



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, ICMA-CM, CPM
City Manager

SUBJECT: Resolution R-32-21
BD-1-21 (Departure from Parking and Loading Standards)
Resolution R-33-21
BD-2-21 (Departure from Design Standards)
South Lake Partners, LLC
Detailed Site Plan #DSP-21002
South Lake Multi-Family Residential

DATE: June 3, 2021

Attached please find copies of:

- Resolution R-32-21 for BD-1-21 approving a Departure from Section 27-568(a)(1) of the Prince George's County Zoning Ordinance to allow a reduction in the number of on-site parking spaces from 738 to 587, resulting in an on-site parking ratio of 1.80 spaces per dwelling unit for a Multi-Family Residential Use on Parcel 1, a remainder of Outparcel 'C' in the South Lake Mixed-Use Community located in an Employment and Institutional Area (E-I-A) Zone; and,
- Resolution R-33-21 for BD-2-21 approving a Departure from Section 27-558(a) of the Prince George's County Zoning Ordinance to allow a reduction in the width of non-handicap/non-parallel standard-sized parking spaces from 9.5 feet to 9.0 feet for a Multi-Family Residential Use on Parcel 1, a remainder of Outparcel 'C' in the South Lake Mixed-Use Community located in an Employment and Institutional Area (E-I-A) Zone.

Council is authorized to adopt these Resolutions via the adopted variance and departure procedures granted to the City. The Bowie Advisory Planning Board (BAPB) approved the above cases on April 27, 2021, in accordance with the staff recommendation, and adopted their findings in Resolutions BD-1-21 and BD-2-21. No appeal or oral argument has been filed with the City, nor has any City Council member called up the action of the BAPB recommending approval of the requested Departures. The attached Resolutions reflect the BAPB's findings and recommendation in the subject cases.

Recommendation

It is recommended that Council approve Resolution R-32-21 and Resolution R-33-21, which are attached.

Attachments

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RESOLUTION
OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND
APPROVING DEPARTURE BD-1-21, A REQUEST BY SOUTH LAKE, LLC FOR A
DEPARTURE FROM SECTION 27-568(a)(1) OF THE PRINCE GEORGE’S COUNTY
ZONING ORDINANCE TO ALLOW A REDUCTION IN THE NUMBER OF ON-SITE
PARKING SPACES FROM 738 TO 587, RESULTING IN AN ON-SITE PARKING
RATIO OF 1.80 SPACES PER DWELLING UNIT ON PARCEL 1, A REMAINDER OF
OUTPARCEL ‘C’ IN THE SOUTH LAKE MIXED-USE COMMUNITY BOWIE,
MARYLAND

WHEREAS, the City of Bowie Advisory Planning Board (hereinafter the “BAPB”), pursuant to the City of Bowie Code (hereafter the “Code”), is authorized to hear requests for Departures from the terms of the Prince George’s County Zoning Ordinance (hereafter the “Zoning Ordinance”) with respect to, among other things, Parking and Loading Spaces for a Multifamily Residential Use on a property in the Employment and Institutional Area (E-I-A) Zone, and to make recommendations to the Bowie City Council in connection therewith; and,

WHEREAS, the BAPB is authorized by the Code to decide on an application for a Departure from Parking and Loading Spaces for a Multifamily Residential Use in the E-I-A Zone if the BAPB makes the following findings pursuant to Section 27-588(b)(7)(A)(B)(C) of the Zoning Ordinance:

- (A) In order for the Planning Board to grant the Departure (from Parking and Loading Standards), it shall make the following findings:
 - (i) The purposes of the Prince George’s County Zoning Ordinance (Section 27-550) will be served by the applicant’s request; and,
 - (ii) The Departure is the minimum necessary, given the specific circumstances of the request; and,
 - (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; and,
 - (iv) All methods for calculating the number of spaces required have either been used or found to be impractical; and,
- (B) In making its findings, the Planning Board shall give consideration to the following:

- (i) 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 five hundred (500) feet of the subject property;
 - (ii) The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;
 - (iii) The recommendations of a municipality (within which the property lies) regarding the departure;
 - (iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.
- (C) In making its findings, the Planning Board may give consideration to the following:
- (i) Public transportation available in the area;
 - (ii) Any alternative design solutions to off-street facilities which might yield additional spaces;
 - (iii) 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 five hundred (500) feet of the subject property;
 - (iv) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.

