



# City of Bowie

15901 Fred Robinson Way  
Bowie, Maryland 20716

## MEMORANDUM

**TO:** City Council

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

**SUBJECT:** Resolution R-8-22  
#BD-4-21 (Departure from Design Standards)  
Green Branch, LLC and GBR Mill Branch, LLC  
Mill Branch Crossing Residential

**DATE:** March 17, 2022

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Attached please find a copy of Resolution R-8-22 for BD-4-21 approving a Departure from Section 27-558(a) of the Prince George's County Zoning Ordinance to allow a reduction in the dimensions of Standard-Sized Parking Spaces from 9.5 feet by 19 feet to 9.0 feet by 18 feet, for the multi-family and townhouse sections of Mill Branch Crossing, as shown on Detailed Site Plan #DSP-20003. At the conclusion of their public hearing held on February 8, 2022, the Bowie Advisory Planning Board (BAPB) voted to approve the Departure application.

City Council is authorized to adopt this Resolution via the adopted variance and departure procedures granted to the City. 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 request. The attached resolution reflects BAPB's findings and recommendation and is eligible for final action by Council.

### Recommendation

It is recommended that Council approve the attached Resolution (R-8-22).

**MAYOR** Timothy J. Adams

**MAYOR PRO TEM** Adrian Boafu

**COUNCIL** Michael P. Esteve • Henri Gardner • Ingrid S. Harrison • Roxy Ndebumadu • Dufour Woolfley **CITY MANAGER** Alfred D. Lott  
**City Hall** (301) 262-6200 FAX (301) 809-2302 TDD (301) 262-5013 WEB [www.cityofbowie.org](http://www.cityofbowie.org)

**RESOLUTION**  
**OF THE COUNCIL OF THE CITY OF BOWIE, MARYLAND**  
**APPROVING DEPARTURE BD-4-21, A REQUEST BY GREEN BRANCH, LLC AND GBR**  
**MILL BRANCH, LLC FOR A DEPARTURE FROM SECTION 27-558(a) OF THE PRINCE**  
**GEORGE’S COUNTY ZONING ORDINANCE TO PERMIT A REDUCTION IN THE**  
**DIMENSIONS OF STANDARD-SIZED PERPENDICULAR PARKING SPACES FROM 9.5**  
**FEET BY 19 FEET TO 9.0 FEET BY 18 FEET FOR THE MULTI-FAMILY AND**  
**TOWNHOUSE SECTIONS OF MILL BRANCH CROSSING PROPOSED IN DETAILED**  
**SITE PLAN #DSP-20003**

**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 April 16, 2021, Green Branch, LLC and GBR Mill Branch, LLC (the “Applicant”) submitted an application for a Departure from Parking Design Standards of Section 27-558(a) of the Prince George’s County Zoning Ordinance for the multi-family and townhouse sections of the proposed Mill Branch Crossing development, a 70.11-acre vacant site located in the northeast quadrant of US 301 and Mill Branch Road (the “Subject Property”), specifically requesting a Departure to reduce the dimensions of Standard-Sized Parking Spaces from 9.5 feet by 19 feet to 9.0 feet by 18 feet, for the multi-family and townhouse sections of Mill Branch Crossing, as shown on Detailed Site Plan #DSP-20003; and

**WHEREAS**, the notice of the public hearing was posted on the property as required by the Code on January 10, 2022 and a public hearing notice advertising the public hearing was mailed on January 10, 2022; and

**WHEREAS**, the technical staff report recommended **APPROVAL** of the Departure to reduce the dimensions of Standard-Sized Parking Spaces in the proposed residential development from 9.5 feet by 19 feet to 9.0 feet by 18 feet; and

