

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed DPLS-401, Executive Barber Shop and Cosmetology, requesting a departure of 14 parking spaces and one loading space from the required 70 parking spaces for a professional office center 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 6, 2014, the Prince George's County Planning Board finds:

A. **Location and Field Inspection:** The subject property, the Marlow Heights Professional Center, which houses the Executive Barber and Cosmetology, Units J-2, K-2 and L-2, is located on the south side of Beech Road east of Stamp Road. The triangle shaped property comprises 42,732 square feet of land in the Light Industrial (I-1) Zone and is located in Planning Area 76A/The Heights. The parcel is improved with a two story, 22-unit townhouse, office condominiums, and associated parking. The Executive Barber and Cosmetology will have a gross floor area of 2,604.8 square feet of driveway. Access to the property is provided via ingress/egress to Beech Road (north) and Stamp Road (south).

B. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	I-1	I-1
Use(s)	Office condominium	Office condominium
Acreage	42,732	42,732
Parking	56	56
Parcels	1	1
Square Footage/GFA	19,044.2	19,044.2

C. **History:** Built in 1982, the subject development was rezoned from C-2 Zone to the I-1 Zone in 1984. The townhouse development was originally occupied by office uses. The property now includes a number of beauty and barber shops, church offices, and vacant spaces. The Departure from Parking and Loading Standards application (DPLS-284), a Departure from 8 parking spaces of 64 required parking spaces, which was approved via Resolution PGCPB Resolution No. 02-203 on October 3, 2002.

D. **Master Plan Recommendation:** The property is within the Interim Land Use Control (ILUC) which governs development in areas impacted by height limitations, high noise levels, and high accident potential resulting from flight patterns at Joint Base Andrews (JBA). The application is consistent with the *Plan Prince George's 2035 Approved General Plan*, the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. The 2013

Approved Central Branch Avenue Corridor Revitalization Sector Plan recommends retaining the industrial use on the property. The subject property is within the plan identified Beech Road Focus Area. The sector plan examines the Beech Road focus area to address conflicts between residential, commercial, and industrial land uses. The plan envisions this area as a community-scaled commercial area that supports the residential neighborhoods by providing locally serving retail, offices and public uses closely integrated with residential development.

- E. **Request:** The applicants' original application was for a departure of 14 parking spaces from the requirement of 70 parking spaces. The applicant submitted an amended request on October 2, 2014, to include a request for departure of one loading space. The applicant is requesting a departure of 14 parking spaces and one loading space for Units J-2, K-2 and L-2 from the required 70 parking spaces in Section 27-568(a)(6) of the Zoning Ordinance to reflect actual usage of parking spaces based on the mix and nature of the actual uses of the property. The site plan submitted by the applicant shows 56 current parking spaces, which is 14 less than the 70 required spaces per Section 27-568(a)(6) of the Zoning Ordinance. There are no loading spaces shown on the plan.

- F. **Surrounding Uses:** The property is surrounded by the following uses:
Note: (refer to the zoning map)

North—Stamp and Beech Roads and other developed industrial and commercial use properties zoned I-1.

South and East—Developed property with auto retail and equipment sales uses zoned I-1.

West—Across Stamp Road are I-1 zoned properties.

- G. **Design Requirements:**

1. **Number of Required Parking and Loading Spaces:** Section 27-568(a)(6) of the Zoning Ordinance requires one parking space for every 250 square feet of gross floor area (GFA) for service retail office and one parking space for every 400 square feet of gross floor area (GFA) for general office with occupancy over 2,000 square feet. Retail sales and service uses 2,000 to 10,000 square feet of gross floor area require one loading space. The site plan shows a total of 56 parking spaces and no loading spaces. The plan is deficient by 14 parking spaces and one loading space from the requirement. Therefore, the departure from the parking and loading spaces application requirements is needed.
2. **Prince George's County Landscape Manual:** The site is exempt from the 2010 *Prince George's County Landscape Manual* since no new building or outdoor parking areas are to be constructed.

3. **Signs:** No freestanding signs are proposed for the subject use. 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.

Section 27-588(b)(7)(A)

- (A) **In order for the Planning Board to grant the departure, it shall make the following findings:**

- (i) **The purposes of Section 27-550 will be served by the applicant's request.**

The purposes as to the proposed parking regulations stated in Section 27-550 are as follows:

- (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 Regulations will be served by the applicant's request. The purposes seek to ensure sufficient parking and loading areas to serve the needs of each new use established and to aid in relieving traffic congestion on the streets by reducing the use of public streets for parking and loading. The applicant, Executive Barber and Cosmetology, proposes the departure as a means of serving the current and future tenant mix, which is becoming more heavily weighted toward retail/professional office uses and less toward general office uses. The applicant requests a departure of 14 spaces which will allow for flexibility in developing the townhouse condominium spaces. While a parking analysis was not conducted, the applicant has provided photographic documentation that parking at the subject site is underutilized.

The applicant has submitted photographic evidence that adequate parking spaces are provided to meet the parking needs for the proposed uses. The applicant submitted photo documentation dated July 9, 2013 through July 23, 2013, between the hours of 9:30 a.m.–8:30 p.m., to support the justification statement that actual usage of the parking spaces on the property is less than what is currently provided on the property. The applicant also cites the availability of alternative modes of transportation that provide transit service to the subject property.

There are no residential areas proximal to the subject site; the site is adjacent to commercial properties, which has sufficient and well-utilized parking. Thus, nearby properties are not likely to be affected by the proposed departure.

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

The departure is the minimum necessary. The site is adjacent to commercial properties to the south, each of which has sufficient and well-utilized parking.

- (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 departure is necessary in order to alleviate circumstances regarding the types of uses on the subject property and the staggered nature of their hours of operation, which are special to the subject use. Given the nature and physical limitations of this site, which is surrounded by existing commercial development, the departure is necessary to contribute to a healthy business climate in the area.

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

All methods of calculation have been used. The development has maximized the number of compact parking spaces allowed per Section 27-559 of the Zoning Ordinance. The Departure from Parking and Loading Standards application (DPLS-284) was approved for a departure of eight spaces (PGCPB Resolution No. 02-203). The applicant has applied the correct method for calculating the number of spaces required.

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

The applicant submits that the parking and loading needs of the residential areas will not be infringed upon if this request is granted. Thus, residential streets will not be impacted.

Section 27-588(b)(7)(B)

(B) In making its 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 numbers and locations of available on- and off-street spaces within 500 feet of the subject property.**

The area within 500 feet of the subject property is characterized by commercial uses. There is off-street parking available on both sides of Stamp Road and Beech Road. The adjoining and nearby uses have their own off-street parking and loading facilities. There is no indication of a shortage in parking and loading spaces within the general vicinity of this facility.

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

The 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* recommends retaining the industrial use on the property. The proposed uses are consistent with the plans recommendations and will not impair the integrity of the master plan.

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

This subject property is not within a municipality. There are no comments or recommendations submitted by a municipality.

- (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 for this area.

Section 27-588(b)(7)(C)

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

- (i) Public transportation available in the area.**

A bus stop is located at the corner of Beech Road and Saint Barnabas Road, approximately 500 feet from the subject property. The area is served by the Metrobus Route H12 and the Prince George's County's The Bus, Route 33, both which serves the Naylor Road Metrorail station.

- (ii) Any alternative design solutions to off-street facilities which might yield additional spaces.**

The applicant maximized the number of parking spaces allowed. There are no alternative design solutions that will 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 500 feet of the subject property.**

The hours of operation for this applicant will be similar to those of typical beauty salons. The parking demands will be unchanged regardless of the hours of operation. The staggered hours of operation will contribute to the availability of on-site parking. There will be no disruption to traffic flow or parking conditions on the surrounding streets resulting from the proposed use. The existing development consists of a mixture of small office and service establishments consistent with an office environment. These uses do not generate or need substantial loading facilities. The proposal will not negatively affect the nature and hours of operation of other commercial/retail uses within 500 feet of the subject property if the departure is granted.

- (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.**

The subject property is in the I-1 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 APPROVED the above-noted application, subject to the following conditions:

1. Prior to certification the applicant shall make the following revisions to the site plan:
 - a. The interior parking lot landscaping calculations must be provided on the site plan as approved pursuant to permit 1984-81-CGU and the prior approved Departure from Parking and Loading Standards application DPLS-284.
 - b. General Note 3 on the site plan must be revised to reflect the property use as "office and beauty/barber services."
 - c. The site plan must be revised to provide the location of individual units and their numbers on the building.
 - d. The van accessible parking space must be labeled on the site plan.

- e. The note regarding the parking schedule "as per the previously approved plan" should be revised to read "as per 1984-81-CGU".
 - f. The total gross floor area (GFA) of the building must be provided on the site plan.
 - g. Correct the total gross floor area in the parking schedule.
 - h. The General Notes must be revised to indicate that the subject property is located within ILUC (Height Zone F of Joint Base Andrews (JBA) Runway Surface).
 - i. The proposed parking schedule must be revised to reflect the correct prior approved Departure from Loading Standards application from "DPLS-248" to "DPLS-284."
 - j. Provide a loading schedule on the site plan.
 - k. Add a note to the site plan stating, "The approval of this departure is applicable for the uses of office and beauty/barber services and any other future uses permitted in the I-1 Zone."
 - l. Label the vacant units in the unit schedule as "vacant office."
- 2. Prior to certification, the applicant shall apply for a Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) Exemption Letter and a Natural Resource Inventory (NRI) Equivalency Letter.
 - 3. Prior to the issuance of any permits, any dead, diseased, or absent landscaping that was previously required on-site shall be replaced.

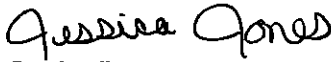
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

* * * * *

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 Shoaff, seconded by Commissioner Geraldo, with Commissioners Shoaff, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, November 6, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of December 2014.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:IT:arj

APPROVED AS TO LEGAL SUFFICIENCY


M-NCP&C Legal Depart

Date 11/12/14