

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DDS-562, Willow Condominiums, requesting a Departure from Design Standards to permit the counting of parking spaces in driveways as part of the required parking numbers 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 9, 2008, the Prince George's County Planning Board finds:

1. **Location:** The site is located on the east side of Seabrook Road, approximately 250 feet north of the intersection of Seabrook Road and Annapolis Road (MD 450). The property has a small frontage along Annapolis Road at its southeast corner.
2. **Surrounding Uses:** To the north the property borders Seabrook Elementary School. To the east of the site is an existing neighborhood of single-family houses in the R-80 Zone. To the south of the site is an office park in the C-O Zone. Similar office buildings in the C-O Zone are located across Seabrook Road to the west.
3. **Previous Approvals:** The site has an approved Preliminary Plan of Subdivision, 4-06091, which was approved by the Planning Board on December 21, 2006.
4. **Design Features:** The applicant has proposed a detailed site plan (DSP-07010) to develop the site with multifamily buildings in condominium ownership. The proposed multifamily buildings are modified two-family buildings, commonly known as stacked townhouses or two-over-twos. These consist of attached dwelling units, with two-story dwelling units stacked one above another. The applicant has modified the typical two-family dwelling unit arrangement by adding vestibules to the front of the buildings, each of which provides common access to four units. This allows the buildings to meet the Zoning Ordinance's definition of multifamily buildings.

The proposed plan includes four buildings containing 16 dwelling units, seven containing 12 dwelling units, and one containing eight dwelling units. Each unit has a front door in one of the common vestibules, accessed from a sidewalk along the front of the building. Each unit also has a single-car rear-loaded garage on the ground floor, accessed from a driveway behind the building.

The buildings are arranged along private streets on the property. The fronts of two 16-unit buildings face west onto Seabrook Road on either side of the proposed vehicular entrance to the site. The remaining ten buildings are oriented in back-to-back pairs around a central island roughly in the center of the development.

5. **Parking Data:**

	REQUIRED	PROVIDED
Standard spaces	429	429
Garage parking spaces		156
Surface parking spaces		76
Driveway parking spaces		156

The Zoning Ordinance requires each multifamily unit to provide two parking spaces, as well as an additional half parking space for every additional bedroom beyond one. The applicant proposes 78 two-bedroom units which require two and a half parking spaces each and 78 three-bedroom units which require three parking spaces each. Thus, the total number of required spaces for the site is 429 parking spaces.

Each dwelling unit in the proposed multifamily buildings includes a rear-loaded single-car garage on the ground floor of the building. In addition, there are 76 parking spaces provided in surface parking compounds. These parking spaces are concentrated in the center of the development around the central bioretention island, with some spaces located at the edges of the development. The driveways providing access to the garages have been designed to accommodate parked cars, but the Zoning Ordinance does not normally permit the driveways in these spaces to be counted as parking spaces. The applicant has applied for a departure from design standards to allow parking spaces in the driveways to be counted towards the parking requirements. If the departure is approved, the original site plan will demonstrate only 388 parking spaces, or 41 fewer spaces than required.

Unfortunately, neither staff nor the applicant was aware of this parking deficiency until late in the review process because the parking calculations on the plan had been made according to a different parking standard. Therefore, the applicant did not have an opportunity to submit revised plans to address the issue prior to the September 18, 2008 Planning Board hearing. At the hearing of September 18, 2008, the applicant presented a proposed plan showing where the additional required parking could be provided by using compact parking spaces in place of the standard sized spaces that were originally proposed, and by adding several additional parking areas scattered throughout the site. The required layout provides 429 parking spaces, which meets the site's requirement.

6. **Departure:** Each multifamily unit must provide two parking spaces plus an additional half of one parking space for every bedroom in excess of one. The applicant proposes 78 two-bedroom units and 78 three-bedroom units, so that a total of 429 parking spaces are required.

Each multifamily unit provides one parking space in the individual unit's parking garage on the ground floor. Additional surface parking spaces have been provided within the development. Finally, the driveway for each unit's individual garage has been designed to accommodate a full-size parking space. The garage parking space would effectively be provided behind the driveway parking space. However, the zoning ordinance only permits this arrangement of parking spaces (with one space serving as the access to another space) for one-family dwellings. As the proposed units are multifamily dwellings, the applicant has applied for a departure from design standards to allow the unit driveways to be counted as parking spaces.

As set forth in Section 27-239.03 of the Zoning Ordinance, the Planning Board may grant a departure if it makes the following findings:

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

The purposes of the Zoning Ordinance are laid out in Section 27-102. These include the following purposes which are relevant to the subject application:

- (6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;**

If the proposed departure were not granted, the applicant would be forced to provide a large number of additional parking spaces on the site. Although the driveways could be reduced in size if they were not sized to accommodate parking, this reduction in size would not be as large as the entire parking space because of the need for some driveway length to accommodate turning movements into the garages. Therefore, providing the same number of spaces elsewhere would be an inefficient use of land. Furthermore, the individual homeowners would not have the convenience of a second dedicated parking space behind their unit, as the additional parking spaces provided might be located in a central parking area.

- (11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;**

Providing parking spaces within the driveways will ensure that cars can park within the driveways without impeding the traffic flow along the internal streets of the development. Although the parking spaces within the garages will not be accessible when the driveway spaces are occupied, the arrangement is in practice no different from that of a single family house with both a garage and a driveway parking space.

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

The applicant's statement of justification provides the following argument regarding this finding:

"This request is not to reduce the number of parking spaces, but rather to locate the required parking spaces in an alternative arrangement. The proposed tandem arrangement of one standard space and one interior garage will allow for the provision of adequate on-site parking for residents and guests. This arrangement is the most efficient and functional design, given the unique physical constraints of the site. The requested parking arrangement is the most practical solution. No additional departures are necessary or requested."

- (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;**

The site is located in the Developing Tier and is not particularly restricted by circumstances prevalent in older areas of the County. The site is oddly-shaped and limited by its sole approved access onto Seabrook Road. If the departure is not granted, additional surface parking areas would have to be provided which would probably result in greater impacts to adjoining properties and constitute a substantial burden on the applicant. In a typical arrangement of multifamily dwellings, parking is often provided in surface parking lots located along the fronts of the buildings. However, the proposed site plan has been designed so that the fronts of the buildings around the edges of the property face directly towards adjoining properties and streets. This is an appropriate design because the fronts are the most visually attractive sides of the buildings.

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

The departure will not impact the quality or integrity of the site or the surrounding neighborhood. Granting the departure will preserve the functional quality of the site by providing homeowners with the convenience of a dedicated parking space directly behind their residence, instead of a space in a parking lot which might be less accessible to their residence. Furthermore, providing the parking spaces within the driveways behind the buildings will lessen the overall proportion of paving on the site and allow the proposed buildings to be located slightly further from the adjoining residential properties than they otherwise could, thereby reducing the visual impact on the surrounding neighborhood.

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 condition:

Prior to certification of the DDS, the plans shall be revised to reflect the revised layout presented by the applicant, including the full required spaces between the buildings and provision of required parking spaces. The certified plans may include minor modifications to the location of some of the parking spaces in order to provide a distribution of parking spaces throughout the development.

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, October 9, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of October 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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