AGENDA ITEM: 8 & 9
AGENDA DATE: 3/14/19

The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

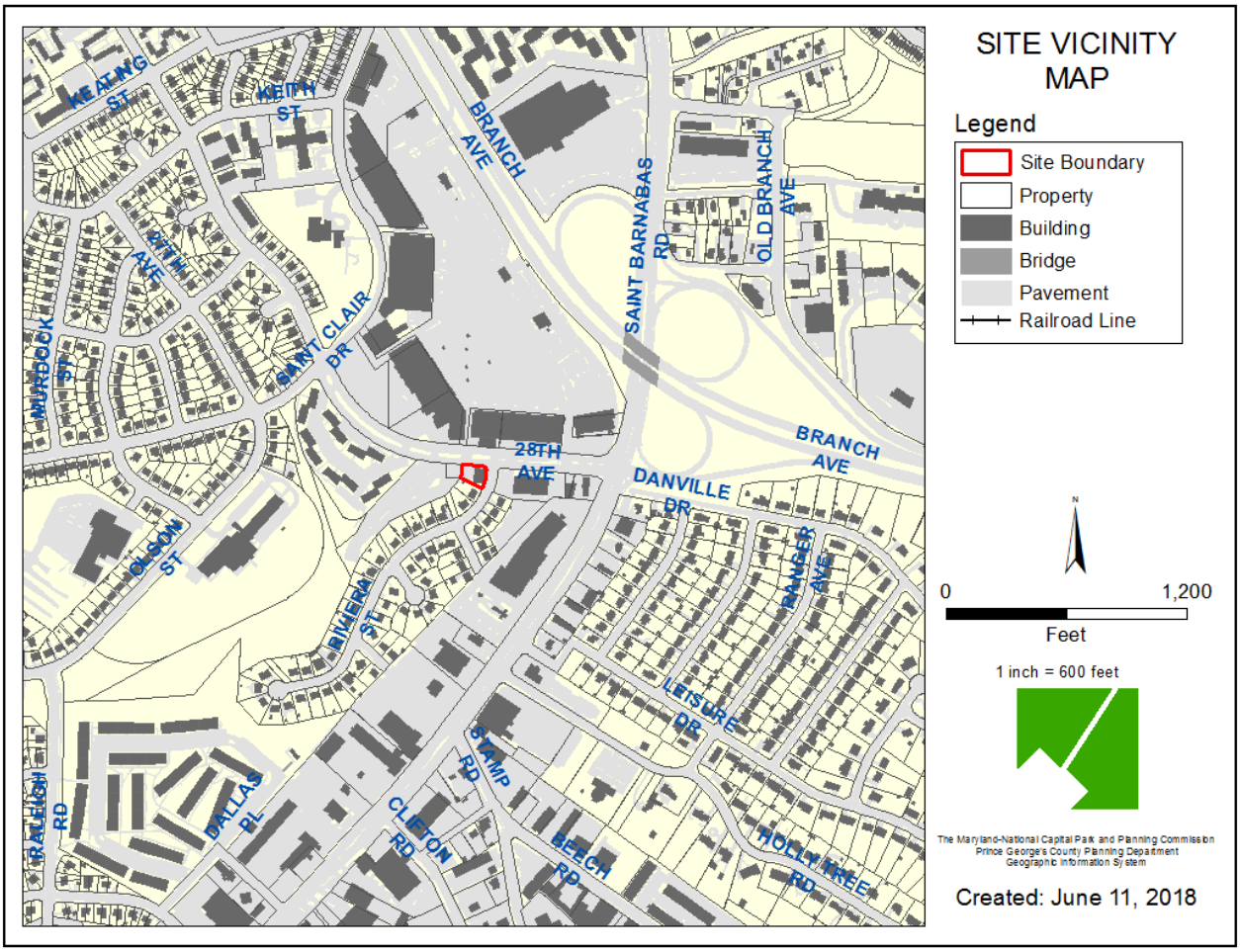
Note: *Staff reports can be accessed at http://mncppc.iqm2.com/Citizens/Default.aspex*

Conceptual Site Plan CSP-18001
Detailed Site Plan DSP-18016

Application	**General Data**	
Project Name: Marlow Heights Center	Planning Board Hearing Date:	03/14/19
	Staff Report Date:	2/25/19
Location: In the southwest corner of the intersection of Riviera Street and 28th Avenue.	Date Accepted:	12/14/18
	Planning Board Action Limit:	04/25/19
	Plan Acreage:	0.25
Applicant/Address: PAAP Properties, LLC 462 Indian Greens Lane Manns Choice, PA 15550	Zone:	M-X-T
	Dwelling Units:	N/A
	Gross Floor Area:	10,176 sq. ft.
	Planning Area:	76A
	Council District:	07
	Election District	06
	Municipality:	N/A
	200-Scale Base Map:	206SE04

Purpose of Application	**Notice Dates**	
Approval for the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 for the Mixed Use-Transportation Oriented (M-X-T) Zone.	Informational Mailing:	02/22/18
	Acceptance Mailing:	12/11/18
	Sign Posting Deadline:	02/12/19

Staff Recommendation			**Staff Reviewer:** Andrew Bishop **Phone Number:** 301-952-4897 **Email:** Andrew.Bishop@ppd.mncppc.org
APPROVAL	**APPROVAL WITH CONDITIONS**	**DISAPPROVAL**	**DISCUSSION**
	X		


SITE VICINITY MAP
Legend
Site Boundary
Property
Building
Bridge
Pavement
Railroad Line
KEALING ST
KEITH ST
BRANCH AVE
SAINT BARNABAS RD
OLD BRANCH AVE
27TH AVE
MURDOCK ST
SAINT CLAIR DR
28TH AVE
DANVILLE DR
BRANCH AVE
OLSON ST
RIVIERA ST
RANGER AVE
LEISURE DR
RALEIGH RD
DALLAS PL
CLIFTON RD
STAMP RD
BEECH RD
HOLLY TREE RD
N
0
1,200
Feet
1 inch = 600 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: June 11, 2018

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Conceptual Site Plan CSP-18001
Detailed Site Plan DSP-18016
Marlow Heights Center

The Urban Design staff has completed the review of the subject applications and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

The conceptual and detailed site plans have been reviewed and evaluated for compliance with the following criteria:

a. The requirements of the Prince George's County Zoning Ordinance in the Mixed Use-Transportation Oriented (M-X-T) Zone and the site design guidelines;

b. The requirements of the 2010 *Prince George's County Landscape Manual;*

c. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;

d. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;

e. Referral Comments.

