

PGCPB No. 2024-135

File No. MJD-2024-002

## R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed Major Departure Application No. MJD-2024-002, Addison Park, requesting APPROVAL in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Residential, Single Family-65 Zone (RSF-65); and

WHEREAS, after consideration of the evidence presented at the public hearing on December 12, 2024, the Prince George's County Planning Board finds:

### **I. BACKGROUND**

- A. Request:** The subject major departure (MJD) is requested from standards in Section 27-4204(b)(1)(B), Section 27-4204(b)(1)(C), and Section 27-4204(b)(1)(F)(iii) of the Prince George's County Zoning Ordinance. It is companion to Detailed Site Plan DET-2023-011, which was approved by the Prince George's County Planning Board (Resolution No. 2024-134) for development of the physical site improvements for 293 apartment housing for the elderly dwelling units, consisting of 278 one-bedroom and 15 two-bedroom units, in two buildings.

### **B. Development Data Summary:**

	<b>EXISTING</b>	<b>EVALUATED</b>
Zone(s)	RSF-65	RSF-65
Use	Vacant	Apartment housing for the elderly
Total Gross Acreage	4.40	4.40
Floodplain	0.00 acres	0.00 acres
Road Dedication	-	0.06 acres
Total Net Acreage	4.40	4.34
Dwelling Units	-	293
-One-Bedroom Units	-	278
-Two-Bedroom Units	-	15

- C. Location:** The subject property is located on the south side of MD 332 (Old Central Avenue), approximately 1,300 feet west of its intersection with Addison Road. The property is located in Planning Area 75A and Council District 7 and is zoned Residential, Single-Family-65 (RSF-65).

- D. Proposed Uses:** The companion DET proposes a single use on the property, which is apartment housing for the elderly dwelling units. As allowed by Section 27-1408, the DET is filed pursuant to the uses and regulations of the Local Transit-Oriented-Core (LTO-C) Zone, as the property is located fully within the Addison Road Metro Local Transit Center and includes properties owned by the Redevelopment Authority of Prince George's County. The apartment housing for elderly dwelling use is permitted in the LTO-C Zone, subject to the applicable standards in Section 27-4204 of the Zoning Ordinance.
- E. Surrounding Uses:** MD 332 (Old Central Avenue)/MD 214 (Central Avenue) abut the subject site to the north, with properties in the Local Transit-Oriented-Edge (LTO-E) Zone, developed with a single-family dwelling and nonresidential uses beyond. Rollins Avenue abuts the property to the west, with vacant and single-family detached properties in the Residential, Single-Family-Attached (RSF-A) and Residential, Rural (RR) Zones beyond. Land to the east and south of the site are in the Residential, Single-Family-65 (RSF-65) Zone and are developed with single-family detached dwellings. The subject property is also bisected by land not included in the DET, which is developed with institutional and single-family detached dwellings in the RSF-65 and LTO-E Zones.
- F. Previous Approvals:** The property is subject to Preliminary Plan of Subdivision PPS-2023-024 (PGCPB Resolution No. 2024-050), approved on June 6, 2024 by the Prince George's County Planning Board. The PPS covers 10.91 acres and approved four parcels and four outparcels for development of 293 multifamily dwelling units and 29,572 square feet of institutional and commercial use.
- G. Design Features:** The applicant proposes to construct 293 apartment housing for the elderly dwelling units, in two, 4-story, U-shaped buildings, on two proposed parcels, known as Parcels 1 and 4.

Parcel 1 is an L-shape, located south of MD 332 and east of Rollins Avenue, at the western end of the subject property. One 2-way driveway access point is provided in the northeast corner of the parcel from MD 332 connecting to a 65-space parking lot to the east and south of the proposed building. The building on Parcel 1 (identified within the submittal plans as "Building 2") will include 141 units, comprised of 134 one-bedroom and 7 two-bedroom units. The main pedestrian entrance is in the northeast corner facing MD 332, and a southern internal courtyard provides green space.