WHEREAS, on March 11, 2021, South Lake Partners, LLC (the “Applicant”) submitted an application for a Departure from Parking and Loading Standards for a Multifamily Residential Use in the E-I-A Zone, as set forth in Section 27-568(a)(1) of the Prince George’s County Zoning Ordinance for a 15.86-acre site, known as Parcel 1, a remainder of Outparcel ‘C’ in the South Lake Mixed-Use Community currently undergoing development and located on the western side of southbound U.S. Route 301, approximately 0.3 mile south of the MD Route 214 interchange and located in Bowie, Maryland (the “Subject Property”), specifically requesting a Departure to reduce the number of on-site parking spaces from 738 to 587, resulting in an on-site parking

ration of 1.80 spaces per dwelling unit, for a Multifamily Residential Use on the Subject Property; and,

WHEREAS, the notice of the public hearing was posted on the property as required by the Code on March 26, 2021; and,

WHEREAS, a public hearing notice advertising the public hearing was mailed on March 25, 2021; and,

WHEREAS, the technical staff report recommended APPROVAL of the Departure to reduce the number of on-site parking spaces from 738 to 587, resulting in an on-site parking ration of 1.80 spaces per dwelling unit; and,

WHEREAS, on April 27, 2021, the BAPB conducted a public hearing on the merits of the Departure application, at which the BAPB heard testimony and accepted evidence with respect to whether it can make the necessary findings set forth in the Ordinance to grant a Departure from Parking and Loading Standards for a Multifamily Use in the E-I-A Zone, as set forth in Section 27-568(a)(1) of the Prince George’s County Zoning Ordinance, and, based upon the evidence and testimony presented at the hearing, the BAPB voted to recommend APPROVAL of the Departure application to reduce the number of on-site parking spaces from 738 to 587, resulting in an on-site parking ration of 1.80 spaces per dwelling unit; and,

WHEREAS, the recommendation of the BAPB is based on the findings and conclusions found in the technical staff report, submissions by the Applicant and testimony provided during the hearing; and,

WHEREAS, pursuant to the City Code, within 15 days of the BAPB’s decision, persons of record may file an appeal of a City Councilmember may request oral argument if the BAPB’s recommendation fails to comply with the criteria for approval; and,

WHEREAS, no person of record filed an appeal and no member of the City Council requested oral argument regarding the BAPB’s decision; and,

WHEREAS, the City Council makes the following findings of fact:

1. The Applicant is the owner of certain real property consisting of 15.86 acres, known as Parcel 1, a remainder of Outparcel ‘C’ in the South Lake Mixed-Use Community currently undergoing development and located on the western side of southbound U.S. Route 301, approximately 0.3 mile south of the MD Route 214 interchange and located in Bowie, Maryland (the “Subject Property”).
2. The Subject Property is located in the E-I-A (Employment and Institutional Area) Zone.

3. The City mailed 118 public hearing notices advertising the April 27th BAPB hearing.
4. The Subject Property is now the subject of a request for a Departure to reduce the number of on-site parking spaces from 738 to 587, resulting in an on-site parking ration of 1.80 spaces per dwelling unit required by Section 27-568(a)(1) of the Prince George's County Zoning Ordinance.

WHEREAS, the City Council makes the following conclusions of law:

1. The purposes of the Prince George's County Zoning Ordinance (Section 27-550) will be served by the applicant's request. Under Section 27-568(a) of the Prince George's County Zoning Ordinance, for multifamily projects not in the M-X-T zone, 738 parking spaces are required for this multifamily development, resulting in a residential parking ratio of 2.27 parking spaces/unit. The development proposes 1.80 spaces/unit. However, pursuant to CB-13-2002, since the South Lake property is zoned E-I-A (Employment and Institutional Area), it may be developed using the M-X-T standards. The applicant's Statement of Justification references a memo by Lenhart Traffic Consulting, Inc., dated March 1, 2021, and Section 27-574(a) of the County Zoning Ordinance, which provides that "the number of parking spaces required in the M-X-T zone are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval." Therefore, the number of parking spaces required for this multifamily development was calculated in accordance with the methodology established in Section 27-574(b) of the Zoning Ordinance, and as described in the applicant's Statement of Justification.

The Statement of Justification references the analysis performed by Lenhart Traffic Consulting, which assumed "the ability for some shared parking between #DSP-19021 (South Lake commercial/retail component), and the subject multifamily residential #DSP-21002 due to the proximity of the (locations) of the two DSP's. Also, due to the proximity, it is anticipated that some residents will walk to the commercial areas of the site from their homes." Given the planned extensive off-road trail and sidewalk system, the potential exists for bicycle trips between the multifamily site and other destinations within the South Lake community, thereby reducing the need for vehicle trips. Furthermore, the multifamily development is proposing interior storage for 100 bicycles for its residents.

The Statement of Justification references the Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition by noting, that the “average supply for 62 similar sample sites is 1.7 spaces per unit. ITE also provides 73 samples of the actual peak parking demand for general urban/suburban sites and calculates the average peak parking demand is 1.31 spaces per unit and an 85th percentile peak parking demand of 1.47 spaces per unit.” The proposed parking ratio for the subject development, 1.80 spaces per unit, exceeds the above cited ratios.

The Statement of Justification also includes regional parking utilization rate data and average cars per unit by unit type and by county in the Washington, D.C. metropolitan area. The Statement of Justification states, “Based on this data, and the information provided in the Lenhart Traffic Consulting memo regarding the utilization of parking, the applicant contends that the proposed parking will adequately meet the needs of the future residents and will not negatively impact the surrounding area.” Staff concurs with this analysis and conclusion.

In the past, staff has researched the parking ratios for multifamily residential developments in Bowie, and has made the following findings:

- The approved parking ratio for The Bowen apartments (formerly Harmony Place), located on Health Center Drive, is 1.81 spaces/unit (BD-1-08).
- The Heather Ridge apartments in the Bowie Town Center has a total of 324 units, with the following bedroom mix: 202 one-bedroom units; 98 two-bedroom units; and, 24 three-bedroom units. The parking ratio for this multifamily development is 1.83 spaces/unit.
- A third example of parking ratios for a local multifamily residential project includes the two phases of the Governor’s Green development on Governor Bridge Road. A parking ratio of 1.77 spaces/unit for Phase I of Governor’s Green was approved in 1997, and a ratio of 1.76 spaces/unit for Phase II approved in 2000. (Departures approved by the Prince George’s County Planning Board in conjunction with #DSP-97029 and #DSP-97029/01.)

Traffic congestion will be reduced on public streets within the South Lake community because no on-street parking or loading is proposed by the subject development. The number of access points into the site is controlled and limited to three locations from roads within South Lake; there is no direct access into the subject property from U.S. Route 301.

The character of the residential area is being protected by providing: landscaping within and around the perimeter of the parking lot; and, on-site recreational amenities for residents, such as a clubhouse, swimming pool, play area, and centrally-located open space area.

The parking and loading areas proposed within the site have been located conveniently for the future residents. The provision of the amenities proposed within the site, and described above, have been situated on the property for the convenient access and use by the residents.

