of the Addison Metro station platform. All units are parked proportionately in relation to their distance from the metro platform. The requested departure will also encourage Metro rider ship and reduce dependency on private vehicles.

“(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

“RESPONSE: M-NCPPC has calculated the number of parking spaces based on a ratio of 3.0 spaces per dwelling unit (regardless of the unit’s proximity to the Addison Road Metro). The Applicant has calculated the number of spaces required (343) (124 x 1.99 +

32 x 3 = 343) based on the individual dwelling units location from the Addison Road Metro platform and has provided 356 spaces (13 more than the required number of spaces). The departure requested is only from the increased number of parking spaces (112) for those units located within one mile that would be required by a strict interpretation of § 27-568 (a)(1)(B).

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

“RESPONSE: Lincolnshire II is a self contained multi-family project which is somewhat isolated from the existing adjacent residential areas. Adequate on-site structure and surface parking has been provided.”

Staff comment: Staff agrees with the applicant’s findings and analysis for the justification of calculating the parking required based on the dwelling units’ proximity to the Metro station. It is reasonable to calculate that those dwelling units outside of the one-mile radius from the Addison Road Metro should be calculated at the higher rate and those within the one-mile radius should be calculated at the lower rate per Section 27-568. Staff recommends approval of this request for the departure from the number of parking and loading spaces required.

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 APPROVE the above-noted application.

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 Vaughns, seconded by Commissioner Eley, with Commissioners Vaughns, Eley, Squire, Clark and Parker voting in favor of the motion at its regular meeting held on Thursday, November 16, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of December 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:SL:bjs