



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 16-135

File No. DPLS-427

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Parking and Loading Standards DPLS-427 requesting a departure for 31 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 November 10, 2016, the Prince George's County Planning Board finds:

1. **Request:** The subject approval is to allow a departure of 31 parking spaces from the required 106 for an 8,920-square-foot multi-tenant retail building within the retail area of Steeplechase Business Park.

2. **Development Data:**

Parking Required

8,920 sq. ft. 106 spaces

Parking Approved

75 spaces

Standard Spaces 71 spaces

Compact Spaces 0 spaces

Standard ADA Spaces 2 spaces

Van-accessible ADA Spaces 2 spaces

Loading Spaces Required

1 space

Parcel 65 1 space

Loading Spaces Approved

1 space

The subject Departure from Parking and Loading Standards for 31 of the 106 parking spaces is herein approved. The required number of spaces is based on the Zoning Ordinance for the multiple uses.

3. **Location:** The subject property is known as Parcel 65, located in the northeastern quadrant of the intersection of Hampton Park Boulevard and Alaking Court, in Planning Area 75A, and Council District 6.
4. **Surrounding Uses:** The subject property, Parcel 65, is bounded to the north by vacant land (Parcel 66 of the Steeplechase- Business Park) in the Light Industrial (I-1) Zone; to the east by an unimproved right-of-way with a warehouse beyond (Parcel 53 of the Steeplechase Business Park) in the I-1 Zone; to the south by Alaking Court with a two multi-tenant retail buildings and a Chick-fil-A beyond (Parcels 36, 50 and 63 of the Steeplechase Business Park) in the I-1 Zone; and

to the west by Hampton Park Boulevard with commercial retail uses, on Parcel K, Parcel 60 and Parcel 24 of the Steeplechase Business Park beyond in the I-1 Zone.

5. **Previous Approvals:** On March 4, 2004, the Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-03113 for the Steeplechase Business Park. On March 11, 2004, the Planning Board adopted PGCPB Resolution No. 04-49, formalizing that approval. On July 11, 2006, the Prince George's County District Council approved Detailed Site Plan DSP-05044 for the retail portion of the development along Alaking Court. On July 23, 2007, the District Council approved Detailed Site Plan DSP-05044-01. In conjunction with DSP-05044-01, the Planning Board and District Council also approved Departure from Sign Design Standards DSDS-641 for freestanding and building-mounted signage. Detailed Site Plan DSP-05044-02 was approved by the Planning Board on June 25, 2009. On July 16, 2009, the Planning Board adopted PGCPB Resolution No. 09-111, formalizing that approval. Four other Planning Director-level revisions have been approved since for minor site and architectural changes; (DSP-05044-03 on February 4, 2010, DSP-05044-04 on October 6, 2010, DSP-05044-05 on August 11, 2011 and DSP-05044-06 on May 29, 2013). A seventh revision of the DSP-15044-07 was approved on January 8, 2015, for a multitenant retail building and a restaurant, with PGCPB Resolution No. 15-01 adopted the same day. The 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment* (Glenn Dale-Seabrook-Lanham Sector Plan and SMA) maintained the I-1 Zone on the subject property. The site is also the subject of Stormwater Management Concept Plan 8004290-2000-08 approved by the Department of Permitting, Inspections and Enforcement (DPIE) on October 8, 2014 and valid until October 8, 2017.
6. **Prince George's County Zoning Ordinance:** The subject approval has been reviewed for compliance with the requirements of Part 11 regarding the number of parking spaces required and the provisions related to a departure from parking and loading standards, and the site plan design guidelines of the Zoning Ordinance.

The subject approval is for a reduction in the required number of parking by 31 parking spaces. Based on the requirements of Section 27-568(a) of the Zoning Ordinance, the development approved herein would normally require a minimum of 106 parking spaces. The site can only provide 75 spaces.

Section 27-588(b)(7) of the Zoning Ordinance contains the following required findings for departure applications:

- (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.**

The purposes of the parking requirements as set forth in Section 27-550 are to ensure that any use provides sufficient off-street parking to serve said use and to lessen traffic congestion on the streets by reducing the use of the streets for parking. Even though a reduction of parking has been herein approved, there is still enough parking to meet the purposes of this part.

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

The approval is the minimum necessary. The parking schedule reflected on the site plan correctly shows the number of parking spaces required by Section 27-568(a) of the Zoning Ordinance. For the three eating and drinking establishments including carryout, 74 spaces are required. For the eating and drinking establishment not including carryout, an additional 21 spaces are required and for the one retail space, 11 parking spaces are required. Therefore, the minimum parking required for the use approved herein is 106 parking spaces. A total of 75 parking spaces are provided. Thus, the reduction approved herein of 31 parking spaces is the minimum necessary, given the specific circumstances of the approval.

- (iii) **The departure is necessary in order to alleviate certain circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in order areas of the County which were predominantly developed prior to November 29, 1949;**

The departure approved herein is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location. The subject property is located in a business park where parking demand in the evening will be low and when parking demand for the restaurants will be high. Additionally, the site is constrained by grade on the eastern side requiring a retaining wall. Due to the topography of the site and the

possibility of cars parking on the street and in the adjacent parking lot, this required finding is hereby made.

- (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**

Division 2, Subdivision 3, of the Zoning Ordinance is applicable to an approval for a departure from the number of parking spaces, as requested herein. The subject development requires parking for the various uses in accordance with the parking schedule. The applicant has attempted via various methods of calculation to arrive at a lower required parking number but they have been unable to do so. This finding is hereby made.

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

As there are no residential areas adjacent to the subject site, this normally required finding need not be made.

(B) In making 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 number and locations of available on and off-street spaces within five hundred (500) feet of the subject property;**

This provision allows the Planning Board to consider parking, which may be available in close proximity to the subject property, which can alleviate the need for the total number of required spaces. There is limited on-street parking and a large warehouse parking lot within 500 feet of the subject property that the Planning Board considered in deliberations on the requested departure from parking and loading standards. This finding is hereby made.

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

There is no area master plan nor county or local revitalization plan regarding the subject property and its general vicinity. Therefore, this normally required finding need not be made.

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

This property is not located within a municipality. Therefore, this otherwise required

finding need not be made.

- (iv) **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 within the general vicinity of the subject property. Therefore, this otherwise required finding need not be made.

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

- (i) **Public transportation available in the area;**
- (ii) **Any alternative design solutions to off-street facilities which might yield additional spaces;**
- (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;**
- (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 to requirement (i), public transportation is available in the area to serve the subject property. There is a Washington Metropolitan Area Transit Authority (WMATA) bus stop in front of the subject property on Hampton Park Boulevard.

As to requirement (ii), the only alternative design solution for off-street parking on the site that might yield additional spaces would be structured parking. However, that solution would prove to be cost-prohibitive and is not warranted in the subject area of the County.

As to requirement (iii), the total number of parking spaces required by the Zoning Ordinance exceeds the actual parking demand due to the syncopated nature of the retail/restaurant and industrial warehouse land use and contributes to a finding that adequate parking is available to serve the use approved herein.

As to requirement (iv), the subject property is zoned I-1 and multifamily development is not approved herein.

The required findings for granting a departure from parking and loading standards, as detailed above, are hereby made for the requested departure of 31 parking spaces from the 106 parking spaces required to serve the use under Section 27-568(a) of the Zoning Ordinance.

7. **Transportation:** The subject approval is for a waiver of 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 on the site. 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 Planning Board herein approves a departure of 31 of the required 106 parking spaces. The following justifies the departure:

- (1) Patrons of this retail building can park on adjacent parcels if there is an overflow. However, not all adjacent parcels or parcels across Alaking Court are owned by this applicant. The Planning Board is not approving the departure based on this concept alone.
- (2) Parking on the site and across Alaking Court could be considered practically as if it were an integrated shopping center. It cannot be legally considered as such because the area is traversed by a public street. This is a salient argument to justify a departure in this case.
- (3) There is a bus stop next to the subject site. The bus service in question is a local circulator between the Morgan Boulevard and the Largo Town Center Metrorail stations running every 45 minutes. The service is not frequent enough to alone provide a justification for a parking departure.

In general, it is not desirable to have land uses surrounded by acres of parking; such an environment does not contribute to a sense of place. In that light, it seems appropriate to consider several retail parcels in the immediate area as a single retail area, and allow a departure based on that consideration.

The site plan, with the departure, is acceptable from the standpoint of transportation.

8. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE):** In a memorandum dated October 1, 2016, DPIE stated that they had an objection to requested Departure from Parking and Loading Standards DPLS-427 to permit a reduction in the number of required parking spaces from 106 to 75. Additionally, they requested that the applicant provide a recorded easement to allow the shared use of the driveway onto Hampton Park Boulevard prior to issuance of grading or building permits. The issue regarding the recorded easement will be dealt with at the later time of issuance of permits.

As detailed herein, however, the Planning Board finds that the three required findings for approval of a DPLS have been satisfied.

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.

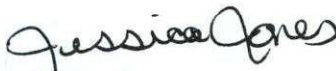
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

* * * * *

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, November 10, 2016, in Upper Marlboro, Maryland.

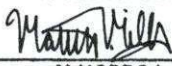
Adopted by the Prince George's County Planning Board this 1st day of December 2016.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:RG:rpg

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department
Date 11/23/16