



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 13-46

File No. DPLS-377

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed DPLS-377, CVS Mitchellville requesting a departure from parking and loading standards for a reduction in the parking requirement by seven 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 April 25, 2013, the Prince George's County Planning Board finds:

1. **Request:** The subject application requests approval of a departure from parking and loading standards for a reduction in the parking requirement by seven spaces. The subject application has a companion detailed site plan, DSP-12060, for a 13,225-square-foot department and variety store with food and beverage sales.
2. **Location:** The subject site is located at the northwest corner of the intersection of Robert Crain Highway (US 301) and Mitchellville Road in Council District 4 and in the Developing Tier.
3. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	C-M	C-M
Use(s)	Two single-family dwellings to be razed	Department and Variety Store
Acreage	2.68	2.68
Square Footage/GFA		13,225

OTHER DEVELOPMENT DATA

Parking Requirements:

	REQUIRED	APPROVED
Total Parking Spaces	72	65
(1 per every 150 sq. ft. for less than 3,000 GFA)		
(1 per every 200 sq. ft. for over 3,000 GFA)		
of which Handicap Spaces	4	4
	(1 Van-Accessible)	(2 Van-Accessible)
Total Loading Spaces	2	2

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4. **Surrounding Uses:** The subject 2.68-acre, Commercial Miscellaneous (C-M)-zoned property is located at the northwest corner of the intersection of Robert Crain Highway (US 301) and Mitchellville Road. The subject site is bounded to the east by the right-of-way (ROW) of US 301. To the north of the subject site is Parcel C of a larger development known as Mills Nissan of Bowie, in the C-M Zone. To the west of the subject site are properties in the Rural Residential (R-R) Zone including the Carroll Methodist Chapel and Cemetery, which is Historic Site 74B-006 of the Prince George's County Historic Sites and District Plan. To the south of the subject property is the ROW of Mitchellville Road and Outlot A in the C-M Zone.
5. **Previous Approvals:** The site is the subject of the approved Preliminary Plan of Subdivision 4-11032, which combined Parcels 171, 181, and 16 to create one lot for the development of a 14,600-square-foot CVS Pharmacy. The resolution was adopted by the Prince George's County Planning Board on November 8, 2012 (PGCPB Resolution No. 12-100).
6. **Design Features:** The subject site has two points of access. One point of access is proposed along Mitchellville Road, and another along Robert Crain Highway (US 301) will be shared with the adjacent property to the north. Surface parking is proposed along the east, south, and west sides of the proposed building with only a small row of parking proposed west of the building. The site plan indicates that the easternmost parking lot adjacent to Robert Crain Highway (US 301) will utilize permeable paving. Other environmental site design measures proposed on the site include the use of landscape infiltration areas and micro-bioretenction areas. A large micro-bioretenction area is proposed along the western property line, which will be planted with a variety of native plant material including evergreen trees to provide screening for the adjacent Carroll Methodist Chapel and Cemetery. Streams, wetlands, and 100-year floodplain are found to occur in the southeastern portion of the property.

The proposed CVS building is a 13,225-square-foot, one-story structure with a flat roof. The main entrance is proposed at the southeastern corner of the building facing the intersection of Robert Crain Highway (US 301) and Mitchellville Road, although it is set back from that intersection by a conservation easement located on Outlot A. The south building façade faces Mitchellville Road; the east building façade faces US 301; the north building façade faces vacant commercially-zoned properties; and the west building façade faces Carroll Methodist Chapel and Cemetery. Due to the site orientation and the proposed on-site circulation, which includes the locations of drive-through lanes on the north and west sides of the building.
7. **Departure from Parking and Loading Spaces:** The application requests a reduction in the required number of parking spaces by seven parking spaces. Based on the requirements of Section 27-568(a) of the Zoning Ordinance, this proposed development would normally require a minimum of 72 parking spaces. The site can only provide 65 spaces, hence the need for the proposed departure application. The Planning Board finds that the application complies with the required findings for approval of a departure contained in the Zoning Ordinance, as follows:

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Section 27-588(b)(7) of the Zoning Ordinance contains the following required findings for departure applications. Each standard is listed in **bold face type** below, followed by applicable 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;**

Section 27-550. Purposes

(a) **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;**
- (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.**

Applicant's Justification: The applicant provided the following justification for how the purposes of Section 27-455 of the Zoning Ordinance will be met:

As set forth in Section 27-550(a), the purposes of the Off-Street Parking and Loading Part of the Zoning Ordinance include the following: (1) requiring off-street automobile parking lots and loading areas that are sufficient to serve the parking and loading needs of all persons associated with the buildings and uses; (2) aiding 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) protecting the residential character of residential areas; and (4) providing parking and loading areas which are convenient and increase the amenities in the Regional District. The Applicant's development proposal will serve these purposes as follows:

- First, a sufficient number of off-street parking spaces will be provided for the proposed use. The *Institute of Transportation Engineers (ITE) Parking Generation Handbook*, 4th Edition, provides that only 32 parking spaces would be required to accommodate the peak parking demand predicted by the mean rate of

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the ITE's database of parking generation studies for this use, and only 39 parking spaces would be required to accommodate the peak parking demand predicted by the 85th percentile of their database. Thus, the 65 parking spaces proposed by the Applicant — although 7 spaces under the amount that would be required by the Zoning Ordinance — will exceed the predicted actual parking demand even under the ITE's most conservative calculation methodology.

- Because the 65 parking spaces proposed on the subject property will exceed the predicted parking demand for the proposed use, there will be no need for CVS patrons or employees to use of the adjacent public streets for parking and loading. Furthermore, the subject application, in providing for interparcel connections and for shared access with properties to the north, will serve to fulfill Part 11's purpose or reducing the number of access points.
- Residential areas will not be impacted by the Departure from Parking and Loading Standards, as sufficient on-site parking will be provided to meet predicted actual parking generation.
- The proposed on-site parking area will be adjacent to the proposed building, thereby being convenient to CVS patrons and meeting this purpose of Part 11.

The Planning Board concurs that the purposes of the off-street parking and loading standards will be met by the subject proposal. The adequate parking will be provided for the proposed use based upon the peak parking demand analysis provided for review. Mitchellville Road and Robert Crain Highway (US 301) do not permit on-street parking; therefore, approval of a parking departure will not promote on-street parking or congestion associated with on-street parking on these adjacent streets. The proposed parking will be provided in locations convenient to the proposed use. Furthermore, the departure will not affect residential areas.

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

The Planning Board finds that the departure is the minimum necessary. The application has provided parking in all reasonable areas on site, while meeting Zoning Ordinance standards and protecting open space.

- (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 Planning Board finds that the departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location. The

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CVS is proposed in an area with sensitive environmental features. Additional parking on the site could negatively impact the primary management area (PMA) and reduce the efficiency of on-site circulation.

- (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**

The applicant indicated that all methods provided in Part 11 for calculating the number of spaces required by the Zoning Ordinance have been examined and found to be inapplicable (joint use) or impractical (the off-site lot method), leaving no alternative but to pursue the departure request. The Planning Board concurs that all methods for calculating the number of spaces required have been used.

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

An evaluation of the adjacent neighborhood indicates that no residential communities are directly adjacent to the subject proposal. Consequently, the potential impact of this parking deficit is not likely to impact any residential neighborhood. The applicant has provided evidence based on the *Parking Generation Handbook, 4th Edition* (Institute of Transportation Engineers) that only 32 spaces would be needed to accommodate the peak demand for uses similar to what is being proposed. In light of this finding, there will be no need for CVS patrons to seek parking on adjacent streets. The Planning Board concurs with this evaluation and concurs that granting the departure will have no effect on the parking and loading needs of the adjacent residential area.

With that, the Planning Board approves the departure request.

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**—There are no issues regarding on-site circulation, or the submitted departure from parking and loading standards request.

- b. **The Department of Public Works and Transportation (DPW&T)**—In comments dated March 19, 2013, DPW&T provided an evaluation of the subject proposal, summarized as follows:

- (1) The property is located on the northwest corner of the intersection of Robert Crain Highway (US 301) and Mitchellville Road. Robert Crain Highway (US 301) is a State-maintained roadway; therefore, coordination with the Maryland State Highway Administration (SHA) is required. Mitchellville Road is a Master-

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Planned Collector Roadway (C-304) and is designated historic. The necessary rights-of-way exist along the property frontage. Frontage improvements will be required as determined by DPW&T.

- (2) Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- (3) An access study shall be conducted by the applicant and reviewed to determine the adequacy of access point(s) and the need for acceleration/deceleration and turning lanes and a bypass lane with dedication of the necessary additional right-of-way.
- (4) The detailed site plan is consistent with the approved DPW&T Stormwater Concept Plan 25976-2011, dated September 14, 2012.
- (5) DPW&T has no objection to the Departure from Parking and Loading Standards which requests a reduction of seven spaces. Parking is not allowed along the site frontage on Mitchellville Road.

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.

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.

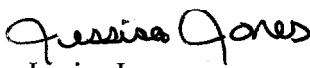
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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Shoaff, with Commissioners Washington, Shoaff, Bailey and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, April 25, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of May 2013.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date 5/7/13