2. The Departure is the minimum necessary, given the specific circumstances of the request. The requested Departure is the minimum necessary, as it is in line with parking ratios with other parking ratios for multifamily projects in the metropolitan region, Prince George's County, and the City of Bowie. The data submitted in the applicant's Statement of Justification demonstrate that a sufficient number of parking spaces will exist within the development to accommodate residents, and not lead to on-street parking.
3. 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. Circumstances special to the proposed use include recognition that it is part of a mixed-use community, where all of the uses therein will have the opportunity to share facilities, amenities, and infrastructure, including internal roads, parking, open spaces, and an extensive trail network and pedestrian system.

The proposed parking ratio for the subject multifamily project is consistent with that found in other multifamily developments within the region, county, and city.

4. All methods for calculating the number of spaces required have either been used or found to be impractical. All methods for calculating the number of required parking spaces have either been used or found to be impractical. Applying the County's on-site parking requirements for multifamily developments was not included in the parking calculations because they have been found to be impractical, given the data contained in applicant's Statement of Justification, which demonstrate that a parking ratio of 1.8 spaces/unit has been approved and employed in the region, county, and city. Data even show that the utilized average parking rate in suburban Maryland is 1.40 spaces/unit, lower than what is proposed in this case. If a 1.80 space/unit ratio is provided and recognized as a parking ratio that has been utilized elsewhere in the region, then providing more on-site parking is impractical since it would result in additional pavement, and less parking lot landscaping and open space in the development.
5. Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted. The proposed multifamily development is self-contained, and there are no direct vehicular interconnections between the subject site and the residential property to the immediate north of this one, resulting in a low probability of cross-over parking. Loading needs taking place off-site are remote, as two loading spaces are proposed on the subject property.
6. 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 five hundred (500) feet of the subject property. If needed, off-street parking spaces are available within 500 feet of the subject property, located to the immediate south, in the South Lake commercial/retail development.
7. The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity. The 2006 Bowie and Vicinity Master Plan designated the South Lake property as an Employment and Institutional Area. The site was not the subject of a Sectional Map Amendment (SMA) in the 2006 Master Plan. However, Council Bill CB-13-2002 defined and permitted a Mixed-Use Planned Community in the E-I-A zone, allowing areas developed with mixed use in the E-I-A zone to be done so in accordance with the standards of the M-X-T (Mixed-Use-Transportation Oriented) zone. As a result, the mixed-use

development (residential and commercial) currently underway is permitted on the South Lake property.

8. The recommendations of a municipality (within which the property lies) regarding the Departure. The Departure request is being reviewed by the City, which has jurisdiction for such cases.
9. 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 within the general vicinity of the subject property.
10. Public transportation available in the area. Public transportation is available along MD Route 214 (Central Avenue).
11. Any alternative design solutions to off-street facilities which might yield additional spaces. Albeit not a design solution, one potential may be to utilize the off-street parking proposed in the South Lake commercial/retail development, if needed.
12. 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 five hundred (500) feet of the subject property. This finding does not apply since the proposed use on the subject site is residential.
13. In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code. This finding does not apply since the proposed use on the subject property is not located in any of the aforementioned zones.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bowie,

Maryland that the foregoing Whereas clauses are, by this reference, incorporated herein as operative provisions of this Resolution.

BE IT FURTHER RESOLVED that the City Council of the City of Bowie hereby adopts Resolution R-32-21 **APPROVING** Departure BD-1-21, a request for a Departure from Section 27-568(a)(1) of the Prince George’s County Zoning Ordinance to reduce the number of on-site parking spaces from 738 to 587, resulting in an on-site parking ration of 1.80 spaces per dwelling unit, for the property known as Parcel 1, a remainder of Outparcel ‘C’ in the South Lake Mixed-Use Community currently undergoing development and located on the western side of southbound U.S. Route 301, approximately 0.3 mile south of the MD Route 214 interchange and located in Bowie, Maryland.

INTRODUCED AND PASSED by the Council of the City of Bowie, Maryland at a meeting on June 7, 2021.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor