

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DPLS-311, Lakeview at Brandywine, requesting a departure of 34 off-street parking spaces from the required 71 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 October 19, 2006, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The property is located in the 9th Council District, in the northwest quadrant of the intersection of Branch Avenue (MD 5) and Robert Crain Highway (US 301), immediately south of Accokeek Road, in Brandywine, Maryland. The property also has frontage on Accokeek Road to the northwest. The J. E. Hunt residence, Historic Site 85A-17, is located across Accokeek Road to the northeast. The site is a 191.5-acre subdivision zoned R-R (Rural Residential) with 250 single-family detached lots. The subdivision is being developed under the lot size averaging provisions of the Zoning Ordinance.
- B. **History:** The 1993 *Approved Master Plan And Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A, and 85B* classified this property in the R-R Zone. The Lakeview at Brandywine Preliminary Plan of Subdivision (4-04072) was approved on July 15, 2004.
- C. **Master Plan Recommendation:** The subject property is located within the limits of the 1993 Subregion V Master Plan and SMA, Planning Area 85A, in the Brandywine Community. The property is located within the Brandywine Special Study Area. That plan recommends employment-office/light manufacturing/ business park land uses for the eastern half of the property adjacent to MD 5 and US 301 and high suburban residential land use, at up to 7.9 dwelling units per gross acre for the western half of the property. However, the Subregion V Master Plan and SMA classified this property in the R-R Zone. The applicant's proposal is consistent with the requirements of the R-R Zone. The master plan also indicates that there are wetlands and substantial areas designated as natural reserve on the site.
- D. **Request:** The applicant is requesting a departure of 34 parking spaces from the required 71 parking spaces to allow the development of a community swimming pool and clubhouse on a 2.884 acre parcel for the Lakeview at Brandywine single-family detached subdivision. A total of 35 spaces are required for the swimming pool and a total of 35 spaces are required for the clubhouse. The proposed site plan provides for 37 off-street parking spaces and leaves a 34-space deficit. The site plan has been revised to show off-street parking, for the picnic area and tennis/basketball courts, that was not previously provided.

The original request was revised on September 11, 2006, from a waiver of 43 spaces to a waiver of 34 spaces. The applicant provided additional parking spaces at the tennis court and picnic areas after completing the limited detailed site plan process. The errors that the Permit Section found with the original parking calculation and site plan have been addressed, but need further revision.

- E. **Surrounding Uses:** The immediate area surrounding the site is generally characterized by agricultural, residential, and undeveloped lands. The subject property is surrounded by the following uses:

North—Across Accokeek Road, residential and agricultural uses in the R-R Zone;

East—Across MD 5, commercial uses, commercially zoned properties;

South—Undeveloped land in the R-R Zone with commercial uses along US 301;

West—Residential and agricultural uses in the R-R Zone, as well as undeveloped land.

- F. **Parking Requirements:**

1. **Number of Required Parking and Loading Spaces:** Section 27-568(a)(4) of the Zoning Ordinance requires one parking space for every seven persons, based on the legal occupancy of the community swimming pool. According to the applicant's parking schedule, the pool has a legal occupancy of 252 people. This generates a total of 36 parking spaces.

Section 27-568(a)(4) also requires one parking space for every 80 square feet of gross floor area of other community recreational space. According to the applicant's parking schedule, the clubhouse will contain a 1,700-square foot multipurpose room, a 539-square foot exercise room, and a 448-square foot reading room. This generates a total of 34 parking spaces.

Section 27-568(a)(5) of the Zoning Ordinance requires one parking space for every 250 square feet of gross floor area of office space. According to the applicant's parking schedule, the clubhouse has a total of 151 square feet of office space. This generates a total of one parking space.

Section 27-566 requires three parking facilities be reserved for the physically handicapped in lots generating between 51 and 75 parking spaces.

