



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

DEPARTURE FROM PARKING & LOADING STANDARDS DPLS-322

Application	General Data
Project Name: LAKE ARBOR CENTER Location: Northwest Quadrant Of Lake Arbor Way And Campus Way North. Applicant/Address: Lake Arbor Village, LLLP. c/o Greenberg Realty Company 8720 Georgia Ave. Ste. 502 Silver Spring, MD 20910	Date Accepted: 12/17/07
	Planning Board Action Limit: N/A
	Plan Acreage: 5.716
	Zone: L-A-C
	Dwelling Units: N/A
	Gross Floor Area: 57,848
	Planning Area: 73
	Tier: Developing
	Council District: 06
	Municipality: N/A
	200-Scale Base Map: 202NE09

Purpose of Application	Notice Dates
Departure of additional 44 parking spaces for a total departure of 62 parking spaces.	Adjoining Property Owners Previous Parties of Record Registered Associations: 09/17/07 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 06/03/08

Staff Recommendation		Staff Reviewer: TOM LOCKARD	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

June 18, 2008

TECHNICAL STAFF REPORT:

TO: Prince George's County Planning Board

VIA: Jimi Jones, Acting Zoning Supervisor

FROM: Tom Lockard, Planner Coordinator

SUBJECT: **Departure from Parking and Loading Standards DPLS-322**

REQUEST: **Waiver of a total of 62 from the required 300 parking spaces for Lake Arbor Center**

RECOMMENDATION: **DISAPPROVAL**

NOTE:

The Planning Board has scheduled this application for a public hearing on July 10, 2008. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3530 for additional information.

FINDINGS:

- A. **Location and Field Inspection:** The subject property is located in the northwest quadrant of the intersection of Lake Arbor Way and Campus Way North. The site is improved with two buildings. The largest building is multilevel with the lower level including service and restaurant uses and the second level, which impacts only part of the building, being devoted to office uses. The second building on-site is significantly smaller in size and is utilized as a bank. Collectively, the two buildings constitute the Lake Arbor Center, which was constructed shortly after the approval of Zoning Map Amendment Application A-9650, approving a rezoning of the site to the L-A-C Zone. The buildings are surrounded by an asphalt parking lot and landscaping. Access to the site is provided via driveways from both Lake Arbor Way and Campus Drive.
- B. **History:** DPLS-216, a departure request of 18 required parking spaces, was approved by the Planning Board in 1996.
- C. **Master Plan Recommendation:** The property is located in an area identified in the 2002 General Plan as the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. The application is in conformance with the land use recommendations of the 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73*, which identified the proposed development site as a neighborhood activity center. The subsequent sectional map amendment retained the site is in the L-A-C Zone.
- D. **Request:** The applicant is requesting a departure of 62 parking spaces from the 300 parking spaces required for the expansion of the existing shopping center. Eighteen of those spaces were previously waived by the Planning Board by the approval of DPLS-216 in 1996. The applicant wishes to reflect the ongoing conversion of this center from a retail shopping center to a center primarily occupied by doctor's offices, which are counted as one space per 200 square feet of gross leasable area (GLA) effect which would be a "blanket" parking requirement to cover the center that would be based on future anticipated uses rather than the actual existing uses, as is the usual practice. In point of fact, the center no longer has the minimum three retail uses necessary to be considered an integrated shopping center (Section 27-107.01 (208) of the Zoning Ordinance). Thus, the required parking should be calculated on a use-by-use basis. The restaurants in the center should be calculated based on the number of seats, the karate school and day care by the number of students etc. The blanket calculation of one space per 200 square feet of GLA may not provide sufficient parking, but staff cannot calculate the required parking without the use-by-use information being provided.
- E. **Neighborhood and surrounding uses:**
- The surrounding neighborhood consists of the Lake Arbor Community. Lake Arbor includes a mix of housing types including single-family detached dwellings, townhomes, other attached dwellings and a high rise apartment building.
- 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 retail GLA for integrated shopping centers with between 25,000 and 400,000 square feet of GLA. For medical office space, if this use exceeds 20 percent of the GLA (which in this case, it does), the requirement is one space per 200 square feet GLA. The applicant wishes to provide parking for the site as if the entire center was medical offices, reasoning that the center has been trending

towards that use for many years now. In that way, the applicant would not have to keep making application for departures every time a new office moved in, since the center is already deficient in the number of required spaces. For a shopping center with 55,248 square feet, 289 parking spaces are required. The freestanding bank would require an additional 11 spaces, for a total of 300 parking spaces. The site plan provides 238 parking spaces, a total deficit of 62 spaces. Section 27-582(a) (Schedule of Loading Spaces) requires three loading spaces for the first 100,000 square feet of GLA and three 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. However, the Permit Review Section, in a memorandum dated January 30, 2008, had the following comments which are of particular concern:

