

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DPLS-321 requesting a Departure from Parking and Loading Standards for 286 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 December 20, 2007, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property, also known as Langley Park Plaza, contains 12.53 acres located in the C-S-C Zone on the northeast corner of New Hampshire Avenue and University Boulevard. The applicant is proposing to expand the existing 177,121-square-foot shopping center, which was originally constructed in 1955, to 238,932 square feet. The third floor of a former Kmart department store is being remodeled to add 9,695 square feet of additional retail space. The applicant is also anticipating a future expansion of 52,116 square feet in the same building, on the two floors that are now vacant. Access to the property is from two-way entrances along New Hampshire Avenue, University Boulevard and Edward's Place, a 40-foot-wide right-of-way. The property has approximately 1,180 feet of frontage along New Hampshire Avenue, 450 feet of frontage along University Boulevard, and 1,222 feet of frontage along Edward's Place.
- B. **History:** Previous approvals for the property include DDS-322 (for parking design standards); DPLS-61 (for a waiver of 56 parking spaces) and Variance No. 9373 (for waivers from landscaping and setback requirements), all of which were approved in 1988; DSDS-529 (exceeding sign area requirements by 332 square feet) approved in 1996; AC-05033 (Alternative Compliance from *Landscape Manual* requirements) approved in 2006; and V-31-06 (25-foot setback from Edward's Place to validate an existing six-foot-high fence on a retaining wall. An expansion of the Atlantic Grocery Store was approved in 2005 for 9,350 square feet. Although the grocery store expansion resulted in the loss of 12 parking spaces, the overall gross floor area for the shopping center had been reduced from the original square footage due to interior renovations in another part of the center. For this reason, a departure for the 12 spaces absorbed by the 2005 expansion was not required.
- C. **Master Plan Recommendation:** The property is located in an area identified in the 2002 General Plan as the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. The application is in conformance with the land use recommendations of the approved 1989 master plan and 1990 adopted sectional map amendment for Langley Park-College Park-Greenbelt and vicinity. The sectional map amendment rezoned the property from the C-2 Zone to the C-S-C Zone.
- D. **Request:** The applicant is requesting a departure of 286 parking spaces from the 956 parking spaces required for the expansion of the existing shopping center to a total of 238,932 square feet. Seventy-nine of those parking spaces requested in the departure are actually provided (for a total of 749 available parking spaces); however, they are located in a public right-of-way and therefore must be included in the departure request. The Board notes that because the applicant submitted a

second revised site plan, the amended statement of justification incorrectly references the total square footage of the shopping center, the number of parking spaces required and provided, including the number of parking spaces located within the right-of-way, and the total departure requested. The proposed expansion will not change the footprint of the existing building as the additional square footage will be located on the top floor of a three-story former Kmart department store. The applicant is merely converting the space, which has been vacant for a number of years, into leasable retail space. The parking calculations should be revised to indicate the existing square footage as 177,121, with 9,695 square feet proposed for the current expansion and a future expansion of 52,116 square feet.

E. Neighborhood and surrounding uses:

The neighborhood is bounded on the north by Adelphi Road, to the south by University Boulevard, to the east by New Hampshire Avenue, and to the west by Riggs Road, but includes the northwest and southwest quadrants of the University Boulevard/New Hampshire Avenue intersection. The immediate neighborhood is commercial in nature with commercial service and retail uses fronting on University Boulevard and New Hampshire Avenue.

The property is surrounded by the following uses:

North	—	Across Edwards Place, multifamily apartments zoned R-18
South	—	Across University Boulevard, Langley Park Shopping Center and Takoma-Langley Crossroads Shopping Center to the southwest in the City of Takoma Park
East	—	Exxon Gas Station zoned C-S-C and across Edward's Place, multifamily apartments zoned R-18
West	—	Hampshire-Langley Shopping Center zoned C-S-C

- F. Parking and Loading Regulations:** Section 27.568(a)(5)(C) (Schedule of Parking Spaces) of the Zoning Ordinance requires one parking space for every 250 square feet of GLA for integrated shopping centers with between 25,000 and 400,000 square feet of GLA. For a shopping center with 238,932 square feet, 956 parking spaces are required. The site plan provides 749 parking spaces, with 79 of those spaces located in a public right-of-way. The parking spaces in the right-of-way cannot be counted toward required parking as all required parking must be on the subject property. Therefore, the parking spaces in the right-of-way are included in the requested departure. Section 27-582(a) (Schedule of Loading Spaces) requires three loading spaces for the first 100,000 square feet of GLA and one space for each additional 100,000 square feet of GLA. Five loading spaces are required based on the shopping center's square footage and seven are provided.