FINDINGS

Based upon the evaluation and analysis of the subject applications, the Urban Design staff recommends the following findings:

1. **Request:** The conceptual site plan (CSP) and detailed site plan (DSP) request validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George's County Zoning Ordinance.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use	Commercial/Office	Commercial/Office
Gross Acreage	0.25	0.25
100-Year Floodplain	N/A	N/A
Lots/Parcels	1	1
Gross Floor Area (GFA)*	10,176 sq. ft.	10,176 sq. ft.
Parking Spaces**	**REQUIRED**	**PROPOSED**
Dentist/Medical Office		
650 sq. ft. @ 1 space per 200 sq. ft.	4	4
Herbalife Nutrition/ Normal Retail		
650 sq. ft. @ 1 space per 150 sq. ft.	5	2
Church (2,100 sq. ft.)		
40 seats @ 1 space per 4 seats	10	2
General Office (4,150 sq. ft.)		
Ministry Outreach Office 1,400 sq. ft.		
Tag and Title Office 650 sq. ft.		
General Office 2,100 sq. ft.		
2,000 sq. ft. @ 1 space/250 sq. ft.	8	8
2,150 sq. ft. @ 1 space/400 sq. ft.	6	6
Total Number of Parking Spaces	33***	22****
Van Accessible Handicapped	2	2
Loading Spaces (12 ft. x 33 ft.)	0	0

Notes: *The site plan does not indicate if the GFA excludes those portions of the basement that are used exclusively for storage or other areas used exclusively for mechanical elements. These areas should be removed to indicate the correct GFA.

**Per Sections 27-574 and 27-583 of the Prince George's County Zoning Ordinance, there is no specific required number of parking or loading spaces in the M-X-T Zone. The applicant is to submit an analysis to be approved by the Planning Board. See Finding 7 for a discussion of the parking analysis.

***Total number of parking spaces required by Section 27-568 of the Prince George's County Zoning Ordinance.

****The DSP shows 22 parking spaces; however, the parking schedule states that 21 spaces are proposed. A condition has been added to the Recommendation section of

this report requiring the applicant to revise the parking schedule to show the correct number of parking spaces proposed.

3. **Location:** The subject property is located on the west side of Riviera Street, in the southwest quadrant of its intersection with 28th Avenue, in Planning Area 76A, Council District 7. More specifically, the property is located at 3710 Riviera Street in Temple Hills, Maryland.

4. **Surroundings and Use:** The subject property is bounded by the public right-of-way of 28th Avenue on the north, with commercial and retail uses beyond; to the east by the public right-of-way of Riviera Street; to the west by an existing parking lot in the Multifamily High Density Residential (R-10) Zone; and to the south by an existing single-family residential dwelling in the One-Family Detached Residential (R-55) Zone.

5. **Previous Approvals:** The subject property is known as Lot 1, Block S, of Marlow Heights, recorded in Prince George's County Land Records in Plat Book WWW 24-73, as approved in 1954. On December 8, 1967, Special Exception SE-1654 was approved by the Prince George's County District Council, to allow the adjacent Parcel 484 to be used as an automobile parking compound, in conjunction with the development of the subject property as embodied in Zoning Resolution No. 581-1967.

   A review of aerial photographs of the site indicate that the existing commercial building on Lot 1 was constructed in approximately 1968. Additionally, it is noted that this property was rezoned from Commercial Office (C-O) to Mixed Use-Transportation Oriented (M-X-T) by the 2008 *Approved Branch Avenue Corridor Sector Plan and Sectional Map Amendment* (Branch Avenue Corridor Sector Plan and SMA) approved by the District Council in September of 2008.

6. **Design Features:** The subject applications are not proposing any site improvements on the subject property, but instead request validation of the existing parking for the commercial building, in conformance with Section 27-574, which requires parking in mixed-use zones to be approved by the Prince George's County Planning Board. The M-X-T Zone requires the approval of a CSP and DSP for all uses and improvements per Section 27-546(a) of the Zoning Ordinance. The existing development is legal and was approved with off-site parking on Parcel 484, to the west with SE-1654, as allowed per Section 27-573 of the Zoning Ordinance.

CONFORMANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.

   a. Conformance with the M-X-T Zone requirements, as follows:

      Section 27-546. Site Plans.

      (d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

         (1) The proposed development is in conformance with the purposes and other provisions of this Division;

The subject limited applications are in conformance with the purposes of the M-X-T Zone, as the parking is appropriately designed for the proposed retail and office tenants, with respect to size and location, promoting the orderly redevelopment of properties within the area. Additionally, it is noted that the subject property is designed in accordance with the vision of the Branch Avenue Corridor Sector Plan and SMA, for a medium density mixed-use community and has been developed with a mix of commercial/retail and office uses. The approval of these applications will enhance the economic status of the County and provide an expanding source of desirable employment opportunities for its citizens.

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

The subject site was placed in the M-X-T Zone through an SMA approved after October 1, 2006, specifically on August 23, 2008, through the approval of the Branch Avenue Corridor Sector Plan and SMA by the Prince George's County Council. There were no design guidelines or standards prescribed for the property, which was developed in its current configuration prior to rezoning the property. It is noted that validation of the parking on-site does not change the configuration or design of the property. The applicant does not propose redevelopment at this time, and any future redevelopment will be in accordance with the M-X-T Zone, as recommended by the sector plan.

(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;

The submitted applications are for validation of the on-site parking and will not affect the property's existing physical integration with the adjacent development. It is noted that the existing building is oriented toward the street, and sidewalks are provided on the street frontage to create a more urban and pedestrian-friendly streetscape.

(4) The proposed development is compatible with existing and proposed development in the vicinity;

The existing commercial development is compatible with nearby existing and proposed development, such as the commercial office building to the east across Riviera Street.

(5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;

The submitted applications are for validation of existing parking and do not propose any changes to uses, buildings, or other improvements. It is noted that the existing tenant mix includes office, institutional, and retail uses in a single building, which has operated independently and demonstrated the ability to sustain an independent environment of continuing quality and stability.

(6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;

This requirement does not apply to this application because it is existing, and staging is not required as there are no proposed site improvements.

