



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

March 10, 2020

RECEIVED

MAR 10 2020

Konterra Associates, LLC.
14401 Sweitzer Lane, Suite 200
Laurel, MD 20707

CLERK OF THE COUNCIL
PRINCE GEORGE'S COUNTY MARYLAND

Re: Notification of Planning Board Action on

Zoning Section – DDS-665
Park Place

Dear Applicant:

This is to advise you that, on **March 5, 2020**, the above-referenced application was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

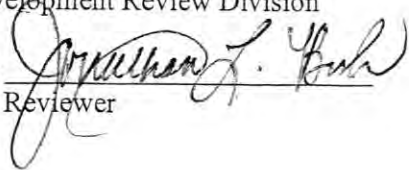
Pursuant to Section 27-228.01 of the Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of the final notice **March 10, 2020** of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, at 301-952-3600.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

Sincerely,
James R. Hunt, Chief
Development Review Division

By: 
Reviewer

Attachment: PGCPB Resolution No. **2020-28**

cc: Donna J. Brown, Acting Clerk of the County Council
Persons of Record



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 File No. DDS-665

PGCPB No. 2020-28

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Design Standards DDS-665, Park Place, requesting a departure from the parking space size in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on February 27, 2020, the Planning Board finds:

1. **Request:** A Departure from Design Standards, DDS-665, 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 wide by 18 feet long. This DDS is the companion case of detailed site plan DSP-19044 (PGCPB Resolution No. 2020-27), which was approved on the same date by the Prince George's County Planning Board.
2. **Land Use Summary:**

DEVELOPMENT DATA SUMMARY		
	Existing	Approved
Zone	I-3	I-3
Use(s)	Vacant	Office/Warehouse
Acreage	17.21	15.54
Parcels	1	2
Gross Floor Area (sq. ft.)	--	128,810

PARKING REQUIREMENTS		
Office/Warehouse	Number of Spaces Required	Number of Spaces Provided
Building A (proposed Parcel 1 – Restaurant Depot)	77	222
Building B (proposed Parcel 2 – Office/Warehouse)	135	110
TOTAL	212	332
Regular	-	316
Handicap-accessible Car Spaces	7	10
Handicap-accessible Van Spaces	-	6

LOADING REQUIREMENTS		
Office/Warehouse	Number of Spaces Required	Number of Spaces Provided
Building A (proposed Parcel 1 – Restaurant Depot)	3	5
Building B (proposed Parcel 2 – Office/Warehouse)	3	11
TOTAL	6	16

3. **Location:** The subject property is located at Tax Map 9, Grid C-4, on the south side of Muirkirk Road, approximately 650 feet west of its intersection with Virginia Manor Road in Planning Area 60, and Council District 1.
4. **Surrounding Uses:** The subject property is bounded to the north by the public right-of-way of Muirkirk Road with residentially developed, Planned Industrial/Employment Park (I-3) zoned property beyond; to the east by I-3-zoned property developed with industrial uses; to the south by vacant, wooded property, zoned Open Space and owned by Prince George’s County Government; and to the northwest by property zoned Rural Residential (R-R) developed with residential uses.
5. **Previous Approvals:** The subject property, when it was zoned R-R, was originally part of DSP-87108, which was approved on October 1, 1987 (PGCPB Resolution No. 87-452) for 179,560 square feet of office/warehouse space. DSP-87108 encompassed 39.07 acres across three parcels: the 17.21-acre subject property (Parcel 218); the 16.18-acre, I-3-zoned, developed Park Place Industrial Park to the east; and the 5.68-acre vacant residentially zoned property to the west. The overall 39.07-acre property was envisioned for industrial office/warehouse uses; however, the subject property was shown as reserved for future development with DSP-87108.

Subsequently, the subject property was rezoned from the R-R Zone to the I-3 Zone via Zoning Map Amendment A-9953-C, approved by the Prince George’s County District Council on August 10, 2006. Conceptual Site Plan CSP-17005 was approved on February 14, 2019 (PGCPB Resolution No. 19-23) for 131,810 square feet of flexible industrial space for office/warehouse uses on existing Parcel 218. A Preliminary Plan of Subdivision, PPS 4-18029, was approved by the Prince George’s County Planning Board on October 10, 2019 (PGCPB Resolution No. 19-117). The site has an approved Stormwater Management (SWM) Concept Plan (19983-2018-00) and associated letter, which is valid until August 21, 2021.

6. **Design Features:** The companion DSP proposes to develop 128,810 square feet of flexible industrial office, warehouse, and wholesale trade uses on two proposed parcels. The eastern Parcel 1 includes a 62,810-square-foot building proposed for a Restaurant Depot tenant, and the western Parcel 2 includes a 66,000-square-foot flexible office/warehouse building. The application also includes associated site improvements including landscaping and 18 SWM facilities. The subject property is irregular in shape and constrained by Muirkirk Road on its northern boundary. Standard sidewalks are proposed and provide internal connectivity on-site and to Muirkirk Road. The development pods are surrounded by green area serving as a natural boundary to the adjoining residentially and industrially zoned properties. Access to the site is

shown in two separate entrances in the northwest and northeast points of the property along Muirkirk Road. The plan shows 9,860 square feet of possible/future Restaurant Depot office expansion, along the northern elevation of the building on Parcel 1. The Planning Board noted that the companion DSP does not include the future expansion, which will be subject to an amendment to the DSP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Design Standards DDS-665**—The applicant filed DDS-665 requesting a reduction in the standard parking space size to 18 feet by 9-feet. The requirements of Section 27-558(a) of the Zoning Ordinance dictate a standard parking space to be a minimum of 19 feet by 9.5 feet. Pursuant to Section 27-239.01(b)(7) of the Zoning Ordinance, the Planning Board must make the following findings to approve this application:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

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

The following are the purposes, as listed in Section 27-550 of the Zoning Ordinance:

- (1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas 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 the amenities in the Regional District.**

The reduction in the parking space size for the entirety of the site will sufficiently provide off-street parking. Nine-foot widths have been incorporated into many new County developments and have functioned without incident. The Planning Board noted that the new Zoning Ordinance provides for 9-foot by 18-foot parking spaces. The Planning Board also noted that the use is required to have 219 parking spaces and the applicant is providing 332 spaces resulting in a surplus, totaling 113 spaces.

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

The departure of six inches in width by one foot in length is relatively insignificant on a space-by-space basis. As noted, this space size is contemplated by the newly adopted Zoning Ordinance. The departure will enable the project to provide adequate parking on high-volume days when visitation to the Restaurant Depot tenant may increase.

- (iii) **The departure is necessary in order to alleviate certain circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in order areas of the County which were predominantly developed prior to November 29, 1949;**

The applicant has utilized the proposed parking space sizes to have parking sufficient to accommodate visitation for various peak periods, which generally occur outside of peak-hour trip periods. Efficient, easily accessible parking is necessary and essential to customers/vendors coming to Restaurant Depot. As noted, the venue is going to be in close proximity to interstate infrastructure, and convenient, adequate parking is essential to its operations.

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

The proposed size reductions do not negatively impact the visual quality of the site. The reduced parking size will accommodate vehicles while allowing adequate parking spaces in the same amount of area, thus reducing the disturbed area. In addition, allowing the reduced-size parking space, multiplied by the total number of spaces, greatly reduces the amount of impervious surface needed, thus reducing stormwater runoff which benefits the environment. This DDS for parking space sizing and the accompanying DSP will allow for a national user that seeks an additional site in close proximity to interstate infrastructure.

Based on the analysis above, the Planning Board approves DDS-665 to allow standard parking spaces to be 9 feet wide by 18 feet long.

8. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
- a. **Transportation Planning**— The Planning Board reviewed a memorandum dated January 24, 2020 (Burton to Bush), incorporated herein by reference, which evaluated the DSP and concurrent DDS applications and provided a discussion of previous conditions of approval, as incorporated above.

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.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following 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 Doerner, seconded by Commissioner Bailey, with Commissioners Doerner, Bailey and Hewlett voting in favor of the motion, and with Commissioners Geraldo and Washington absent at its regular meeting held on Thursday, February 27, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of March 2020.


Elizabeth M. Hewlett
Chairman



By Jessica Jones
Planning Board Administrator

EMH:JJ:JB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date 3/2/20