- G. Referral Comments:** The referral comments received by staff generally did not indicate there would be any adverse impact resulting from the requested departure. The Community Planning Division, in a memorandum dated June 29, 2007, had the following comments:

The subject property was rezoned from the C-2 Zone to C-S-C Zone in the

1990 Langley Park-College Park-Greenbelt sectional map amendment (see page 193). The master plan designates this area as a Community Activity Center. The 2002 General Plan recommends a corridor along University Boulevard with a strong emphasis on transit-oriented design. The General Plan also states (page 84), that the county shall “Emphasize and encourage design of pedestrian-friendly environments” for the Developed Tier. The subject property is currently improved with a grocery store expansion as well as additional space conversion that have raised the total leasable square footage in the center to 230,582 square feet. This area is surrounded by apartments and other commercial space in which the parking areas are rarely filled with vehicles. However, patronage of the commercial spaces is high due to the intense amount of pedestrians that frequent the area. A departure from the parking standards for the subject building will not impair the integrity of the master plan. The shopping center currently functions with 744 spaces on site. Given the intense number of pedestrians that utilize the services in this area, the addition of more paved area will only hinder the already unsafe walking conditions in the area.

Also, staff is currently working on the Takoma/Langley Crossroad sector plan that intends to redevelop this area into a more pedestrian-friendly environment. A pedestrian-friendly environment includes utilizing transit-oriented development (TOD) principals with reduced vehicular traffic which will result in less parking demand.

The Board notes that with regard to Community Planning’s concern that an increase in paved area will contribute to unsafe pedestrian conditions, the proposed expansion will not result in any additional paved area.

The Board further notes that DPW&T, in a memorandum dated June 26, 2007, expressed concern regarding the potential for overflow parking along Edward’s Place. A field inspection found that there was more than sufficient parking in the designated parking areas and that no vehicles were parking along Edward’s Place, even in a designated parking area on the east side of the right-of-way. An aerial photograph of the site shows that tractor trailers utilize Edward’s Place for loading and in some cases, park perpendicular to the shopping center, blocking traffic the entire width of Edward’s Place, preventing vehicles from accessing the apartment units. The Board recommends a condition stating that loading shall take place only at designated loading areas, parallel to the shopping center.

H. Required Findings—Departure from Parking and Loading Standards

(A) Section 27-588(b)(8)(A) 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.

The purposes of the Parking Regulations are as follows:

a. 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;

- 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; and**
- d. To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The purposes of the Parking Regulations will be served by the applicant's request. The purposes seek, among other things, to provide parking and loading areas sufficient to serve the needs of the use and to aid in relieving traffic congestion on the streets by reducing the use of public streets for parking and loading. The applicant is providing seven loading spaces—two spaces in excess of the five loading spaces required by the Zoning Ordinance for a 238,932-square-foot integrated shopping center.

The applicant is also providing enough parking spaces to meet the needs of its customers. The applicant has submitted a parking analysis and needs projection, dated May 10, 2007, for the expanded shopping center. The applicant's parking survey was conducted between the Thanksgiving and Christmas holidays, typically the peak shopping season. The heaviest usage occurred on December 23 and 24 when peak demand reached 534 spaces of the total 744, representing a 72 percent usage. The report indicated that Saturdays consistently experienced the highest parking demand (between 1:00 p.m. to 5:00 p.m.) with a peak usage of 58 percent, or 434 parking spaces. The report concludes that there is a projected parking demand of 618 parking spaces; therefore, the existing 744 parking spaces will be more than adequate to meet that demand, even at peak periods.

