



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-2-21, A REQUEST BY SOUTH LAKE, LLC FOR 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 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, the Dimensions of Standard-Sized Non-Handicap/Non-Parallel Parking 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 the Dimensions of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces for a Multifamily Residential Use in the E-I-A Zone if the BAPB makes the following findings pursuant to Section 27-239.01(b)(7)(A) of the Zoning Ordinance:

- (i) The purposes of the Prince George’s County Zoning Ordinance (Section 27-102) will be equally well or better served by the applicant’s proposal; 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 unique to the site or prevalent in areas of the County which were developed prior to November 29, 1949; and,
- (iv) The Departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood; and,

WHEREAS, on March 11, 2021, South Lake Partners, LLC (the “Applicant”) submitted an application for a Departure from Parking Design Standards for a Multifamily Residential Use in the E-I-A Zone, as set forth in Section 27-558(a) 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 width of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces from 9.5 feet to 9.0 feet, 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 width of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces in the proposed parking lot from 9.5 feet to 9.0 feet; 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 Design Standards for a Multifamily Use in the E-I-A Zone, as set forth in Section 27-558(a) 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 width of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces in the proposed parking lot from 9.5 feet to 9.0 feet; 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 or 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 width of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces in a proposed parking lot to 9.0 feet from 9.5 feet required by Section 27-558(a) 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 27-102) will be equally well or better served by the applicant's proposal. The safety, convenience and welfare of current and future County and City residents will be served by granting the requested Departure, a reduction in the required width of a non-parallel/non-handicap parking space, from 9.5 ft., to when a width of 9.0 ft. The applicant's Statement of Justification notes, "The adopted "new" Prince George's County Zoning Ordinance defines perpendicular space dimensions of 9 feet-0 inches wide by 18 feet long . . .". Further, "As a rule, the lower the (vehicle) turnover, or the more urban the location, the smaller the spaces users can tolerate."

The City has granted Departures from the width of perpendicular/non-handicap parking spaces in the past. Two examples where this was done include the Bowie Town Center and The Shoppes at Bowie Town Center, where the perpendicular/non-handicap parking spaces have a width of 9.0 ft.

Lastly, the Statement of Justification states, "a reduction of the standard parking space width by one-half (1/2) foot in width will not endanger the health, safety, comfort, convenience, and welfare of the residents of the subject property. The purposes of the Zoning Ordinance will be equally well or better served by this application through the provision of well-designed parking facilities for the safety, comfort, and convenience of those that use it." The BAPB concurs with this assessment.

2. The Departure is the minimum necessary, given the specific circumstances of the request. The proposed 6-inch reduction in the width of the proposed for standard spaces has been used and approved previously in the City.

According to the applicant’s Statement of Justification, “National observations of the 9.5 feet wide space width geometry conclude that this stall size appropriate for a parking system consisting exclusively of large vehicles. The size of parking stalls should be based on typical use. As a rule, the lower the (vehicle) turnover, or the more urban the location, the smaller the space users can tolerate.” Continuing, “The adopted “new” Prince George’s County Zoning Ordinance defines perpendicular space dimensions of 9 feet-0 inches wide by 18 feet long with 22 feet-wide drive aisles for two-way traffic.” The BAPB concurs with this assessment.

3. The Departure is necessary in order to alleviate circumstances which are unique to or prevalent in areas of the County developed prior to November 29, 1949. The area in the vicinity of the subject property was not developed prior to November 29, 1949. Properties to the west and northwest did not develop until the 1970s and 1980s. The Subject Property is currently undergoing development.

4. The Departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood. Since the request for the Departure to the reduce of the width of parking spaces is minimal and relatively inconsequential on a space-by-space basis, granting relief from design standards will not impair the visual, functional, or environmental quality or integrity of the South Lake site or of the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED by the City Council 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-33-21 **APPROVING** Departure BD-2-21, a request for a Departure from Section 27-558(a) of the Prince George’s County Zoning Ordinance to reduce the width of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces in a proposed parking lot to 9.0 feet from 9.5 feet, 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 Regular Meeting on June 7, 2021.

ATTEST:

THE CITY OF BOWIE, MARYLAND

Awilda Hernandez
City Clerk

Timothy J. Adams
Mayor