

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Parking and Loading Standards No. DPLS-449 requesting a departure to allow a reduction of 32 parking spaces in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on July 13, 2017, the Prince George's County Planning Board finds:

1. **Request:** A Departure from Parking and Loading Standards (DPLS-449) for 32 parking spaces.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-10	R-10
Use(s)	Vacant	Food & Beverage Store/consolidated storage
Gross Acreage	11.04	11.04
Net Tract Area	10.84	10.84
Gross Floor Area (GFA) (sq. ft.)	0	166,185
Parcels	3	3
Outlot	5	1
Existing 100-year floodplain acreage	0.20	0.20
Existing Woodland in the floodplain	0.20	0.20
Existing Woodland Net Tract	10.63	10.63
Existing Primary Management Area	1.26	1.26

OTHER DEVELOPMENT DATA

Parking and Loading Schedules

Use	Parking Rate	Number of Spaces Required	Number of Spaces Approved†
Food and Beverage Store (Parcel 2) (36,185 sq. ft.)	1 parking space per 150 sq. ft. for the first per 3,000 sq. ft. and 1 space for each 200 sq. ft. above the first 3,000 sq. ft.	186	154**
Consolidated Storage (Parcel 1) (130,000 sq. ft., including 1,350 units and 1,000 sq. ft. office)	1 parking space per 50 units accessed within a building.	29	29*
	4 parking spaces per 1,000 sq. ft. of office space	4	4
	2 parking spaces for the residential unit.	2	2
Total Parking Approved			189

* of which two are handicapped accessible.

** of which six are handicapped accessible

Note: †The subject departure from the number of parking and loading spaces required (DPLS-449) hereby approved permits a reduction of 32 spaces from the required number of parking spaces.

Use	Loading Rate	Number of Spaces Required	Number of Spaces Approved
Food and Beverage Store (Parcel 2) (36,185 sq. ft.)	1 space per 10,000 sq. ft. (12-foot by 45-foot)	1	2
Consolidated Storage (Parcel 1) (130,000 sq. ft., 963 units accessed within a building)	2 spaces per 10,000 sq. ft.	2	2
	1 space per 40,000 sq. ft. (12-foot by 33-foot)	3	3
Total Loading Provided		6	7

3. **Location:** The project is located in the northwestern quadrant of the intersection of Pennsylvania Avenue (MD 4) and Brooks Drive. The project is also located in Planning Area 75A and Council District 7.
4. **Surrounding Uses:** The subject site is bounded to the south by the right-of-way of Pennsylvania Avenue (MD 4), and by multifamily residential development in the Multifamily High Density Residential (R-10) Zone beyond; to the west by single-family detached units in the One-Family Detached Residential (R-55) Zone; to the north by multifamily residential dwelling units in the

R-10 Zone; and to the east by Brooks Drive, with multifamily residential development in the R-10 and Multifamily Medium Density Residential (R-18) Zones beyond.

5. **Previous Approvals:** The site is the subject of numerous approvals. The 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* retained the property in the R-10 Zone. Preliminary Plan of Subdivision 4-12002 was approved by the Planning Board on July 11, 2013. PGCPB Resolution No. 13-81 was adopted on July 25, 2015. On June 4, 2015, the Planning Board approved a one-year extension for Preliminary Plan of Subdivision 4-12002. Detailed Site Plan DSP-15038 for infrastructure was approved by the Planning Board on May 5, 2016. PGCPB Resolution No 16-59 was adopted on May 26, 2017. Preliminary Plan of Subdivision 4-16018 was approved by the Planning Board on December 8, 2016. PGCPB Resolution No. 16-150 was adopted on January 5, 2017, that superseded PPS 4-12002. The project is also the subject of Stormwater Management Concept Plan 19543-2014-01, approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on June 26, 2014, which expired on June 26, 2017. A revision of the stormwater management concept is pending approval.

6. **Parking Design Features**

A shared ingress/egress easement provides access to a parking lot of the LIDL food and beverage store parking lot, in a westerly direction to the consolidated storage parking lot and building at the rear of the site. Parking is approved herein to be provided both on the eastern and southern sides of the store and two loading spaces are approved herein to be located to the rear of the food and beverage store.

Parking for the consolidated storage building is approved herein to be located on all four sides, with one handicapped parking space located most proximate to the office provided for the building, and one provided along its northern façade. A caretaker apartment is included in the consolidated storage building and parking for that unit has been included in the parking calculation.

As noted above, there is a deficit of 32 parking spaces, which is the subject of this DPLS.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject approval has been reviewed for compliance with the following requirements of the Zoning Ordinance:
 - a. **Departure from Parking and Loading Standards DPLS-449**—The applicant has requested a departure of 32 parking spaces from the required 186 for the proposed food and beverage store. Pursuant to Section 27-588(b)(7)(A), (B) and (C), the Planning Board must make the following findings:
 - (A) **In order for the Planning Board to grant the departure, it shall make the following findings:**

- (i) **The purposes of this Part (Section 27-550) will be served by the applicant's request;**

The Planning Board has reviewed the purposes of Section 27-550 of the Zoning Ordinance with respect to the requested departure of 32 of the required 186 parking spaces and offers the following:

The purposes of this Part are:

- (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;**

Automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses as the food and beverage store to be included in the project will likely draw much of its customer base from the multifamily residential buildings which surround the subject project on all sides, thereby reducing the need for parking.