The Board concurs with the conclusions in the parking study and finds that the existing 749 parking spaces will be adequate to serve the needs of the shopping center's employees and customers. Customers will not be required to use public streets for parking, nor will they be forced to park in the adjacent residential area. No pedestrian access is provided to the rear of the shopping center from Edward's Place. According to the applicant's parking study, a high percentage of customers walk to the site from the nearby apartments and public transportation is readily accessible, with pedestrian improvements planned for the sector corridor. The perception from the field inspection is that, in fact, a large number of customers do walk to the site.

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

In 1955 when the center was constructed, approximately 1,013 parking spaces

were provided. In 1987, the Zoning Ordinance was amended to require green area, which significantly reduced the number of available parking spaces. A departure was subsequently granted for 56 parking spaces. An additional 12 parking spaces were lost as a result of the Atlantic Grocery Store expansion in 2005. The parking area was restriped in 2005 to provide the maximum number of parking spaces. The Board notes that 79 parking spaces included in the departure request are actually provided, but because they are located in a public right-of-way they technically cannot be counted toward provided parking and must be included in the departure request. The departure is the minimum necessary.

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

The shopping center was constructed in the 1950s in an area of the county that was largely developed prior to November 1949. The shopping center is accessible by pedestrian access and by public transportation; therefore, the need for typical parking ratios is greatly reduced. The addition does not require the removal of any of the existing 749 parking spaces as the physical space is pre-existing. For these reasons the Board finds the departure is necessary to alleviate 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 applied the correct method for calculating the number of spaces required. No other parking standard can be applied in this case.

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

The parking and loading needs of the adjacent residential areas will not be infringed upon if the departure is granted as sufficient parking will be provided to serve the needs of the shopping center.

(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.**

Although there is parking on the adjacent properties, the applicant does not anticipate the use of the parking on adjacent properties by its customers and employees. As noted earlier, the Board is recommending a condition to limit loading to only those areas designated for loading, to preclude potential conflicts

along Edward's Place.

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

The property is located in an area identified in the 2002 General Plan as the Developed Tier and is in conformance with that vision. The application is also in conformance with the land use recommendations of the 1989 approved master plan and 1990 adopted sectional map amendment for Langley Park-College Park-Greenbelt and vicinity. The master plan recommends retail commercial land use on the subject property and encourages the continued reinvestment of the older shopping centers in this area.

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

The 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 in the county's Capital Improvement Program within the general vicinity of the property.

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

1. Public transportation available in the area;

The subject property is within a developed area in the county and public transportation is available and convenient. Both Metrobus and the county's "The Bus" serve the area. There are bus routes with stops along New Hampshire Avenue and University Boulevard; the applicant provided copies of bus routes and schedules serving the subject property. In addition, the Maryland Transit Administration is developing an eight-bay transit center at New Hampshire Avenue and University Boulevard across the street from the subject property, slated to be complete by 2008.

2. Any alternative design solutions to off-street facilities which might yield additional spaces;

The parking area was restriped in 2005. Prior to that, DDS-322, approved in 1988, required the restriping of the parking area to current standards. The applicant has made optimum use of the existing parking lot to provide the maximum number of parking spaces feasible. The applicant obtained alternative compliance approval in 2006 for a reduced landscaped strip; therefore, the applicant appears to have exhausted any alternative design solutions that could yield additional parking 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 uses in the shopping center are similar to those within 500 feet of the subject property as well as those across University Boulevard and New Hampshire Avenue and have similar hours of operation.

4. **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.**

The subject property is in the C-S-C Zone; therefore, the above section is not applicable.

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 recommends APPROVAL the above-noted application, subject to the following conditions:

1. Prior to certification of the site plan, the applicant shall add a note to the site plan stating that a waiver of 286 parking spaces from the required 956 parking spaces for Langley Park Plaza is granted by DPLS-321.
2. The parking calculations should be revised to indicate the existing square footage as 177,121 square feet, the current expansion as 9,695 square feet, and a future expansion of 52,116 square feet for a total leasable area of 238,932 square feet.
3. Loading shall occur only in designated loading areas parallel to the shopping center.

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 Cavitt, seconded by Commissioner Vaughns, with Commissioners Cavitt, Vaughns, Clark and Parker voting in favor of the motion, and with Commissioner Squire abstaining at its regular meeting held on Thursday, December 20, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of January 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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