A total of 71 parking spaces are required for the various uses in the subject building. The applicant proposes to provide 37 parking spaces with two being reserved for the physically handicapped. The applicant is requesting a waiver of 34 parking spaces. Staff believes that the applicant should provide an additional parking space for the physically handicapped (as the requirement is of parking generated and not parking provided.) This is reflected in the recommended conditions of approval.

The Permit Review Section noted that the current site plan does not show the requested departure and the number of spaces to be waived. The parking schedule needs to be corrected to include the uses, the required parking, and the parking provided.

2. **Prince George's County Landscape Manual:** The site is subject to the Landscape Manual since a new building and outdoor parking areas are to be constructed.

G. **Sign Regulations:** No freestanding sign is proposed for the subject property as a part of this application. Any sign that will be placed on the property must meet all area, height and setback requirements.

H. **Required Findings—Departure from Parking and Loading Standards**

(A) **Section 27-588(b)(8) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:**

1. **The purposes of Section 27-550 will be served by the applicant’s request.**

The purposes of the Parking Regulations are as follows:

- a. **The off-street and on-street parking areas are sufficient to serve the parking and loading needs of all persons associated with the building and use.**
- b. **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.**
- c. **To protect the residential character of residential areas.**
- d. **To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The Lakeview at Brandywine Preliminary Plan of Subdivision (4-04072) was approved on July 15, 2004, subject to certain conditions. These conditions addressed the recreational facilities of the subdivision. The applicant’s statement of justification indicates that the swimming pool and clubhouse will be developed on a 2.884-acre parcel, which is surrounded by public streets on three sides. These streets will be constructed as an urban closed section, each with a 60-foot right-of-way. The 37-space parking compound to serve the pool complex comprises about ten percent of the total parcel area. Strict compliance with Part 11 of the Zoning Ordinance would require the addition of approximately 34 additional parking spaces and would nearly double the size of the current parking compound. This would significantly increase the amount of impervious pavement and decrease the amount of green space that would be used for outdoor play areas. Further, the reduction in required spaces would allow the proposed access points to be limited to two. The applicant has also resolved to the installation of “No Pool Parking” signs along the affected homes that surround the facility.

The Urban Design Section in a memo dated April 6, 2006, has indicated that minimizing the amount of area devoted to parking will reduce the amount of impervious surface and stormwater runoff on the site and enhance the visual appeal of the subdivision by creating the opportunity for additional open space

and landscaping. Because the recreational amenities are intended to be utilized by subdivision residents and most often by residents utilizing the swimming pool, the reduced number of parking spaces should adequately accommodate the number of cars. Trips by people coming to use both the pool and another recreational amenity, as well as the number of people in walking distance to the pool should reduce the need for parking in the area. Additionally, off-street parking is supplemented by on-street parking that should accommodate overflow. The recommendation of Urban Design staff was that the applicant increase the amount and variety of plantings offered in the landscaping for the area. In a memo dated September 11, 2006, the applicant responded that an abundance of landscaping would be provided on the site to offer a balance of aesthetics and functionality. There are residential properties surrounding the recreational facility. The applicant will provide no-parking signs to ward off parking in the front of these lots.

The Environmental Planning Section, the State Highway Administration, the Community Planning Section, the Historic Preservation Section, and the Public Facilities Planning Section have offered no objection to the departure.

With the recommended conditions, the purposes of this subsection will be served by the requested departure.

2. The departure is the minimum necessary, given the specific circumstances of the request.

With the recommended conditions of approval, the requested departure of 34 parking spaces is the minimum necessary given the applicant's desire to promote the natural character of the neighborhood by preserving green space and outdoor recreation.

3. The departure is necessary in order to alleviate circumstances that are special to the subject use, given its nature at this location, or to alleviate circumstances that are prevalent in older areas of the county that were predominantly developed prior to November 29, 1949.

The subject site is not located in an area that was developed prior to November 29, 1949. The special circumstances of this use include the fact that these facilities are intended for community resident use. Some of the residents are close enough to walk to the site. The same patrons will likely use the community clubhouse and pool at the same time. The applicant would also like to preserve green space and prevent any excessive paving. The departure is necessary in order to alleviate these circumstances. The proposed use will not intensify or exacerbate existing traffic and parking conditions in the area.

4. All methods for calculating the number of spaces required have either been used or found to be impractical.

All methods for calculation have been used and found impractical to further reduce the parking requirement. If the space left on the site were used to accommodate all of the required number of spaces, then it would be substantially changed by the amount of paving.

5. Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted

The residential areas in the vicinity of the subject property would only be affected if a particular event requires overflow parking on the street. However, the residences should not be infringed upon, because the applicant will not provide on-street spaces on the side of the street in front of homes. This will be enforced through the use of “No Pool/Clubhouse/Play Area Parking” signs installed in front of the residences bordering the pool.

(B) In making its findings, the Planning Board shall give consideration to the following:

1. The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within 500 feet of the subject property.

The applicant submits that approximately 69 of the 250 lots in the proposed subdivision, or about 28 percent, are within 500 feet of the swimming pool area. It is anticipated that a significant number of residents within the 500-foot radius of the pool complex will either walk or cycle to the pool complex. The proposal provides for 37 spaces, which will serve all uses in the subject building.

2. The recommendations of an area master plan, or county or local revitalization plan, regarding the subject property and its general vicinity.

The subject property is located within the limits of the 1993 Subregion V Master Plan, and SMA, Planning Area 85A in the Brandywine Community. The property is located within the Brandywine Special Study Area. That plan recommends employment-office/light manufacturing/business park land uses for the eastern half of the property adjacent to MD 5 and US 301 and high suburban residential land use, at up to 7.9 dwelling units per gross acre, for the western half of the property. However, the Subregion V Master Plan and SMA classified this property in the R-R Zone. The applicant’s proposal is consistent with the requirements of the R-R Zone and will not impair the integrity of the master plan.

3. The recommendations of a municipality (within which the property lies) regarding the departure.

There are no comments or recommendations submitted by a municipality. This subject property is not within a municipality.

4. Public parking facilities which are proposed in the County’s Capital Improvement Program within the general vicinity of the property.

There are no public parking facilities proposed in the County's Capital Improvement Program for this area.

(C) In making its findings, the Planning Board may give consideration to the following:

- 1. Public transportation available in the area;**
- 2. Any alternative design solutions to off-street facilities which might yield additional spaces;**
- 3. The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within 500 feet of the subject property.**

The property is proximate to public transportation. It is located along Branch Avenue and US 301. However, given the suburban nature of the neighborhood and surrounding area, it is unlikely that this service will be utilized in relation to the clubhouse facility. The applicant has explored alternative design to the parking area and found the proposed layout of the parking area to be the most efficient use of the parking lot. The site plan should be revised to accommodate additional handicapped parking spaces.

The subject property is located in a residential area and, as indicated, parking demand generated by the uses on the subject property will be adequately satisfied with the 37 parking spaces to be provided. The residential areas in the vicinity of the subject property would only be affected if a particular event requires overflow parking on the street. However, the residences should not be infringed upon, because the applicant will not provide on-street spaces on the side of the street in front of homes. This will be enforced through the use of "No Pool/Clubhouse/Play Area Parking" signs installed in front of the residences bordering the pool. There will be no disruption to traffic flow or parking conditions on the surrounding streets resulting from the continuation of the existing uses, because specified areas for on-street parking are also provided. The proposal will not affect the nature and hours of operation of other uses within 500 feet of the subject property.

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, subject to the following conditions:

1. No additional units shall be created in the building.
2. The site plan shall be revised to provide an additional parking space for the physically handicapped.
3. The parking schedule shall be revised to:
 - a. List the uses within the community building.
 - b. Show the required parking as 71 spaces.
 - c. Show the provided parking as 37 spaces.
 - d. Show the requested departure as 34 parking spaces.

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.

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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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Vaughns and Parker voting in favor of the motion, and with Commissioner Squire opposing the motion at its regular meeting held on Thursday, October 19, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of November 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator