

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 Application No. 285 requesting a waiver of four 227 of the required 2,319 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 March 20,2003 the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property is located on the southwest corner of Marlboro Pike and Donnell Drive, known as 3101-3393 Donnell Drive. The site consists of approximately 37.16 acres. It is rectangular in shape and developed with an integrated shopping center (Forest Village Park Mall) with 463,724 square feet of gross leaseable area (GLA) and associated parking lots. The shopping center consists of various retailers, with the J.C. Penney Store and the recently closed K-Mart store being the anchors. The main part of the shopping center is located along the property's western boundary. Three additional freestanding buildings, occupied by a bank and restaurants, are located on the eastern portion of the property, spaced along Donnell Drive. The property has street frontages on Pennsylvania Avenue, Donnell Drive and Marlboro Pike. The site is accessed from Donnell Drive.

- B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Integrated Shopping Center	Integrated Shopping Center
Acreage	37.16	37.16
GLA	411,131	463,724
Parking Spaces	2069	2,092
Loading Spaces	5	7

- C. **History:** The *1986 Sectional Map Amendment for Suitland, District Heights and Vicinity* retained the existing C-S-C Zone for the subject property.
- D. **Master Plan Recommendation:** The *1985 Approved Master Plan for Suitland, District Heights and Vicinity* recommends the property for retail-commercial land use.
- E. **Request:** The applicant is in the process of redeveloping some portions of Forest Village Park Mall. The redevelopment project includes the replacement of the existing K-Mart building with a slightly larger Target store building and the replacement of the existing bank building with a larger restaurant building that will house Old Country Buffet. The proposed redevelopment also includes the reconfiguration of the parking area and driveway access. The proposal requires 2,319 parking

spaces. However, the site plan only provides 2,092 spaces. Therefore, a departure of 227 parking spaces is needed.

F. **Surrounding Uses:** The property is surrounded by the following uses:

North: Commercial developments in the C-S-C Zone.

West: Townhouses in the R-T Zone.

South: Multifamily residential in the R-18 Zone.

East: Shopping center in the C-S-C Zone.

G. **Design Requirements:**

1. **Parking and Loading Requirements: Section 27-568 of the Zoning Ordinance requires a total of 2,319 spaces (1 space/200 SF GLA) for the subject shopping center.**

The redevelopment proposal requires 2,319 parking spaces. However, only 2,092 spaces are provided on the site plan. Therefore, a departure of 227 spaces is needed. The site plan and the parking schedule on the site plan must be revised to reflect the typical size and types of all parking spaces, including the method of identifying the compact parking spaces.

Additionally, at least 31 of the parking spaces must be allocated to the physically handicapped and 8 of these spaces must be van-accessible.

2. **Section 27-582 of the Zoning Ordinance requires seven loading spaces (three spaces for the first 100,000 square feet of GLA, plus one space for each additional 100,000 square feet of GLA or fraction thereof) for the subject site.**

The site plan only delineates three loading spaces. In a recent telephone conversation, the applicant's engineer assured staff that all seven loading spaces will be provided on the site without impacting any of the proposed parking spaces. The site and landscape plans need to be revised with the location and dimensions of all seven loading spaces clearly delineated.

Landscape Manual Requirements: The property is subject to the requirements of Sections 4.2, 4.3 and 4.7 of the *Landscape Manual*. The applicant is pursuing alternative compliance with these requirements in conjunction with a pending building permit. The Planning Director has approved AC-03006 on March 19, 2003.

G. **Sign Regulations:** No freestanding sign is proposed for the subject property. Any sign that will be placed on the property must meet all area, height and setback requirements.

H. **Required Findings - Departure from Parking and Loading Standards:**

(A) **Section 27-588(b)(8) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:**

1. **The purposes of Section 27-550 will be served by the applicant's request:**
 - a. **The off-street and on-street parking areas are sufficient to serve the parking and loading needs of all persons associated with the building and use.**
 - b. **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.**
 - c. **To protect the residential character of residential areas.**
 - d. **To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

Off-street parking and loading will be provided to serve all the needs of residents, visitors and employees. The proposed departure will reduce the required number of parking spaces by 227. The applicant maintains that the proposed parking spaces will be more than adequate to satisfy the parking needs of the shopping center. With the proposed 2,092 spaces, there will not be a shortage of available parking spaces for tenants and customers of the shopping center. The applicant further indicated that given the proximity to public transit—Metrobus and the Prince George's County THE BUS system—there are numerous alternate modes of transportation available. The Transportation Planning section has offered the following comment:

While the presence of transit alone is not a good reason to grant a significant departure for a retail use, staff does find that quality services connect the site with surrounding areas and Metrorail stations during midday, evenings and weekends. This service is significant enough to allow workers to easily commute to work and to allow alternatives for shoppers as well. The Transportation staff is inclined toward allowing some level of trip reduction in areas having high-quality transit service, and the level of bus service present in this area is indeed of high quality.

Therefore, some reduction in on-site parking is indeed justified in a circumstance such as this.

With the proposed development, a portion of the parking area is redesigned to facilitate a more efficient ingress and egress to the shopping center and to that

portion of the center within which the new Target building will be located. In addition, the access point to Donnell Drive is being limited to a right-turn in and out versus the exiting full movement to promote less conflict on the adjoining street.

With 2,092 parking spaces available for the shopping center use, the requested waiver of 227 spaces is not likely to adversely impact the nearby residential uses or the area's transportation system. The proposed redevelopment of the area will enhance the appearance of the property and the immediate area. It would also contribute to the economic revitalization of this commercially developed area in the county. The purposes of this Subsection will be served by the requested departure.

2. The departure is the minimum necessary, given the specific circumstances of the request.

The requested departure is the minimum necessary because there is no other open area on the site where additional spaces can be provided.

3. The departure is necessary in order to alleviate circumstances, which are special to the subject use, given its nature at this location, or to alleviate circumstances, which are prevalent in older areas of the County, which were predominantly developed prior to November 29, 1949.

The applicant is proposing to renovate the subject shopping center and, most importantly, replace the currently vacant K-Mart with a national department store. This proposal is in keeping with county goals for Inner Beltway revitalization and as such is within the Developed Tier as defined by the recently adopted General Plan.

4. All methods for calculating the number of spaces required have either been used or found to be impractical.

All methods for calculation have been used and found impractical to further reduce the parking requirement. There is not enough space left on the site to accommodate all of the required number of spaces. The method chosen is the most viable and practical option.

5. Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted

The adjacent residential areas will not be affected by this proposal since the shopping center's needs for parking will be sufficiently accommodated by the 2,092 on-site parking spaces. In addition, the nearest residential properties to the rear of the shopping center are separated from the subject shopping center by fencing and landscaping. Infringement on the residential properties will be impractical.

(B) In making its findings, the Planning Board shall give consideration to the following:

- 1. 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 500 feet of the subject property.**

Other business establishments located in the area, including the shopping center across the street, have their own parking accommodations on site.

- 2. The recommendations of an area master plan, or County or local revitalization plan, regarding the subject property and its general vicinity.**

The *1985 Approved Master Plan for Suitland, District Heights and Vicinity* recommends the property for retail-commercial land use. The subject use is consistent with the plan's recommendations and will not impair the integrity of the master plan.

- 3. The recommendations of a municipality (within which the property lies) regarding the departure.**

This subject property is not within a municipality.

- 4. 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 for this area.

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

- 1. Public transportation available in the area.**
- 2. Any alternative design solutions to off-street facilities, which might yield additional spaces.**
- 3. 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 500 feet of the subject property.**

The applicant has indicated that Metrobus service is available directly on Donnell Drive, Marlboro Pike and Pennsylvania Avenue. The Transportation Planning Section has offered the following comments:

As a means of fostering greater usage of nonautomobile modes of travel to the site, staff recommends that a bus shelter be installed by the applicant

along the frontage of the subject property at a location that serves the subject site and the proposed department store. While a location along Marlboro Pike or Donnell Drive is preferred, the Transit Division of the county DPW&T shall determine the ultimate location. Given the size of the parking departure requested, the placement of a bus shelter is needed as a means of promoting transit usage, particularly during the key seasons when parking demand is greatest.

The applicant has explored alternative design to the parking area and found the proposed layout of the parking area to be the most efficient.

The shopping center is a typical mall with hours of operation for customers generally between 10:00 a.m. and 9:00 p.m. The subject property is located in a commercial area and, as indicated, parking demand generated by the shopping center, with the proposed redevelopment, will be adequately satisfied with the proposed 2,092 parking spaces. There will be no disruption to traffic flow or parking conditions on the surrounding streets resulting from the proposed use. The proposal will not affect the nature and hours of operation of other uses within 500 feet of the subject property.

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 DPLS-285**, subject to the following conditions:

1. The site plan and the parking schedule on the site plan shall be revised to reflect the typical size and types of all parking spaces, including the method of identifying the compact parking spaces. At least 31 of the proposed 2,092 spaces shall be designed for use by the physically handicapped, and 8 of these spaces must be van-accessible.
2. The site and landscape plans shall be revised with the location and dimensions of all seven loading spaces clearly identified.
3. The landscape plan shall be revised to incorporate the approved Alternative Compliance plan for AC-03006.
4. Prior to issuance of permits for the new buildings, and if deemed necessary by DPW&T, the applicant shall install (or fund the installation of) a bus shelter along the frontage of the subject property, preferably along Marlboro Pike or Donnell Drive.

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.

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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 Eley, seconded by Commissioner Lowe, with Commissioners Eley, Lowe and Hewlett voting in favor of the motion, and with Commissioner Scott absent at its regular meeting held on Thursday, March 20, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of March 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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(Revised 8/9/01)