**WHEREAS**, on February 8, 2022, 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 of 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 dimensions of Standard-Sized Parking Spaces in the proposed residential development shown in Detailed Site Plan #DSP-20003 from 9.5 feet by 19 feet to 9.0 feet by 18 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 30 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 Subject Property is located at the northeast quadrant of US 301 and Mill Branch Road in the C-S-C (Commercial Shopping Center) zone. The site includes Parcel A and Parcel 32 shown on Tax Map 55, and it contains 70.11 acres.
2. The County Zoning Ordinance requires standard-sized parking spaces, arranged in non-parallel (head-in) fashion to have minimum dimensions of 9.5 feet by 19 feet.
3. The Applicant has submitted Detailed Site Plan #DSP-20003, which includes 408 multi-family and 190 townhouse dwelling units. The design of the Detailed Site Plan is contingent upon receiving a Departure from Design Standards from the City.
4. The Applicant is proposing to construct 466 non-handicap/non-parallel parking spaces with dimensions of 9.0 feet by 18 feet. (Thirty-one on-street spaces are proposed in the townhouse section, and 435 surface (not garage) spaces are proposed in the multifamily section.)

5. The City mailed 87 public hearing notices and posted the Subject Property with three public hearing signs advertising the February 8<sup>th</sup> BAPB hearing; and

**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 Applicant’s Statement of Justification addresses each of the purposes of the Zoning Ordinance in detail. City staff reviewed this assessment and agreed that the purposes of the County Zoning Ordinance, as discussed in the Statement of Justification, are equally or better served by the Applicant’s proposal. This finding is satisfied.
2. The Departure is the minimum necessary, given the specific circumstances of the request. The proposed reduction in the dimensions to 9.0 feet by 18 feet for standard spaces in the residential area of Mill Branch Crossing has been used and approved previously in the City. Approval of the requested Departure will allow parking spaces that are more efficiently designed.

As noted above, and stated in the SOJ, “. . . virtually every jurisdiction within reasonable proximity of Prince George’s County allows perpendicular/non-parallel parking spaces to be provided at dimensions which are not as onerous as those in Prince George’s County.” The SOJ continued by citing the following counties in the region allowing perpendicular parking spaces with dimensions of 9.0 feet by 18 feet: Calvert County; Charles County; Frederick County; Montgomery County; and St. Mary’s County.

The requested Departure is the minimum necessary and meets this criterion.

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 areas to the northeast and southeast in the vicinity of the Subject Property are vacant and have not yet developed. Properties to the west, across U.S. Route 301, and those to the south, fronting on Mill Branch Road, did not develop until the 1990s and 2000s, respectively. The Subject Property is currently vacant.

The Subject Property has an irregular configuration, lending to a site design that has been determined by the shape and boundaries of the property. According to the SOJ, “The layout (of the proposed residential buildings) is compact yet functional. Allowing parking spaces to be provided at 9.0 feet by 18 feet allows for more efficient placement of internal parking and provision of a greater number of parking spaces to allow all required spaces to be provided pursuant to Ordinance standards.” Staff concurs with this assessment.

The Departure request meets this criterion.

- 4. The Departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

The request for a reduction in the dimensions of standard-sized perpendicular spaces to 9.0 feet by 18 feet will not impair the visual, functional, or environmental quality or integrity of the Mill Branch Crossing site or of the surrounding neighborhood, since the immediate area is undeveloped, substantial landscaping is proposed within the development, high quality site design and building architecture are proposed for the project, and an approved Tree Conservation Plan and a Concept Stormwater Management Plan have been approved for the development. The Departure request for reduced parking space dimensions to 9.0 feet by 18.0 feet meets this criterion.

**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 Council of the City of Bowie, Maryland hereby adopts Resolution R-8-22 approving Departure BD-4-21, a request for a Departure to reduce the dimensions of Standard-Sized Parking Spaces from 9.5 feet by 19 feet to 9.0 feet by 18 feet, for the multi-family and townhouse sections of Mill Branch Crossing, as shown on Detailed Site Plan #DSP-20003.

**INTRODUCED AND PASSED** by the Council of the City of Bowie, Maryland at a meeting on March 21, 2022.

**ATTEST:**

**THE CITY OF BOWIE, MARYLAND**

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 Awilda Hernandez  
 City Clerk

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 Timothy J. Adams  
 Mayor