- (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;**

The project will aid in relieving traffic congestion on streets by providing all parking on-site and the number of access points to parking and loading for the subject project is as reduced as possible, limited to a single point along its Brooks Drive road frontage.

- (3) **To protect the residential character of residential areas; and**

In order to protect the residential character of the surrounding area, a condition of this approval requires that the architecture of the project be enhanced so that views from the residential properties into the project will be aesthetically pleasing and fit well with the surrounding residential properties.

Additionally, the applicant is providing community-serving amenities including electric charging stations for cars and a passive recreational area with picnic tables that help further enhance the residential character of residential areas.

(4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.

The parking and loading is conveniently located for patrons of both the food and beverage store and the consolidated storage facility. Handicapped parking is located in front of and immediately adjacent to the food and beverage building, and the loading is located behind the building where it will be obscured from public views. The remainder of the parking is located on the eastern and southern sides of the building, conveniently proximate to the store. Parking for the consolidated storage facility is on all four sides of the facility with a combination of parking space size and orientation including some 90-degree parking and some parallel parking. Handicapped parking is located convenient to the office and adjacent to the northwestern corner of the building.

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

The departure is the minimum necessary because of the physical limitations of the site, where a large stream/floodplain is located to the northwest and northern portion of the site and, where a future medical office building will be located, the applicant cannot expand the parking lot further. The site is bounded by public rights-of-way on the eastern and southern sides, and is limited to the west by the proposed consolidated storage use. There are no other open areas on the site to provide additional parking spaces. The parking spaces provided on the site are the minimum necessary in order to operate a viable food and beverage store in this location, given the specific circumstances of the request.

(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;

The subject project includes two land uses and a pad site for a third use in accordance with County Council Bill CB-62-2015. When the third use is developed, the center will likely qualify as an integrated shopping center and be able to utilize a lower parking rate. Therefore, the departure is necessary in order to alleviate circumstances, which are special to the subject use, given its nature at this location in accordance with this requirement.

(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

All methods for calculating the number of spaces required by the Zoning Ordinance have been used or found to be impractical in accordance with this requirement.

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

As many as 154 parking spaces will be provided on the site, the patrons of the food and beverage store will have enough parking in accordance with applicant's data. Since the site is surrounded by multifamily units, many patrons may also walk to the store. The parking and loading needs of the adjacent residential areas will not be infringed upon if the departure is granted.

- (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;**

There is sufficient parking within 500 feet of the subject property for the predominantly multifamily and some single-family detached land use in the vicinity of the subject project.

- (ii) The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;**

The typical recommendations of the Area Master Plan have been usurped by the requirements of Council Bill CB-62-2015. The companion DSP is in conformance with the requirements of CB 62-2015.

- (iii) The recommendations of a municipality (within which the property lies) regarding the departure; and**

The subject project does not lie within a municipality. Hence, this requirement is not applicable to the subject DPLS.

- (iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.**

On-street parking is found in the vicinity of the subject project.

(C) **In making its findings, the Planning Board may give consideration to the following:**

(i) **Public transportation available in the area;**

The subject project is located within the Capital Beltway, where the population is dense and the area is well served by public transportation.

(ii) **Any alternative design solutions to off-street facilities which might yield additional spaces;**

Structured parking would be the only alternative design solutions that might yield additional spaces and, according to the applicant's representative, it would be financially infeasible to provide such for a project of this type.

(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;**

There are no other business uses within 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.**

As the development of multifamily dwellings is not proposed by the subject project, this consideration needs not to be made for the subject DPLS.

8. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Transportation Planning**—The Planning Board has reviewed the departure noted above. The applicant has requested a departure from the parking standards in the Zoning Ordinance, to allow a reduction in the number of the parking spaces. The Zoning Ordinance provides minimum standards for on-site parking and loading on the subject property for two primary reasons. The standards protect the patrons of the subject property from the problems caused by not having adequate and available parking at hand. The parking standards also protect neighboring property owners from the problems caused by

persons residing on or visiting the subject property and using parking spaces on adjacent land or streets during that time.

The applicant requests a departure of 32 from the required 186 parking spaces. The applicant makes a number of assertions in the justification statement to justify the departure:

- (1) It is stated that the subject property is within close proximity to the adjacent residential apartments to the north, south, and east, and that these residential areas are within walking distance of the grocery store use. This would seem to be a salient argument to justify a departure in this case.
- (2) It is indicated that the applicant is proposing amenities required with the bicycle pedestrian impact statement (BPIS) package that would include a crosswalk across Brooks Drive connecting the site to nearby residential apartments to the east, and also bicycle parking on-site. These are amenities that would help to justify a departure.
- (3) The applicant cites the presence of a bus stop next to the subject site. Nearby bus routes provide connections to the Metrorail stations at Addison Road, Capitol Heights, and Suitland, and therefore the local transit services are worthwhile considerations.

The applicant has cited three factors that would generally contribute to the appropriateness of such a departure. In light of these factors, it seems appropriate to allow a departure in this circumstance. The site is inside the Capital Beltway (I-95/495), and there should be more of an emphasis on creating walkable places than on surrounding uses with parking.

In summary, the Planning Board determined that the requested departure is justifiable.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the above-noted application to allow a reduction of 32 parking spaces.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 13, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of July 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:RG/HZ:rpg