Parcel 4 is a rectangular shape, located at the eastern end of the subject property, south of MD 214 and east of Yolanda Avenue. One 2-way driveway access point is provided in the southwest corner of the parcel from Yolanda Avenue connecting to a 107-space parking lot to the south of the proposed building. The building on Parcel 4 (identified within the submittal plans as "Building 1") will include 152 units, comprised of 144 one-bedroom and eight two-bedroom units. The main pedestrian entrance is in the middle of the northern façade facing MD 214, and a southern internal courtyard provides green space.

## II. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ZONING ORDINANCE

### A. Major Departure to Section 27-4204(b)(1)(B) and (C) and Section 27-4204(b)(1)(F)(iii)

Section 27-3605(e)(1) of the Zoning Ordinance requires conformance to applicable standards in Subtitle 27 of the Prince George's County Code, which includes Section 27-4204(b)(1), Standards Applicable to all Transit-Oriented/Activity Center Base Zones.

The applicant requested a major departure from standards in Section 27-4204(b)(1)(B), Section 27-4204(b)(1)(C), and Section 27-4204(b)(1)(F)(iii) to not provide 100 feet separation between curb cuts on the same block face, to not provide a minimum 20-foot-wide sidewalk (which includes the street tree planting area, with an 8-foot-wide pedestrian clearance zone) and, to not provide a pedestrian entrance for every 150 feet of street-facing façades, respectively. Section 27-3614(f) of the Zoning Ordinance contains the following required findings for approval of a major departure:

**(1) The departure falls within the thresholds provided in Subsections 27-3614(b)(1), Minor Departures or 27-3614(b)(2), Major Departures, above, for the applicable type of departure;**

Section 27-3614(b)(2) of the Zoning Ordinance permits an applicant to request a major departure, up to 100 percent, from all standards in Section 27-4204(b), Standards Applicable to all Transit-Oriented/Activity Center Base Zones. The Planning Board finds that a major departure can be filed for these standards, as they are within Section 27-4204(b).

**(2) The departure is consistent with the character of development on surrounding land, and is compatible with surrounding land uses;**

The applicant is requesting a departure from Section 27-4204(b)(1)(B), requiring curb cuts to be located a minimum of 100 feet from all other curb cuts on the same block face. The access along Old Central Avenue and Yolanda Avenue are both proposed within 100 feet of another curb cut, however, this is consistent with the character of the surrounding neighborhood. The underlying RSF-65 Zone is not subject to this standard, and the surrounding area consists of primarily single-family detached homes, on moderate lot sizes, with existing curb cuts on adjacent properties that are not owned by the applicant. The topography of the site, and the existing building to be maintained, limits the locations for access.

The applicant is seeking a departure from Section 27-4204(b)(1)(C), requiring all sidewalks within the LTO-C Zone to be a minimum of 20 feet wide, including the street tree planting area, with a sidewalk pedestrian clearance zone of 8 feet. The applicant has proposed 6-foot-wide sidewalks along the frontage of MD 332

and Yolanda Avenue, which is consistent with the character of the surrounding land. A minimum 6-foot-wide street tree planting area is provided along the property's frontage on MD 332 and Rollins Avenue; no street strip is provided along Yolanda Avenue, due to the future relocation plans. The underlying RSF-65 Zone is not subject to this standard, and the proposed sidewalk width is consistent with the existing sidewalks adjacent to the subject site, along MD 332. The proposed sidewalk is unobstructed by any permanent or nonpermanent object; therefore, the proposed pedestrian clearance zone is effectively 6 feet wide.

The applicant is requesting a departure from Section 27-4204(b)(1)(F)(iii), requiring an operable pedestrian entrance for every 150 feet of street-facing façades. The standard would require two entrances along the northern and one along the western façades of Building 2 (Parcel 1), but only one is provided along the northern façade facing MD 332. For Building 1 (Parcel 4), one entrance is required along the northern façade facing MD 332, and one is provided. For the western façade, facing Yolanda Avenue, one entrance is required and none is provided. Again, the underlying RSF 65 Zone is not subject to this standard and the surrounding area consists of primarily single-family detached homes with one entrance on a street-facing façade. Therefore, each building providing only one operable pedestrian entrance, on the highest classified roadway frontage, is consistent with the development on surrounding land.

**(3) The departure:**

- (A) Compensates for some unusual aspect of the site or the proposed development that is not shared by landowners in general, and**
- (B) Supports an objective or goal from the purpose and intent statements of the zone where it is located, or**
- (C) Saves healthy existing trees.**

Relative to the curb cut standard, the applicant states that the unusual aspect of the site is that the subject property is developing in accordance with the LTO-C Zone regulations, including Section 27-4204(b), in an area that currently consists of primarily single-family residential dwelling units in the RSF-65 Zone. The subject development does limit the number of curb cuts to one per parcel, as desired in the LTO-C Zone, and locates them in a pattern that is consistent with curb cuts on adjacent lots. It also provides new sidewalks and crosswalks to increase walkability in the area, in line with the purposes of the LTO-C Zone.

Relative to the sidewalk width requirement, an unusual aspect is that the existing property, located between Parcel 1 and Parcel 4, is not owned by the applicant and is not within the LTO-C Zone. Applying this wider sidewalk standard, which is specific to the Transit-Oriented/Activity Center base zones, would lead to

varying sidewalk widths along the same frontage. This would require the applicant to provide a wide sidewalk along their frontage and then taper to the existing sidewalk on adjacent land. These transition points would disrupt the pedestrian route and there would be areas where the taper would still not be able to meet the requirements of this section. Further, the future alignment of Yolanda Avenue is envisioned to include a traffic signal at the spur of MD 332 and MD 214, on the property located between Parcel 1 and Parcel 4. Applying the proposed sidewalk width is more appropriate, given the available right-of-way (ROW) and anticipated pedestrian improvements that would be provided as part of the new traffic signal, which would lead to a more compatible integrated pedestrian network of sidewalks along the subject site's frontage, in line with the purposes of the LTO-C Zone.

Relative to building entrances, the unusual aspect of developing, in accordance with the LTO-C Zone regulations, still applies. An unusual aspect that impacts the property along Yolanda Avenue is the future realignment and shifting of the roadway, more than 30 feet west, to align with a signalized spur of MD 332 and MD 214. This property will then no longer have direct frontage on Yolanda Avenue and, thus, any provided pedestrian entrances would then need to be relocated, or cause a revised sidewalk location. The LTO-C Zone purposes include to increase the walkability and transit-oriented nature of the area; however, given the single use of each building, as apartment housing for the elderly, additional pedestrian entrances would not contribute to these purposes and could serve as a security issue for the residents.

**(4) The departure will not pose a danger to the public health or safety;**

The departure for the curb cut location will not pose a danger to public health or safety, as there are existing curb cuts on the subject site that will be removed and then relocated for the proposed development. In addition, all access points were evaluated at the time of PPS, and it was determined that all access points would operate within the level of service (LOS) standards.

The departure for the sidewalk width will not pose a danger to public health or safety. The construction of these sidewalks will connect to the pedestrian network along the frontage and internal to the subject site, and will not have large variances in dimensions from the adjacent properties. The sidewalk widths to meet this standard can still be achieved; however, this could be accomplished as part of a larger roadway project, such as construction of the signalized intersection of Yolanda and the spur of Old Central Avenue and MD 214.

The departure for pedestrian entrances does not pose a danger to public health or safety, as the building will be required to conform to all fire access requirements. In addition, having more entrances could cause more security concerns for the elderly residents.

**(5) Any adverse impacts are mitigated, to the maximum extent practicable;**

The proposed curb cut distances are a minimum of 20 feet from adjacent entrances, which is consistent with the surrounding community and maintains the character of the neighborhood. Given the nature of the proposed use as residential for the elderly, adverse impacts will be limited and, as studied, all access points will operate within the LOS standards.

The reduced sidewalk width does not have adverse impacts, as standard 5- to 6-foot-wide sidewalks and tree strips are provided, which is consistent with the neighborhood, and provide for a compatible integrated pedestrian network.

The reduced building entrances do not have any adverse impacts, as a single entrance per building is consistent with the neighborhood, provides security for the residents, and allows for a concentration of pedestrian activity.

**(6) The site is not subject to a series of multiple, incremental departures that result in a reduction in each development standard by the maximum allowed over the previous twenty (20) years. (Relevant development standards cannot be reduced beyond the maximum thresholds allowed in this Subsection, through more than one departure, over the previous twenty (20) years); and**

In the statement of justification (SOJ), the applicant states that the site is not the subject of a series of multiple incremental departures, which is agreed upon by the Planning Board.