(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;

The submitted applications are for validation of existing parking; however, there is an existing sidewalk along the frontage of the property on 28th Avenue and Riviera Street. The pedestrian system will encourage pedestrian activity and provide connections to the surrounding community.

(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and

This DSP is for validation of existing parking, and no new pedestrian improvements or gathering places are proposed.

(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The subject property was placed in the M-X-T Zone by an SMA, but no new development is proposed.

(10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.

The DSP is for validation of existing parking, and no new development is proposed.

(11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.

The overall site plan contains less than 250 acres; therefore, this application is not subject to this requirement.

b. The DSP application is also in conformance with additional regulations of the M-X-T Zone, as follows:

Section 27-544. Regulations.

(a) Except as provided in Subsection (b), additional regulations concerning the location, size, and other provisions for all buildings and structures in the M-X-T Zone are as provided for in Divisions 3 and 4 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

The existing building is in conformance with the regulations of the C-O Zone, as were applied with the construction of the building prior to 1970. No changes to site improvements are proposed with these applications.

Section 27-548. M-X-T Zone.

(a) Maximum floor area ratio (FAR):

(1) Without the use of the optional method of development -- 0.40 FAR; and

(2) With the use of the optional method of development -- 8.00 FAR.

The floor area ratio (FAR) information is not shown and should be added to the general notes on the CSP/DSP, as conditioned herein. The FAR of the existing

building is 0.93 based on the building floor area of 10,176 square feet. However, as stated previously, this should be confirmed relative to the gross floor area (GFA) of the building, which should exclude basement storage areas and mechanical element areas. The existing building area is legal, as it was developed prior to the property being zoned M-X-T.

(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.

The proposed uses are located on one lot and in one building.

(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.

The DSP shows the required information for the existing development, which is to remain unchanged.

(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

The landscaping, screening, and buffering were reviewed prior to the adoption of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), and the on-site landscaping is not being revised. See Finding 10 for further discussion.

(g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

The subject site has direct frontage on 28th Avenue.

c. **Site Design Guidelines:** The findings of approval regarding conformance with Section 27-283, Site design guidelines, of the Zoning Ordinance, that further cross-references the same guidelines as stated in Section 27-274 of the Zoning Ordinance, are limited due to the nature of this CSP/DSP.

The site design guidelines address general matters such as parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, architecture, and townhouses. The building is existing, and no new improvements are being proposed. The building was constructed under prior regulations, and many guidelines are not applicable to these applications. The following guidelines would be applicable to the review of the subject applications, as follows:

(1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. Surface parking lots are encouraged to be located to the rear, or side, of structures to minimize the visual impact of cars on

the site. Surface parking is provided to the side of the structure for the existing commercial and office uses on the site.

The dimensions of the parking spaces and drive aisle width shown on-site differ from current requirements because they are grandfathered. The width of the spaces and drive aisle should be consistent with the dimensions required at the time of the prior development, which occurred before 1970. The parking space sizes should be 10 feet by 20 feet and the drive aisle width should be a minimum of 18 feet.

Generally, the parking spaces and drive aisle meet those regulations, but differ in several locations. Therefore, a condition has been included in the Recommendation section of this report requiring the applicant to revise the dimension of the parking spaces and drive aisle width to either meet the minimum required in 1968 or the current requirements.

(2) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive, and loading for the commercial use should also be located to the side of the building and be visually screened from public roadways. No loading is proposed with this application; however, due to the square footage of the building, the DSP would normally require one loading space based on the total GFA, in accordance with Section 27-582(a) of the Zoning Ordinance. As discussed previously, it is anticipated that the GFA will be reduced to less than 10,000 square feet and, therefore, a loading space would not be required.

It is noted that the loading schedule shown on the plan is calculated incorrectly and has been calculated based on the uses in the building. The loading schedule should be revised, in accordance with Section 27-582, to show the required number of loading spaces for an office building or office building complex based on the square footage or GFA of the building, and is conditioned herein.

(3) In accordance with Section 27-274(a)(8)(A), Service areas, these areas are encouraged to be located away from primary roads, effectively screened or enclosed, and not visible from public view.

A trash facility appears to be shown on the west side of the building but is not clearly labeled on the plan. Per current aerial imagery, this is a trash dumpster; therefore, a condition has been included in the Recommendation section of this report requiring the applicant to screen or enclose the trash facility with an evergreen screen, or sight-tight fence, that is compatible with the building.

d. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The DSP proposes 22 parking spaces, with 9 spaces on Lot 1 and 13 spaces on Parcel 484, for the existing commercial building. Under Part 11, Off-street Parking and Loading, of the Zoning Ordinance, a total of 33 spaces is usually required for this type of development in conventional zones.

In a memorandum dated May 24, 2018, Lenhart Traffic Consulting Inc., provided the required parking analysis for this development. The analysis discusses the use of the methodology in Section 27-574(b) and reasons that it is not possible to use the methodology to compute hourly fluctuations in parking and a peak hourly parking demand. In fact, the methodology in Section 27-574(b) is designed to compute a peak hourly parking demand for mixed uses, and the subject site is not truly mixed-use. It is agreed that a different approach is appropriate in this case.

The parking analysis continues by evaluating parking utilization on the site and adjacent Parcel 484 on two weekdays in January 2018. The dates were Tuesday and Wednesday, January 23 and 24; the weather on those dates was sunny to partly sunny and unseasonably warm. Staff believes that all conditions make those dates fully appropriate for such a survey.

The parking utilization study determined that a maximum of 17 parking spaces were occupied during the hours of the study, with the peak-hour occurring between 10:30 and 11:00 a.m. on Tuesday. The peak parking demand was noted to be 1.67 spaces per 1,000 square feet.

The Zoning Ordinance provides minimum standards for on-site parking and loading for two primary reasons. The standards protect the patrons of the subject property from problems caused by not having adequate and available parking at hand. The parking standards also protect neighboring residential properties from problems caused by persons visiting a property and using parking spaces on adjacent land or streets during their visits.

Based on the above determinations, the Transportation Planning Section believes that sufficient evidence is provided to show that the 22 spaces provided on-site will serve the demand posed by the existing office building use. It is not believed that there will be off-site impacts from allowing this number of spaces for this use.

e. Section 27-583, Number of spaces required in M-X-T Zone, of the Zoning Ordinance contains requirements for determining the total number of loading spaces, as follows:

(a) The number of off-street loading spaces required in the M-X-T Zone are to be calculated by the applicant and submitted to the Planning Board for approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.

(b) The number of off-street loading spaces required shall be calculated using the following procedures:

(1) Determine the number of loading spaces normally required under Section 27-582.

(2) Determine the number of loading spaces that may be readily shared by two (2) or more uses, taking into account the location of the

spaces, the uses they will serve, and the number of hours and when during the day the spaces will be occupied.

(3) The number of loading spaces normally required (paragraph (1)) may be reduced by the number of spaces determined to be unnecessary through the use of shared loading spaces (paragraph (2)).

The DSP proposes a mix of office, retail, and institutional uses within the existing building and does not propose a loading space. A condition of approval has been added to the Recommendation section to meet the loading space requirement on-site.

8. **Special Exception SE-1654:** Special Exception SE-1654 was approved on December 8, 1967, with five recommendations, and PGCPB Resolution No. 581-1967 formalized this approval for adjacent Parcel 484. The SE allowed for an automobile parking compound to serve the commercial uses on the subject property, Lot 1. Due to the need for the parking compound on this off-site property to support the development in the subject applications, staff recommends that the conditions of the SE approval be evaluated at this time. The Department of Inspection and Permits conditions of approval that impact this DSP application are as follows:

b. A sightly, tight fence, five (5) feet in height above the grade of abutting residential land shall be constructed within six months and maintained on the parking area adjacent to side and/or rear lot line. (section 24.75)

The plan shows an eight-foot-high, chain-link fence with barbwire along the west and south sides of the parking compound on the adjacent Parcel 33, with no fence on Parcel 484. Therefore, a condition has been added to the Recommendation section of this report requiring that the five-foot high, sight-tight fence be shown.

c In addition to the above, adequate shrubbery or other screen planting on the residential side of this wall or fence shall be planted. (section 24.75)

This requirement refers to the residential side of the wall or fence; however, the residentially zoned property, adjacent to Parcel 484, is developed with a parking lot that was constructed between 1968 and 1977 based on aerial photographs. Therefore, this condition is no longer applicable, as there is no residential side of the fence.

d. If lighting is provided, the lights shall be arranged so as not to reflect or cause glare into abutting residential lots.

No lighting is provided for the parking lot area.

e. Agreement for continued use of parking compound shall have been submitted to the Maryland-National Capital Park and Planning Commission. (Section 24.8)

An agreement for the continued use of the parking compound was not submitted with this application; therefore, one is required prior to certification of the DSP, and is conditioned herein.

9. **2010 Prince George's County Landscape Manual:** This CSP/DSP is for validation of existing parking and no revisions to site improvements are proposed. Therefore, conformance to the Landscape Manual is not required per Section 1.1(b).

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The subject CSP/DSP are exempt from the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site is less than 40,000 square feet and has no previous tree conservation plan approvals. Additionally, it is noted that a Letter of Exemption (S-085-2018) has been issued and is valid until June 11, 2020. A Natural Resources Inventory Equivalency Letter (NRI- 093-2018) has also been issued because there are no regulated environmental features located on the subject property. The NRI equivalency letter is valid until June 11, 2023.

11. **Prince George's County Tree Canopy Coverage Ordinance:** This CSP/DSP is for validation of existing parking and does not propose any site disturbance or GFA. Therefore, the Tree Canopy Coverage Ordinance is not applicable, per Section 25-127(a)(1) of the WCO.

12. **Referral Comments:** The subject application was referred to the following concerned agencies and divisions. The referral comments are summarized, as follows:

    a. **Community Planning**—In a memorandum dated January 16, 2019 (Lester to Bishop), incorporated herein by reference, the Community Planning Division noted that the property was reclassified from the C-O Zone to the M-X-T Zone with the approval of the Branch Avenue Corridor Sector Plan and SMA, and that sector plan conformance is not required.

    b. **Transportation Planning**—In separate memorandums dated January 29, 2019 and January 30, 2019 (Masog to Bishop), incorporated herein by reference, the Transportation Planning Section noted that no new construction is proposed, and access and circulation would remain the same. The transportation-related findings of adequacy are met because there is no development proposed at this time. In addition, an in-depth discussion of the DSP's conformance to the parking requirements of the M-X-T Zone was provided and discussed in Finding 7 above. The Transportation Planning Section determined that the plan is acceptable and meets the findings required for a CSP and DSP.

    c. **Subdivision**— In a memorandum dated January 18, 2019 (Turnquest to Bishop), incorporated herein by reference, the Subdivision and Zoning Section provided minor technical revisions, which have been incorporated into the Recommendation section of this report, and indicated that a new preliminary plan of subdivision is not required for this application because it meets the standards for an exemption from this requirement.

    d. **Permit Review**—In a memorandum dated January 2, 2019 (Gallagher to Bishop), incorporated herein by reference, the Permit Review Section offered comments that are addressed, as necessary, by conditions in the Recommendation section of this report.

13. As required by Section 27-276(b)(1) and Section 27-285(b)(1) of the Zoning Ordinance, this CSP and DSP, if approved with the conditions below, represent a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

14. As required by Section 27-276(b)(4) and Section 27-285(b)(4), for approval of a CSP and a DSP, respectively, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations, as this property does not contain any regulated environmental features.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and recommends APPROVAL of this application, as follows:

A. APPROVE Conceptual Site Plan CSP-18001 for Marlow Heights Center.

B. APPROVE Detailed Site Plan DSP-18016 for Marlow Heights Center, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made to the plan or the following information shall be provided:

    a. Provide the floor area ratio information in the general notes on the DSP.

    b. Remove the recording reference to the liber/folio.

    c. Revise General Note 10 to include grid number C3.

    d. Add a general note stating the following:

        "The off-site parking used to support the DSP is located on abutting Parcel 484 to the west, a legal acreage parcel, created by deed dated May 25, 1966 and recorded in liber 3419 and folio 476."

    e. Revise the gross floor area of the building to remove those portions of the basement used exclusively for storage and the other areas of the building used exclusively for mechanical elements.

    f. Revise the parking schedule to indicate the total number of parking spaces proposed.

    g. Correct the label of the special exception on adjacent Parcel 484 to SE-1654.

    h. Revise the number of loading spaces required, in accordance with Section 27-583 of the Prince George's County Zoning Ordinance.

    j. Reflect a five-foot-high, sight-tight fence abutting residential land adjacent to the side and/or rear lot line of Parcel 484, as required by Special Exception SE-1654.

    i. Submit a copy of the legal arrangement that assures the permanent availability of the parking spaces on Parcel 484.

j. Revise the dimensions of the parking spaces and drive aisle to meet the minimum requirements in 1968, or meet the requirements of Sections 27-558 and 27-560 of the current Prince George's County Zoning Ordinance.

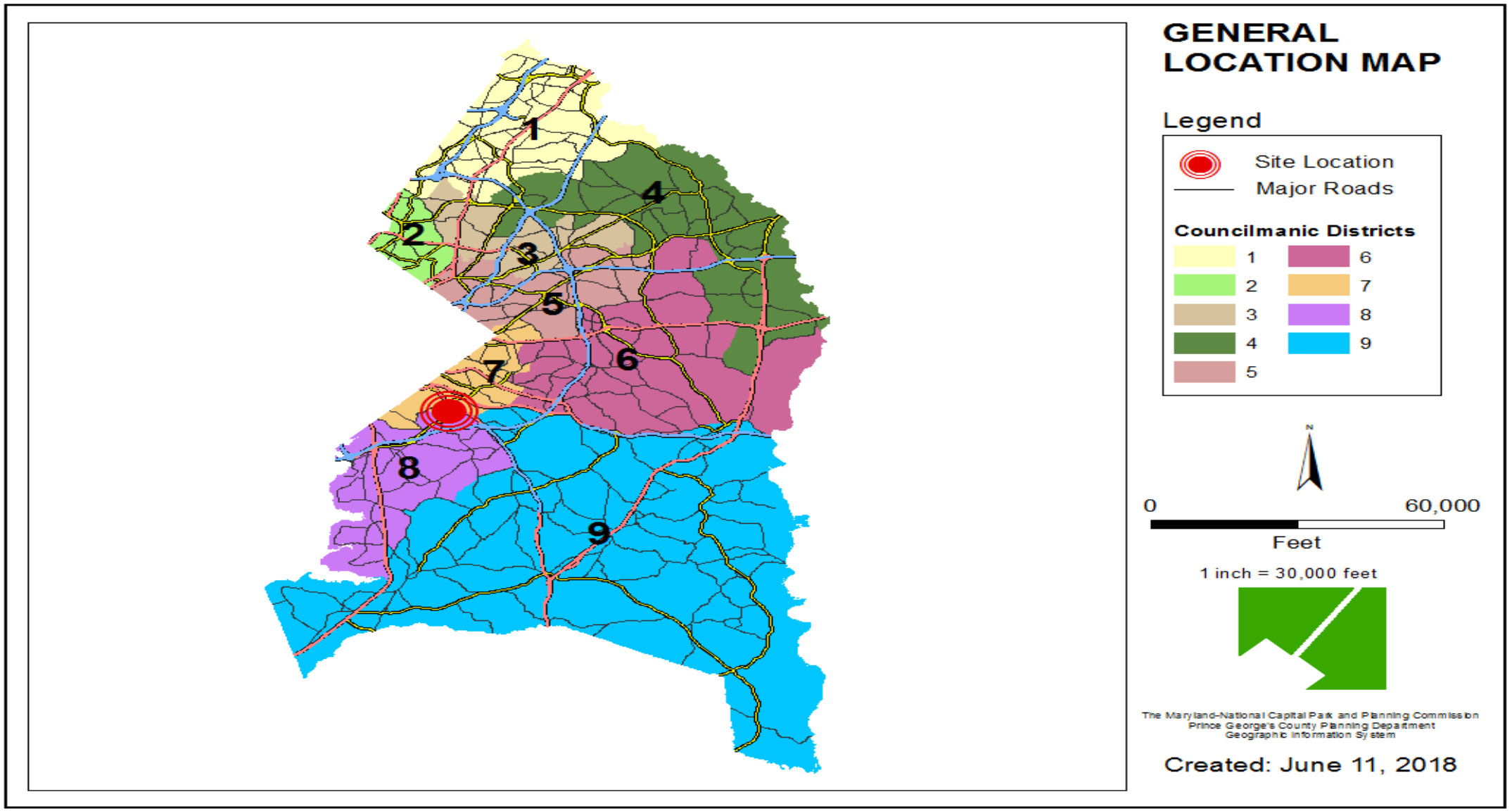
k. Screen or enclose the trash facility with a sight-tight fence or evergreen screen.

ITEM: 8 & 9

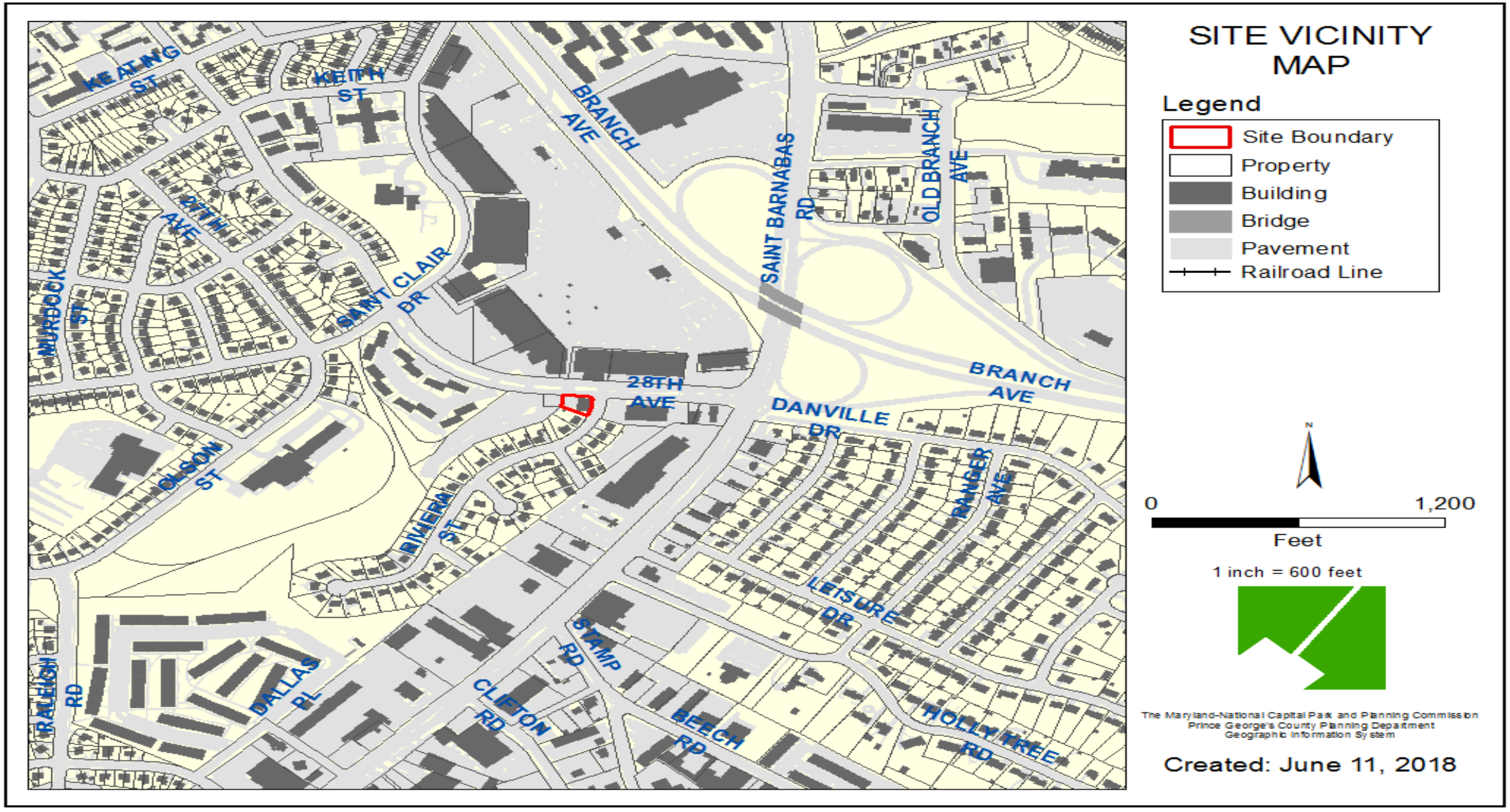
CASE: CSP-18001 & DSP-18016

MARLOW HEIGHTS CENTER
(3710 RIVIERA STREET)

GENERAL LOCATION MAP



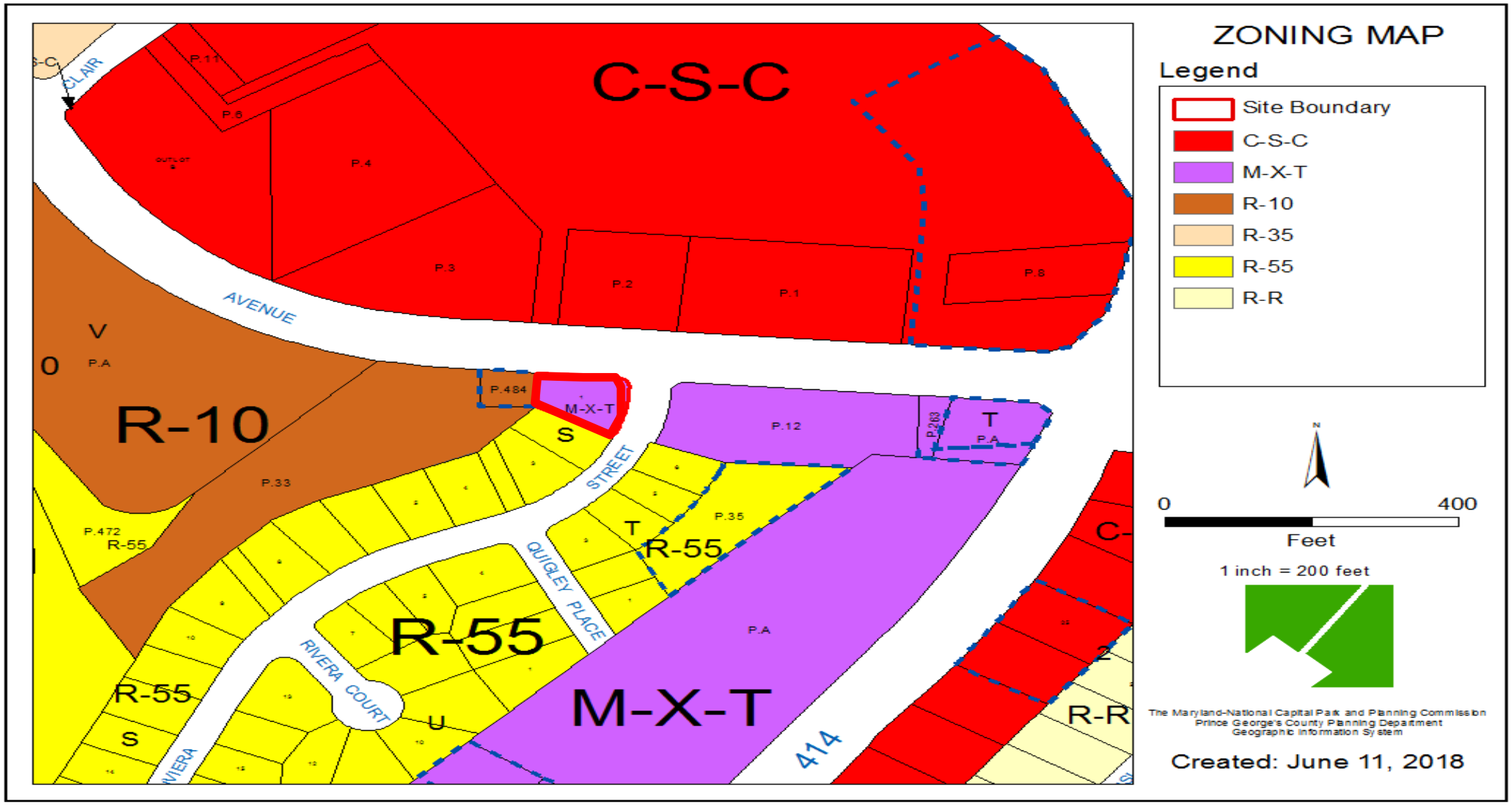
SITE VICINITY



03/14/19

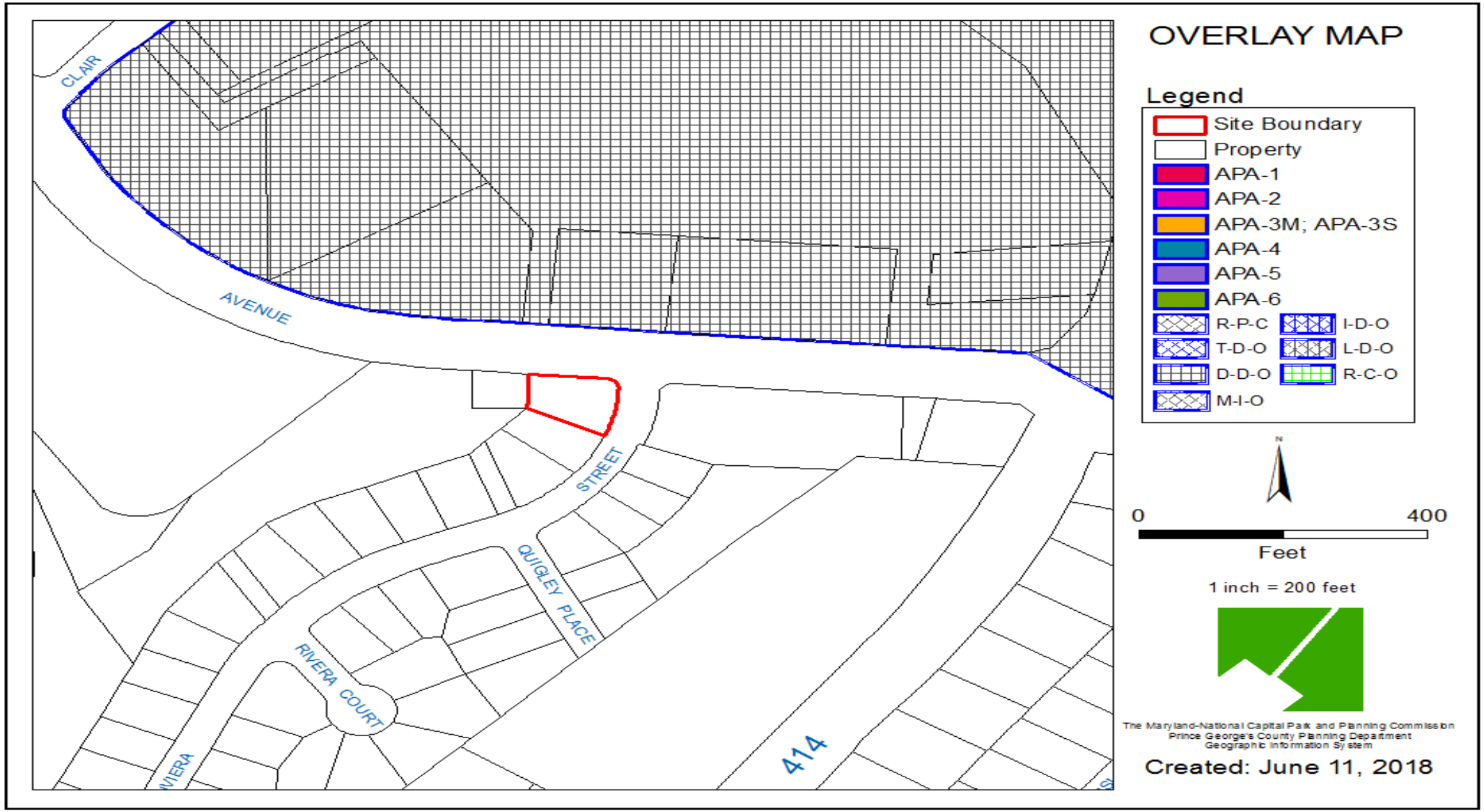
DRD THE DEVELOPMENT REVIEW DIVISION

ZONING MAP



03/14/19

OVERLAY MAP


CLAIR
AVENUE
STREET
QUIGLEY PLACE
RIVERA COURT
414
OVERLAY MAP
Legend
Site Boundary
Property
APA-1
APA-2
APA-3M; APA-3S
APA-4
APA-5
APA-6
R-P-C
I-D-O
T-D-O
L-D-O
D-D-O
R-C-O
M-I-O
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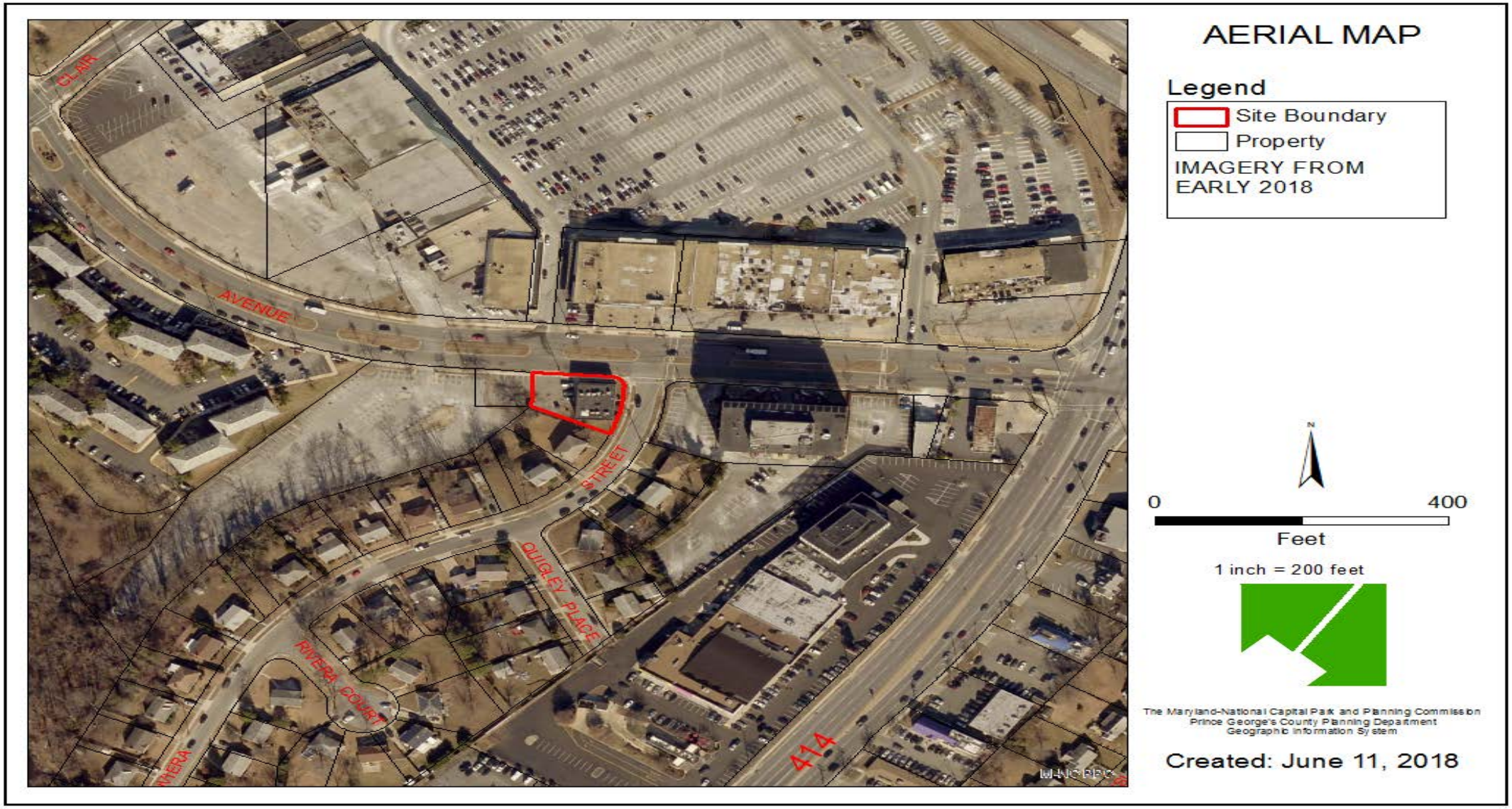
400
Feet
1 inch = 200 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: June 11, 2018

