

LAND USE PETITION IN THE BOWIE PLANNING AREA

City of Bowie ID:

BD-1-16

Departure from Parking and Loading Standards
Departure from Design Standards
Bowie Marketplace Residential

Bowie Advisory Planning Board # 16-08

Date: November 8, 2016

INTRODUCTORY NOTE: The proposed application is a request to vary the requirements of the Prince George's County Zoning Ordinance. The Bowie City Council is authorized to grant departures from these requirements upon a recommendation from the Bowie Advisory Planning Board provided all required findings can be met based on the hearing record. Persons wishing to participate in the City's hearing process must state their intentions verbally or in writing prior to the close of tonight's public hearing. The recommendation of the Advisory Planning Board taken at this hearing will be filed with the City Council, who will make the final decision. Any person of record may appeal the decision of the Advisory Planning Board within 30 days after notice of the Board's recommendation.

GENERAL DATA:

1. **Nature of Petition:** Departure from Parking and Loading Standards and Departure from Design Standards
2. **Petitioner:** BE Bowie, LLC
3. **Represented by:** Mr. Andre Gingles, Gingles, LLC
4. **Location of Petitioned Property:** 3206 Superior Lane
5. **Proposed Use of Petitioned Property:** Multifamily Residential
6. **Size/Zone of Petitioned Property:** 10.54 Acres/Zoning: C-S-C (Commercial Shopping Center)
7. **Date of Hearing before BAPB:** Tuesday, November 15, 2016 at 7:00 P.M.
8. **Date of Hearing before City Council:** Tuesday, January 3, 2017 at 8:00 P.M.
9. **Date of Hearing before M-NCPPC:** N/A
10. **Date of Hearing before Hearing Examiner:** N/A
11. **Date of Hearing before District Council:** N/A

NOTICES/LEGALS	Date	Number of Mailings/Signs
Notice sent to Adj. Properties:	10/14/16	196
Notice sent to Parties of Record	N/A	
Date Signs Posted:	10/14/16	4
Date Legal Sent:	N/A	
Date Legal Appeared:	N/A	

RECOMMENDATIONS:

12. **Department of Planning & Economic Development Recommendation:**
The Department of Planning and Economic Development staff recommends **DENIAL** of the Departure request from Section 27-568(a)(1) of the Prince George's County Zoning Ordinance to reduce the number of required on-site parking spaces from 674 to 491, and **APPROVAL** of the Departure request from Section 27-558(a) of the Prince George's County Zoning Ordinance to reduce the width of non-handicap/non-parallel parking spaces in the parking garage from 9.5 feet to 9.0 feet.
13. **Bowie Advisory Planning Board Recommendation:**



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

MEMORANDUM

TO: Bowie Advisory Planning Board

VIA: Joseph M. Meinert, ACIP, Director *Jmm*
Department of Planning and Economic Development

FROM: Frank Stevens, AICP, Senior Planner *FS*

DATE: November 8, 2016

SUBJECT: #BD-1-16
Parking Departures
Bowie Marketplace Residential

I. Proposal

In conjunction with the submission of its Detailed Site Plan (DSP) application to construct 288 multifamily dwelling units, BE Bowie, LLC has also filed a Departure application from the following sections of the Prince George's County Zoning Ordinance:

- **Section 27-568(a)(1). Schedule (Number) of Spaces Required, Generally.**

This Departure is a Departure from Parking and Loading Spaces (DPSL). Section 27-568(a)(1) of the County Zoning Ordinance requires the minimum number of on-site parking spaces for multifamily dwellings at a ratio of 2.0 spaces/dwelling unit, plus 0.5 spaces/bedroom in excess of one bedroom/unit. Therefore, a two-bedroom unit would require 2.5 parking spaces, and a three-bedroom unit would require 3.0 parking spaces. The residential building envisioned on the property proposes a total of 288 dwelling units, with the following mix of units and the resulting number of required on-site parking spaces:

<u>Unit Type</u>	<u>Number of Units</u>	<u>Required Number of Parking Spaces</u>
1 Bedroom	128	256
2 Bedroom	125	313
3 Bedroom	<u>35</u>	<u>105</u>
Totals	288 Units	674 Parking Spaces

Of these required parking spaces, the Zoning Ordinance mandates that 2% (14) be spaces for the handicapped.

The applicant is proposing to provide parking in a multi-story parking garage and on the surface, in accordance with the following break-down:

#BD-1-16
Parking Departures
Bowie Marketplace Residential

	461 non-handicap spaces in the proposed parking garage
	11 non-handicap surface spaces
	14 handicap spaces in the parking garage (including 4 van accessible handicap spaces on the first level)
	<u>1 handicap space in the parking lot</u>
Total	491 parking spaces

The proposal results in a parking ratio (parking spaces/dwelling unit) that's being provided for the residential development of 1.70 spaces/unit.

While the required number of parking spaces for the handicapped is exceeded by one (14 spaces required; 15 spaces proposed), the overall number of spaces provided is 183 short of the requirement for this residential project. The applicant is proposing 72.8% of the parking spaces required. If the required number of parking spaces was provided, the parking ratio would be 2.34 spaces/unit.