“The parking schedule on the site plan indicates that 300 parking spaces are required based on the proposed use of medical offices in all of the units except for the bank. This departure requests 32 spaces in addition to the 18 spaces previously waived by DSPS 216, which totals 50 waived parking spaces. Therefore per this departure request a total of 250 parking spaces must therefore be provided. The site only provided for 238 parking spaces. It appears that an additional departure request of 44 spaces (for a total of 62), not 32 spaces, is required.

“Based on the existing uses provided in the justification statement, there are not three existing retail uses (uses listed in the retail/trade section of the Commercial Use Tables), therefore the building is no longer an integrated shopping center per Section 27-107.01(208) of the Zoning Ordinance. Parking and loading must therefore be calculated on a unit by unit basis to determine if the existing uses have adequate parking. A seat count for each restaurant nor student count for the karate school was not provided; therefore current parking requirements could not be determined.

If this departure is approved, the parking calculation proposed of one parking space for every 200 square feet GLA is for medical uses only and will not be adequate for the retail/service/day care uses if parking must be calculated on a unit by unit basis. The parking schedule must clearly indicate this departure request, the number of spaces granted by the departure, and the total number of spaces required for the site per this departure.”

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.**

As presented, 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 has submitted evidence that they are providing enough parking spaces to meet the needs of its customers. The applicant has submitted a parking analysis and needs projection utilizing counts from two days (Thursday, March 2 and Saturday March 11, 2006). The heaviest usage occurred on Saturday, March 11 between 11:00 AM and 11:15 AM when peak demand reached 146 spaces of the total 238, representing a 61 percent usage. Staff would note that the traditional heaviest usage for a shopping center would be between Thanksgiving and Christmas, however, given the lack of retail businesses in the center, this is not likely to be the case at Lake Arbor. Interestingly, the peak usage came on a Saturday morning, which is not what one would consider peak hours for a shopping center which is trending towards being overtaken by medical offices.

The problem, of course, as mentioned previously, is that the center no longer can be considered an integrated shopping center and thus cannot be counted as such for parking purposes.

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

Staff cannot make the finding the departure is the minimum necessary since there has been no evaluation as to the use-by-use parking requirements. The parking schedule and usage we are being asked to analyze is based on a premise which is no longer valid.

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 1980's in an area of the county that was not 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 reduced. The applicant's justification would be persuasive but for the fact that it is based on an invalid premise, since the use is no longer an integrated shopping center.

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

The applicant has not correctly calculated the required parking since the center no longer conforms to the definition of an integrated shopping center.

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

Until staff can review a use by use schedule, we cannot find that 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:

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.**

The only parking in the vicinity of the center is for two nearby schools, both of which restrict their parking lots.

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 Developing Tier and is in conformance with that vision. The application is also in conformance with the land use recommendations of the 1990 Approved Largo-Lottsford Master Plan and Adopted Sectional Map Amendment. 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 (CIP) within the general vicinity of the property.**

There are no public parking facilities proposed in the county's Capital Improvement Program (CIP) 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 Landover Road and Campus Way.

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

The applicant has made optimum use of the existing parking lot to provide the maximum number of parking spaces feasible. There do not appear to be 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.**

There are no businesses in the vicinity of the center. The nearest nonresidential uses are two schools (to the northwest and south) and a park (to the southeast).

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 L-A-C Zone; therefore, the above section is not applicable.

CONCLUSION:

Based on the preceding analysis and findings, staff is not able to make the required findings to approve this application. If the applicant were to continue the case in order to provide the necessary use-by-use parking schedule, there remains the possibility that a departure could be warranted. However, if the applicant decides to continue forward with this application, staff is compelled to recommend DENIAL of DPLS-322.