**(7) For a departure from a standard contained in the Landscape Manual, the Planning Board shall find, in addition to the requirements above, that there is no feasible proposal for alternative compliance, as defined in the Landscape Manual, which would exhibit equally effective design characteristics.**

In the SOJ, the applicant states that the site is not the subject of a departure from a standard contained in the *Prince George's County Landscape Manual*, which is agreed upon by the Planning Board.

**Additional Analysis**

The Planning Board finds that the granting of the departure from Section 27-4204(b)(1)(C), for a reduction in the sidewalk width, will impact certain requirements of the operating agency. The subject site is within the Addison Road Metro Local Transit Center, which requires developments within this center to use the Prince George's County Department of Public Works and Transportation (DPW&T), Urban Street Design Standards (USDS).

The USDS does allow certain modifications to an urban street type. Any adjustment to an urban street should be the minimum required to support the standards along a roadway, as required by the operating agency. Specific alternatives are provided in the USDS, but modifications can include a reduction in travel lanes, a reduction in the width of travel lanes, a reduction or elimination of on-street parking, and a reduction or elimination of a median. Bicycle and pedestrian facilities should not be eliminated, unless they meet all requirements of the exceptions described and approved by the operating agency.

The recommended USDS for MD 332 requires confirmation by the operating agency. However, a mixed-use boulevard (B) street type, with two travel lanes and a center turn lane or median, could be implemented. This standard identifies a 78-foot minimum ROW, 10-foot-wide sidewalks, and buffered on-road bicycle lanes with physical vertical separation. The 10-foot-wide sidewalk is below the minimum required for the LTO-C Zone standard. The granting of this departure will modify the sidewalk width requirement; however, all frontage improvements are subject to approval of the permitting agency.

The recommended USDS for Rollins Avenue and Yolanda Avenue requires confirmation by the operating agency; however, a Neighborhood Residential Street type with two travel lanes could be implemented. This standard identifies a 58-foot minimum ROW, 6-foot-wide sidewalks, and shared bicycle lane markings. The 6 foot-wide sidewalk is below the minimum required for the LTO-C Zone standard. The granting of this departure will modify the sidewalk width requirement; however, all frontage improvements are subject to approval of the permitting agency. The Planning Board anticipates that the permitting agency will not be in support of a side path along Rollins Avenue, as conditioned by the PPS; however, a sidewalk that meets the USDS requirements should be provided, in lieu of this recommendation.

The conditions of approval for the PPS are in contradiction with the requirements of the USDS for each street type. This is a challenge for all properties in a designated Transit Center, as the USDS are difficult to implement when a frontage is shared by multiple property owners. The timing of certain improvements can be achieved, but will require transitional improvements, until entire sections of roadways are able to be improved to include all necessary elements of these standards. The granting of this departure would serve as a transitional improvement; however, the applicant is required to meet all conditions imposed by the permitting agency during their permitting process.

Staff had discussions with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) and they are aware of the implications to the design elements of the USDS. It is the position of the Planning Board that sufficient ROW exists to implement the requirements of the USDS. While the Planning Board approved this departure, this does not relieve the applicant from requirements imposed by DPIE.

### **Conclusion**

Based on the foregoing analysis, as well as the plans and supporting documentation filed in conjunction with the companion DET, the Planning Board approves of a major

departure from Section 27-4204(b)(1)(B), to allow for two curb cuts within 100 feet of others on the same block face; from Section 27-4204(b)(1)(C), to allow a minimum of 5-foot-wide clear pedestrian sidewalks; and from Section 27-4204(b)(1)(F)(iii), to allow for the street-facing façades of each building to only include one total operable pedestrian entrance.

**III. REFERRAL COMMENTS**

The subject application was referred to the concerned agencies and divisions, but no referral comments were provided for the major departure.

**IV. COMMUNITY FEEDBACK**

No community feedback was received relative to the major departure 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.

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 Shapiro voting in favor of the motion at its regular meeting held on Thursday, December 12, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of January 2024.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:JK:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: January 7, 2025