- **Section 27-558(a). Parking Space Sizes.**

This request is a Departure from Design Standards (DDS). Section 27-558(a) of the County Zoning Ordinance requires the following dimensions for standard-sized parking spaces, arranged in non-parallel (head-in) fashion:

<u>Standard-Size Space</u>	<u>Minimum Size</u>
Non-Parallel	19 ft. by 9.5 ft.

The applicant is proposing to construct the 461 non-handicap/non-parallel parking spaces in the garage with dimensions of 19 ft. by 9.0 ft. The 11 non-handicap/non-parallel surface parking spaces all comply with 19 ft. by 9.5 ft. Ordinance requirement. No compact parking spaces are proposed in either the garage or in the surface parking area.

In support of the Departure requests, the applicant has provided a Statement of Justification for each application (Attachments 1 and 2), and a plan (Attachment 3).

The property that is the subject of the two Departure requests is known as Parcel X-12 (formerly part of Parcels X-4 and X-5, and all of Parcel X-9), contains 10.54 acres, and has an address of 3206 Superior Lane.

II. Departure from Parking and Loading Spaces (Attachments 1 and 3)

Pursuant to Section 27-588(b)(7)(A) of the County Zoning Ordinance, "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 this Part (Section 27-550) will be served by the applicant’s request;”

COMMENT: Section 27-550(a) of the County Zoning Ordinance identifies the Purposes of this Part of the parking regulations as the following:

- “(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.”

Under the Prince George’s County Zoning Ordinance, 674 parking spaces are required for the residential development, resulting in a residential parking ratio of 2.34 parking spaces/unit. Only 1.70 spaces/unit are proposed.

In the Justification Statement, the applicant has provided information in support of the Departure request from the number of parking spaces, referencing The Bowen (formerly Harmony Place) apartment project, located on Health Center Drive. (The Bowen is a project comparable to the subject development, in terms of number of dwelling units, with 286 units.) The approved overall parking ratio for The Bowen is 1.81 spaces/unit (BD-1-08), when a ratio of 2.29 spaces/unit was proposed.

City staff researched the unit and parking mix at the Heather Ridge apartments in the Bowie Town Center, which has a total of 324 units, with the following bedroom mix: 202 one-bedroom units; 98 two-bedroom units; and, 24 three-bedroom units. Applying Prince George’s County current parking regulations to the Heather Ridge project would result in a total of 745 spaces being required, leading to a ratio of 2.30 spaces/unit. The actual parking ratio is 1.83 spaces/unit, which includes a total of 592 spaces, as follows: 529 surface spaces; 19 handicap spaces; and, 44 garage spaces.

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. The County approved Phase I of Governor’s Green, consisting of 597 parking spaces for 338 units, at a parking ratio of 1.77 spaces/unit. Phase II, also approved by the County, consisted of 140 dwelling units with 247 parking spaces and has a ratio of 1.76 spaces/unit.

Under the current Prince George's parking regulations, a ratio of 2.34 spaces/unit would be required for the Marketplace residential component. As cited above, a Departure of 183 parking spaces is needed for this project. This deficit has the potential to result in residents and guests of the project parking in the commercial area of the Marketplace and on adjacent residential streets, due to their proximity to the proposed apartment building.

The proposed parking ratio for the apartment building would not meet the required minimum number of spaces under the County's new Zoning Ordinance, a draft of which has been released for public comment. The new Ordinance requires 2.0 spaces/unit for multifamily buildings proposed outside the Capital Beltway, resulting in a minimum of 576 parking spaces for this residential project.

Given all of the above, staff cannot support a residential parking ratio of 1.70 parking spaces/unit because the purposes of Section 27-550(a) would not be served. Further, the following factors have been considered that support our concern with the proposed residential parking ratio for this project:

- The City's adopted Development Review Guidelines recommend more than required number of on-site parking spaces for senior and multi-family residential projects; and,
- If the project is parked at 1.70 spaces/unit, the potential exists for overflow parking on adjacent residential streets. Further, the 1.70 spaces/unit ration would be the lowest of the multifamily residential projects cited above.

A potential way to provide additional on-site spaces could be in the proposed parking garage by increasing the capacity of the garage by providing a lower level and/or adding another level to the top. Alternatively, to meet the number of parking spaces required, the number of dwelling units and/or bedrooms could be reduced.

This criterion is not met for a Departure from the required number of parking spaces.

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

COMMENT: The requested Departure is not the minimum necessary, as the size of the parking structure could be increased to accommodate additional parking spaces, or the number of dwelling units and/or bedrooms proposed could be reduced.

This criterion is not met for a Departure from the required number of parking spaces.

“(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;”

COMMENT: The primary means to reducing the amount of required parking is to reduce the number of dwelling units and/or bedrooms proposed in the project. There are no special circumstances which are special to the subject use, and there are no circumstances that need to be alleviated on the site because it was not developed prior to November 29, 1949. Therefore, there are no circumstances which are special to the subject use, given its nature at this location.

The requested Departure does not meet this criterion.

“(iv) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and”

COMMENT: The applicant has indicated that surplus parking spaces will exist in the commercial component of the site, and that residential parking could occur there. Including those spaces in reducing the extend of the Departure request is impractical, especially considering that there is no sidewalk or safe walkway leading directly to the closest spaces to the apartment building. (Those spaces are to the east and west of the building.) The nature of the Departure requested (183 spaces for the residential project) is impractical.

The requested Departure does not meet this criterion.

“(v) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.”

COMMENT: As discussed above, the Departure requested, resulting in a proposed parking ratio of 1.70 spaces/unit for this project (491 residential spaces), has the potential to infringe upon the parking needs of adjacent residential areas. Furthermore, granting a Departure to reduce the number of parking spaces provide for the proposed apartment building is contrary to the City’s adopted Development Review Guidelines, which recommends providing more than required number of on-site parking spaces for senior and multi-family residential projects. Therefore, given the above, a Departure of 183 parking spaces is not supportable.

The requested Departure does not meet this criterion.

Based on the above discussion, staff recommends **DENIAL** of the Departure for 183 parking spaces for the proposed apartment building.

III. Departure from Design Standards (Attachments 2 and 3)

Pursuant to Section 27-239.01(b)(7)(A) of the County Zoning Ordinance, "In order for the Planning Board to grant the Departure (from Design Standards), it shall make the following findings:

"(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;"

COMMENT: There are several purposes of the County Zoning Ordinance, as set forth in Section 27-102. However, purposes applicable in this case include:

"(1) To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;"

COMMENT: 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 City has granted Departures from the width of non-parallel/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 non-parallel/non-handicap parking spaces have a width of 9.0 ft.

The requested Departure for a parking space width of 9 ft. meets this criterion.

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

COMMENT: The proposed reduction in the width of parking spaces within the parking garage allows more spaces to be provided in the structure, thereby less area to be developed for parking on the site. As a result, the impacts on adjoining development are less.

The requested Departure for a parking space width of 9 ft. meets this criterion.

"(10) To prevent the overcrowding of land;"

COMMENT: By reducing the width of the non-handicap/non-parallel parking spaces proposed within the parking garage, thereby providing more spaces within the garage, the need to utilize land for surface parking is lessened, resulting in the prevention of land overcrowding.

The requested Departure for a parking space width of 9 ft. meets this criterion.

Therefore, purposes of the County Zoning Ordinance discussed above are equally or better served by the applicant's proposal. This finding is satisfied.

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

COMMENT: 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 Statement of Justification, the requested Departure “is relatively insignificant on a space by space basis.” Staff concurs with this assessment.

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

“(iii) 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;”

COMMENT: Reducing the width of the parking spaces in the garage from 9.5 ft. to 9.0 ft., is the minimum needed to provide more total spaces. A reduction in the width of parking spaces is consistent with what has been approved by the City for other development projects in the past, such as in the Bowie Town Center, the Bowie Corporate Center, The Shoppes at the Bowie Town Center, Carrabba's, Chili's and On the Border.

The Departure for a reduced parking space width meets this criterion.

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

COMMENT: Since the request for the departure in the reduction 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 site or of the surrounding neighborhood.

The Departure for a reduced parking space width meets this criterion.

It is recommended that the Departure from Design Standards for the dimensions of parking spaces be **APPROVED**, with a width of 9.0 ft. for the non-parallel/non-handicap parking spaces in the parking garage. This recommended Departure applies only to the proposed Detailed Site Plan for the residential component of the Marketplace, which proposes 288 apartment units (128 one-bedroom units, 125 two-bedroom units and 35 three-bedroom units).

GLW GUTSCHICK, LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS

September 20, 2016

RE: BD-1-16, Departure from the Number
of Parking and Loading Spaces
Bowie Marketplace Residential
BE Bowie, LLC

To Whom It May Concern:

A Departure from Section 27-568(a)(1), Required Number of Parking and Loading Spaces ("DPLS") for the above referenced project is submitted for review to the City of Bowie, Department of Planning and Economic Development.

The address of the subject property is 3206 Superior Lane, Bowie, MD, which is located approximately 720' south of the intersection of Superior Lane and Annapolis Road (MD Rte. 450). Bowie Marketplace Residential is the residential component of Bowie Marketplace (20.29 acres) which includes a 134,992 SF shopping center currently under construction. The subject property is currently undeveloped and is slated to become surface parking for the adjacent Bowie Marketplace Shopping Center.

The subject property is Parcel X-12 (formerly part of Parcel X-4 and X-5 and all of Parcel X-9) and sits to the south of the Bowie Marketplace shopping center. The proposed development is a 4/5 story residential building comprised of 288 (1), (2) and (3) bedroom apartments with a parking garage and surface parking. As shown in the parking calculations below, there is a surplus of 399 parking spaces at the shopping center. Some of these spaces will be lost when the multi-family building is constructed (278 spaces) and the remaining surplus parking spaces at the shopping center will be shared with the residents of the multi-family building. The nature of the review is to process a departure from parking requirements to allow a reduction in the number of spaces by 61 for the proposed multi-family development.

The Applicant's parking requirement based on Prince Georges County Zoning Ordinance ("Zoning Ordinance") is as follows:

Bowie Marketplace Multi-family Parking Calculations

Parking Required Multi-family*

128 (1 BR Units) x 2 sp/unit _____	256 spaces
125 (2 BR units) x 2.5 sp/unit _____	313 spaces
35 (3 BR units) x 3 sp/unit _____	105 spaces
TOTAL _____	674 spaces

*Prince Georges County Zoning Ordinance requires 2 sp/du + .5 spaces/BR in excess of 1 BR/unit

Parking Required Shopping Center:

134,992 SF at 1 spaces/250 _____ 540 spaces

Parking Provided Multi-family:

Garage _____ 474 spaces

Surface _____ 18 spaces

TOTAL _____ 492 spaces

Shortage (674 - 492 = 182) _____ -182 spaces

Parking Provided Shopping Center:

Standard spaces _____ 729 spaces

Compact spaces _____ 175 spaces

TOTAL _____ 935 spaces

Surplus spaces _____ +399 spaces

Existing spaces eliminated by multi-family building _____ -278 spaces

Revised surplus spaces _____ 121 spaces

Parking needed for multi-family _____ 182 - 121 = 61 spaces required

Handicap parking required/shown _____ 9 spaces

Van accessible handicap spaces required/shown _____ 3 spaces (out of 9 spaces required)

The Applicant proposes a reduction in the number of required parking spaces by 61 (5%), from 1,210 to 1149 to be approved.

In order for the Bowie Advisory Board to grant the departure pursuant to Section 26-32B.(4) of the Bowie City Code it shall make the following findings:

1. The purposes of the Prince Georges County Zoning Ordinance (Section 27-550) will be served by the applicant's request.
The requested departure will result in a sufficient number of parking spaces to serve the proposed use. The Applicant is proposing to include the 121 excess parking spaces constructed for the shopping center to satisfy a portion of its parking requirement. The excess parking spaces are in close proximity to the residences and clear and direct access is provided via sidewalks on all sides of the retail and residential buildings. The parking calculations result in a 5% deficiency of parking spaces which is a minor amount given the large number of total spaces available. The subject property is within the Bowie Main Street area of the current Master Plan for which a "mix of uses" is proposed. The proximity and mix of uses allows for shared parking between the uses.
2. The departure is the minimum necessary, given the specific circumstances of the request.

Applicant is seeking a reduction to the number of spaces it will construct and deems this number of spaces sufficient to handle peak period usage.

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. **The Zoning Ordinance is currently undergoing a complete overhaul to update it to best practices for current and future development. Many older developments, including integrated shopping centers such as the original Bowie Marketplace, were constructed with significant excess parking. New "best practices, recommend less parking and shared parking when appropriate, such as the proposed Marketplace combined development. Additionally, the proposed development is located on the local bus route with a stop nearby at Stony Brook Drive. Some of the future multi-family residents and customers to the shopping center will use public transportation which will likely reduce the number of cars being parked in the parking lot and/or parking garage. Additionally, the proposed development is surrounded by neighborhoods that are close enough to the shopping center that residents would likely walk to restaurants, cafes and the like without parking in the parking lot.**

4. All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3 of this part of the County Code) have either been used or found to be impractical. **As a successful multi-family builder and leasing manager, the Applicant has determined that 1.7 spaces/unit is needed for parking based on market demand proven by numerous projects in the area. An example is the Bowen, a nearby multi-family project built and leased by the Applicant. The Bowen has 286 units and has constructed 518 parking spaces (1.81 spaces/unit) which has met the demand of residents there. A parking departure was previously approved for the Bowen by the City of Bowie.**

5. Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted. **No residential areas are in close enough proximity to the multi-family building for future residents to want to park there.**

For the reasons noted above, Applicant request approval of a departure for 61 parking spaces. We look forward to continue working with the City of Bowie on the enclosed application. Thank you in advance for your attention to this request. If I can be of further assistance or if you need any additional information please contact me.

Sincerely,

Michael Clay


Senior Planner

GLWGUTSCHICK, LITTLE & WEBER, P.A.

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS

October 7, 2016

1.

RE: BD-4-16, Departure from Design Standards-
Parking Space Size
Bowie Marketplace Residential
BE Bowie, LLC

To Whom It May Concern:

A Departure from Section 27-558(a), Departure from Design Standards ("DDS") for the above referenced project is submitted for review to the City of Bowie, Department of Planning and Economic Development.

The address of the subject property is 3206 Superior Lane, Bowie, MD, which is located approximately 720' south of the intersection of Superior Lane and Annapolis Road (MD Rte. 450). Bowie Marketplace Residential is the residential component of Bowie Marketplace (20.29 acres) which includes a 134,992 SF shopping center currently under construction. The subject property is currently undeveloped and is slated to become surface parking for the adjacent Bowie Marketplace Shopping Center.

The subject property is Parcel X-12 (formerly part of Parcel X-4 and X-5 and all of Parcel X-9) and sits to the south of the Bowie Marketplace shopping center. The proposed development is a 4/5 story residential building comprised of 288 (1), (2) and (3) bedroom apartments with a parking garage and surface parking. The nature of the review is to process a departure from parking space size requirements to allow a reduction in the size of spaces in the parking garage for the proposed multi-family development. This will allow for the required number of spaces to adequately serve the residents.

Departure from Design Standards from Section 27-558(a) of the Zoning Ordinance:
Section 27-558(a) of the Zoning Ordinance sets forth the following requirement:

The size of parking spaces shall be as follows:

TYPE OF SPACE	MINIMUM SIZE (IN FEET)
Standard Car Spaces:	
Parallel	22 by 8
Nonparallel	19 by 9 ½
Compact Car Spaces:	
Parallel	19 by 7
Nonparallel	16 ½ by 8

The subject departure request has been submitted to allow a reduced standard, nonparallel parking space size of 9 feet in width by 19 feet in length to be used for all of the provided parking spaces within the garage structure. A departure of six inches in width has been requested.

Section 27-239.01(b)(7) of the Zoning Ordinance sets forth the required findings for a departure from its design standards as follows:

(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 purposes of this Part are:

Section 27-550(a). Purposes

- (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 the 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 of the Regional District.**

Applicants Response: The reduction in size to the universal – sized parking space will still provide off street parking sufficient to serve the needs of the project. In effect, the reduction of parking space size will allow the proper amount of parking to serve the project in the same amount of on-site area. Thus, the purposes of the Subtitle will have been met.

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

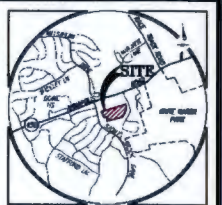
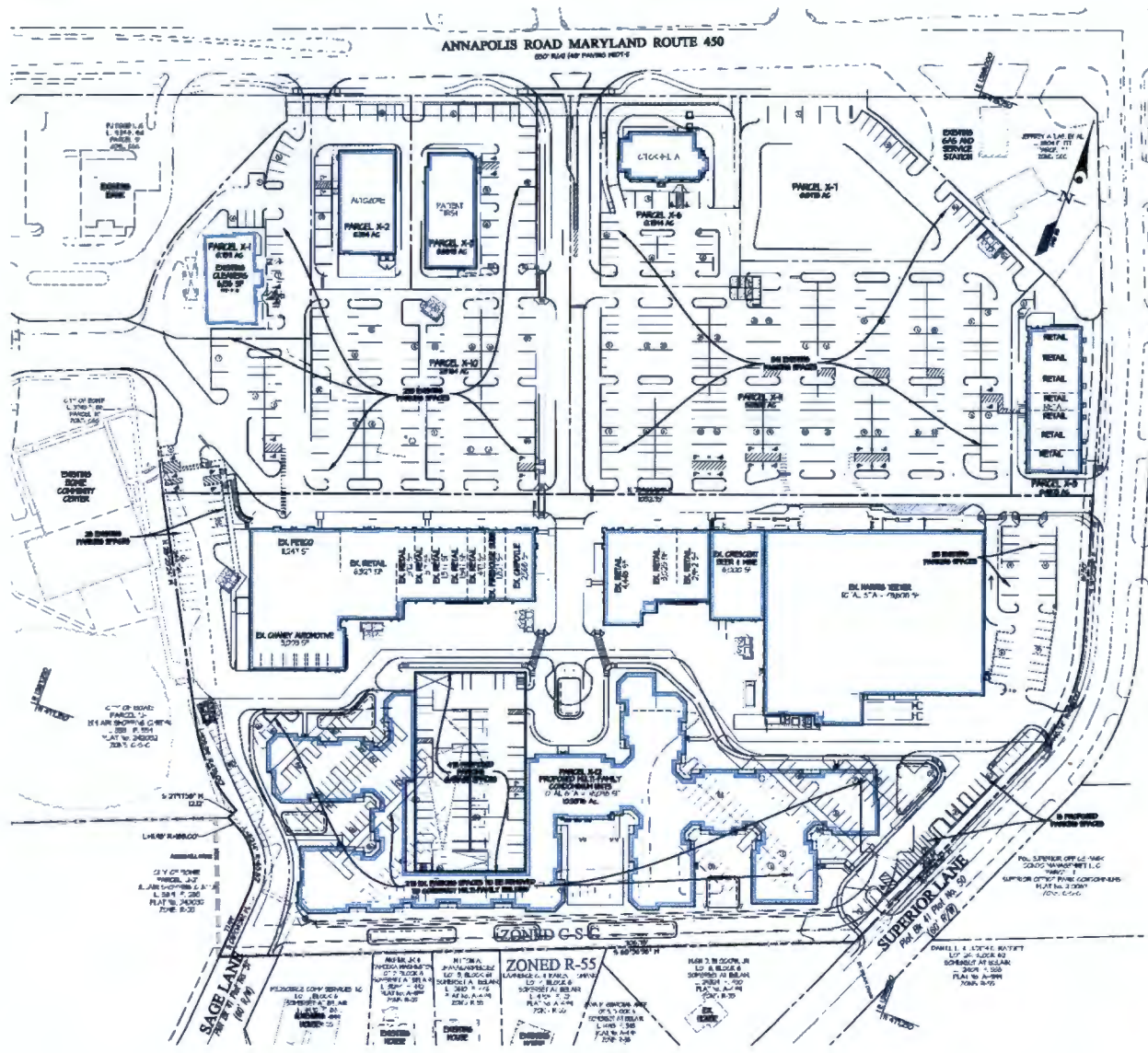
Applicant's Response: The departure of six inches in width is relatively insignificant on a space by space basis. However, when multiplied by the total number of parking spaces serving the project, it provides the greatest benefit.

(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;

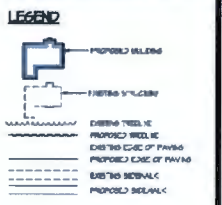
Applicant's Response: Required setbacks and bufferyards along the southern property line and the location of the development adjacent to the redevelopment of the shopping center reduces the developable area of the site. The departure is necessary in order to provide adequate and necessary off-street vehicular parking sufficient to serve the project in the reduced developable area.

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

Applicant's Response: The reduction of the size of the parking spaces will not negatively affect the visual quality of the site; the reduction of the six inches will barely be noticeable. The functionality of the parking lot will be improved by the departure. The reduced parking space will still accommodate vehicles while allowing adequate parking spaces in the same amount of area within the parking garage, thus reducing the disturbed area.



VICINITY MAP
 SCALE: 1" = 2,000'
ADC MAP 543 GRID C-4
WSOC 200 SHEET ZONED & ZONED4



MULTI-FAMILY PARKING CALCULATIONS

PARKING REQUIRED MULTI-FAMILY

120 (1 BR) units x 2 spaces	240 spaces
120 (2 BR) units x 2.5 spaces	300 spaces
30 (3 BR) units x 3 spaces	90 spaces
TOTAL	630 spaces

*Zoning Ordinance requires 2 space + 3 spaces/BR in excess of 1 BR/1

PARKING REQUIRED SHOPPING CENTER

154,402 sq. ft. @ 1 space/250 sq. ft.	618 spaces
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PARKING PROVIDED MULTI-FAMILY

Storage	475 spaces
Surface	171 spaces
TOTAL	646 spaces
Shortage (630 - 646) = 16	16 spaces

TRADING CENTER SHOPPING CENTER

Standard spaces	724 spaces
Compost spaces	170 spaces
TOTAL	894 spaces

Surplus spaces: 258 spaces
 Building spaces subtracted by multi-family building: -278 spaces
 Revised surplus spaces: 80 spaces
 Parking needed for multi-family: (80 - 120) = 40 spaces needed
 Handicap parking requirement: 4 spaces
 Van accessible handicap spaces requirement: 3 spaces (out of 4 spaces required)

The Applicant proposes a reduction in the number of required parking spaces by 61 (894 - 955) units to be approved.

GLW GUTCHICK, LITTLE & WEBER, P.A.
 CIVIL ENGINEER, LAND SURVEYOR, LAND PLANNING, LANDSCAPE ARCHITECTS
 200 MARKET STREET, SUITE 200, ROCKVILLE, MARYLAND 20850
 TEL: 301-584-4800 FAX: 301-584-4801 WWW: WWW.GLWPA.COM



PREPARED FOR:
 BY: BOBIE H. C.
 6410 FRODO LANE, SUITE 750
 ROCKVILLE, MD 20852
 ATTN: EBELAN BERMAN
 TEL: 301-916-7841

SCALE: 1" = 50'
 DATE: MAY 14, 2016
 SHEET: 38 - 04
 PROJECT: SEPT, 2016

DPLS EXHIBIT
BOWE MARKETPLACE RESIDENTIAL
PARCEL X-12 (FORMERLY PT. OF PARCELS X-4, X-3 & ALL OF 1)
BELAIR SHOPPING CENTER
 1200 SUPERIOR LANE, BOWIE, MD 20715
 PRINCE GEORGE'S COUNTY, MD

A RESOLUTION
OF THE BOWIE ADVISORY PLANNING BOARD
RECOMMENDING DENIAL OF A REQUEST BY BE BOWIE,
LLC FOR DEPARTURES FROM THE PRINCE GEORGE'S
COUNTY ZONING ORDINANCE, SECTION 27-568 (a)(1) FROM
THE REQUIRED MINIMUM NUMBER OF ON-SITE PARKING
SPACES FOR A MULTIFAMILY RESIDENTIAL USE FROM 674
PARKING SPACES TO 491 PARKING SPACES AND APPROVAL
OF SECTION 27-558(a) TO ALLOW A REDUCTION IN THE
WIDTH OF NON-HANDICAP/NON-PARALLEL STANDARD-
SIZED PARKING SPACES FROM 9.5 FEET TO 9.0 FEET AT
3206 SUPERIOR LANE, 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 Minimum Number of Required On-Site Parking Spaces, and the Dimensions of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces for a Multifamily Residential Use in a Commercial 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 Minimum Number of Required On-Site Parking Spaces for a Multifamily Residential Use in a Commercial Zone if the BAPB makes the following findings pursuant to Section 27-588(b)(7)(A) of the Zoning Ordinance:

- (i) The purposes of the Prince George's County Zoning Ordinance (Section 27-102) 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,

- (v) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.

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 in a proposed parking garage for a Multifamily Residential Use in a Commercial 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 September 26, 2016, BE Bowie, LLC (the "Applicant") submitted an application for Departures from the Required Number of Parking Spaces for a Multifamily Use in a Commercial Zone, as set forth in Section 27-568(a)(1), and from Parking Design Standards for a Multifamily Residential Use in a Commercial Zone, as set forth in Section 27-558(a) of the Prince George's County Zoning Ordinance for a 10.54-acre site, known as Parcel X-12 (formerly part of Parcels X-4 and X-5, and all of Parcel X-9), and found on Tax Map 38, Grid B-4, located at 3206 Superior Lane, Bowie, Maryland (the "Subject Property"), specifically requesting Departures to: reduce the Number of Required On-Site Parking Spaces from 674 spaces to 491 spaces and to reduce the width of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces in a proposed parking garage 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 October 14, 2016; and,

WHEREAS, a public hearing notice advertising the public hearing was mailed on October 14, 2016; and,

WHEREAS, the technical staff report recommended **DENIAL** of the Departure to reduce the Number of Required On-Site Parking Spaces from 674 spaces to 491 spaces, and **APPROVAL** of the Departure to reduce the width of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces in a proposed parking garage from 9.5 feet to 9.0 feet; and,

WHEREAS, on November 15, 2016, the BAPB conducted a public hearing on the merits of the Departure applications, 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 Departures from the Required Number of Parking Spaces for a Multifamily Use in a Commercial Zone, as set forth in Section 27-568(a)(1), and from Parking Design Standards for a Multifamily Use in a Commercial

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 **DENIAL** of the Departure application to reduce the Number of Required On-Site Parking Spaces from 674 spaces to 491 spaces and **APPROVAL** of the Departure application to reduce the width of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces in a proposed parking garage 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, the BAPB makes the following findings of fact:

1. The Applicant is the owner of certain real property consisting of 10.54 acres, known as Parcel X-12 (formerly part of Parcels X-4 and X-5, and all of Parcel X-9), and found on Tax Map 38, Grid B-4, located at 3206 Superior Lane, Bowie, Maryland (the "Subject Property").
2. The Subject Property is located in the C-S-C (Commercial Shopping Center) Zone.
3. The City mailed 196 public hearing notices advertising the November 15th BAPB hearing.
4. The Subject Property is now the subject of a request for Departures to: reduce the Number of Required On-Site Parking Spaces to 491 spaces from 674 spaces required by Section 27-568(a)(1) of the Prince George's County Zoning Ordinance and; to reduce the width of Standard-Sized Non-Handicap/Non-Parallel Parking Spaces in a proposed parking garage to 9.0 feet from 9.5 feet required by Section 27-558(a) of the Prince George's County Zoning Ordinance.

WHEREAS, the BAPB makes the following conclusions of law:

Departure from Parking and Loading Spaces

1. The purposes of Section 27-550 of the County Zoning Ordinance will not be served by the applicant's request.

Under the Prince George's County Zoning Ordinance, 674 parking spaces are required for the residential development, resulting in a residential parking ratio of 2.34 parking spaces/unit. Only 1.70 spaces/unit are proposed.

In the Justification Statement, the applicant has provided information in support of the Departure request from the number of parking spaces, referencing The Bowen (formerly Harmony Place) apartment project, located on Health Center Drive. (The Bowen is a project comparable to the subject development, in terms of number of dwelling units, with 286 units.) The

approved overall parking ratio for The Bowen is 1.81 spaces/unit (BD-1-08), when a ratio of 2.29 spaces/unit was proposed.

City staff researched the unit and parking mix at the Heather Ridge apartments in the Bowie Town Center, which has a total of 324 units, with the following bedroom mix: 202 one-bedroom units; 98 two-bedroom units; and, 24 three-bedroom units. Applying Prince George's County current parking regulations to the Heather Ridge project would result in a total of 745 spaces being required, leading to a ratio of 2.30 spaces/unit. The actual parking ratio is 1.83 spaces/unit, which includes a total of 592 spaces, as follows: 529 surface spaces; 19 handicap spaces; and, 44 garage spaces.

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. The County approved Phase I of Governor's Green, consisting of 597 parking spaces for 338 units, at a parking ratio of 1.77 spaces/unit. Phase II, also approved by the County, consisted of 140 dwelling units with 247 parking spaces and has a ratio of 1.76 spaces/unit.

Under the current Prince George's parking regulations, a ratio of 2.34 spaces/unit would be required for the Marketplace residential component. As cited above, a Departure of 183 parking spaces is needed for this project. This deficit has the potential to result in residents and guests of the project parking in the commercial area of the Marketplace and on adjacent residential streets, due to their proximity to the proposed apartment building.

The proposed parking ratio for the apartment building would not meet the required minimum number of spaces under the County's new Zoning Ordinance, a draft of which has been released for public comment. The new Ordinance requires 2.0 spaces/unit for multifamily buildings proposed outside the Capital Beltway, resulting in a minimum of 576 parking spaces for this residential project.

Given all of the above, the BAPB cannot support a residential parking ratio of 1.70 parking spaces/unit because the purposes of Section 27-550(a) would not be served. Further, the following factors have been considered that support our concern with the proposed residential parking ratio for this project:

- The City's adopted Development Review Guidelines recommend more than required number of on-site parking spaces for senior and multi-family residential projects; and,
- If the project is parked at 1.70 spaces/unit, the potential exists for overflow parking on adjacent residential streets. Further, the 1.70 spaces/unit ration would be the lowest of the multifamily residential projects cited above.

A potential way to provide additional on-site spaces could be in the proposed parking garage by increasing the capacity of the garage by providing a lower

level and/or adding another level to the top. Alternatively, to meet the number of parking spaces required, the number of dwelling units and/or bedrooms could be reduced.

2. The Departure is not the minimum necessary, given the specific circumstances of the request. The requested Departure is not the minimum necessary, as the size of the parking structure could be increased to accommodate additional parking spaces, or the number of dwelling units and/or bedrooms proposed could be reduced.
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. The primary means to reducing the amount of required parking is to reduce the number of dwelling units and/or bedrooms proposed in the project. There are no special circumstances which are special to the subject use, and there are no circumstances that need to be alleviated on the site because it was not developed prior to November 29, 1949. Therefore, there are no circumstances which are special to the subject use, given its nature at this location.
4. All methods for calculating the number of spaces required have either been used or found to be impractical. The applicant has indicated that surplus parking spaces will exist in the commercial component of the site, and that residential parking could occur there. Including those spaces in reducing the extend of the Departure request is impractical, especially considering that there is no sidewalk or safe walkway leading directly to the closest spaces to the apartment building. (Those spaces are to the east and west of the building.) The nature of the Departure requested (183 spaces for the residential project) is impractical.
5. Parking and loading needs of adjacent residential areas will be infringed upon if the departure is granted. The Departure requested, resulting in a proposed parking ratio of 1.70 spaces/unit for this project (491 residential spaces), has the potential to infringe upon the parking needs of adjacent residential areas. Furthermore, granting a Departure to reduce the number of parking spaces provide for the proposed apartment building is contrary to the City's adopted Development Review Guidelines, which recommends providing more than required number of on-site parking spaces for senior and multi-family residential projects. Therefore, given the above, a Departure of 183 parking spaces is not supportable.

Departure from Design Standards

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 City has granted Departures from the width of non-parallel/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 non-parallel/non-handicap parking spaces have a width of 9.0 ft.

The proposed reduction in the width of parking spaces within the parking garage allows more spaces to be provided in the structure, thereby less area to be developed for parking on the site. As a result, the impacts on adjoining development are less.

By reducing the width of the non-handicap/non-parallel parking spaces proposed within the parking garage, thereby providing more spaces within the garage, the need to utilize land for surface parking is lessened, resulting in the prevention of land overcrowding.

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 Statement of Justification, the requested Departure "is relatively insignificant on a space by space basis." 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. Reducing the width of the parking spaces in the garage from 9.5 ft. to 9.0 ft., is the minimum needed to provide more total spaces. A reduction in the width of parking spaces is consistent with what has been approved by the City for other development projects in the past, such as in the Bowie Town Center, the Bowie Corporate Center, The Shoppes at the Bowie Town Center, Carrabba's, Chili's and On the Border.
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 in the reduction 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 site or of the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED by the Bowie Advisory Planning Board that:

1. The foregoing Whereas clauses are, by this reference, incorporated herein as operative provisions of this Resolution.
2. **The BAPB hereby recommends, based on the evidence and testimony presented, that** the request for a Departure from Section 27-568(a)(1) from the Prince George's County Zoning Ordinance to reduce the Number of Required On-Site Parking Spaces from 674 spaces to 491 spaces, for the property known as 3206 Superior Lane, Bowie, Maryland, be **DENIED**.
3. **The BAPB hereby recommends, based on the evidence and testimony presented, that** the 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 garage to 9.0 feet from 9.5 feet, for the property known as 3206 Superior Lane, Bowie, Maryland, be **APPROVED**.

The following members were present and voted as follows:

<u>Name of BAPB Member</u>	<u>Vote</u>	
	<u>In Favor</u>	<u>Opposed</u>
Mr. Carl J. Schuettler, Chair	_____	_____
Mr. Michael A. Byrd, Vice Chair	_____	_____
Ms. Lisa F. Avery	_____	_____
Mr. James A. Golato	_____	_____
Mr. Terry Rogers, Jr.	_____	_____
Mr. Ronald G. Skotz	_____	_____
Ms. Deidre R. Trass	_____	_____

So recommended this 15th day of November, 2016.

BOWIE ADVISORY PLANNING BOARD

Mr. Carl Schuettler
Chair