AERIAL MAP


AERIAL MAP
Legend
Site Boundary
Property
IMAGERY FROM EARLY 2018
CLAIR
AVENUE
STREET
QUIGLEY PLACE
RIVERA COURT
414
0
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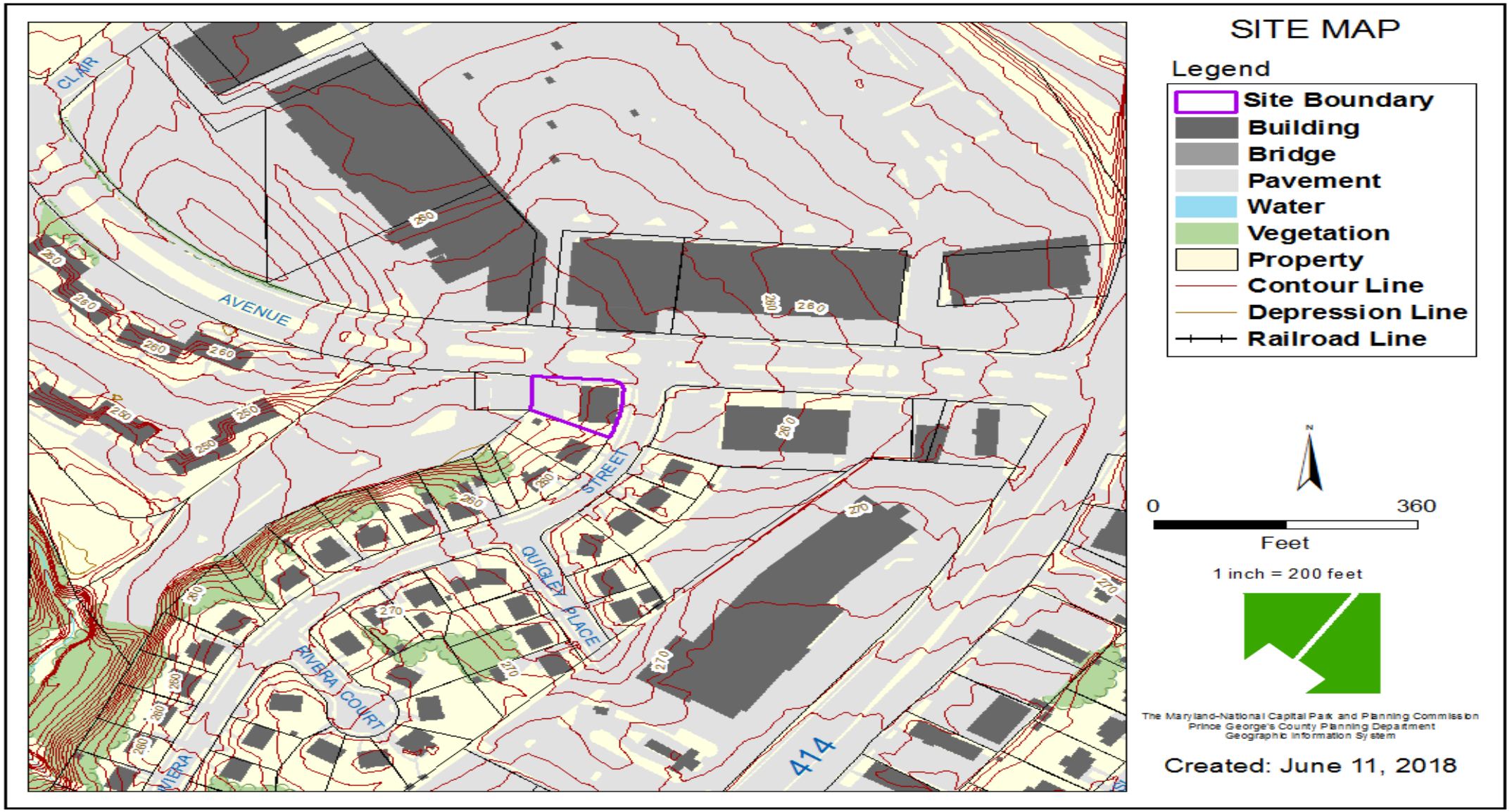
Feet
1 inch = 200 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: June 11, 2018

SITE MAP


SITE MAP
Legend
Site Boundary
Building
Bridge
Pavement
Water
Vegetation
Property
Contour Line
Depression Line
Railroad Line
CLAIR
AVENUE
STREET
QUIGLEY PLACE
RIVIERA COURT
414
N
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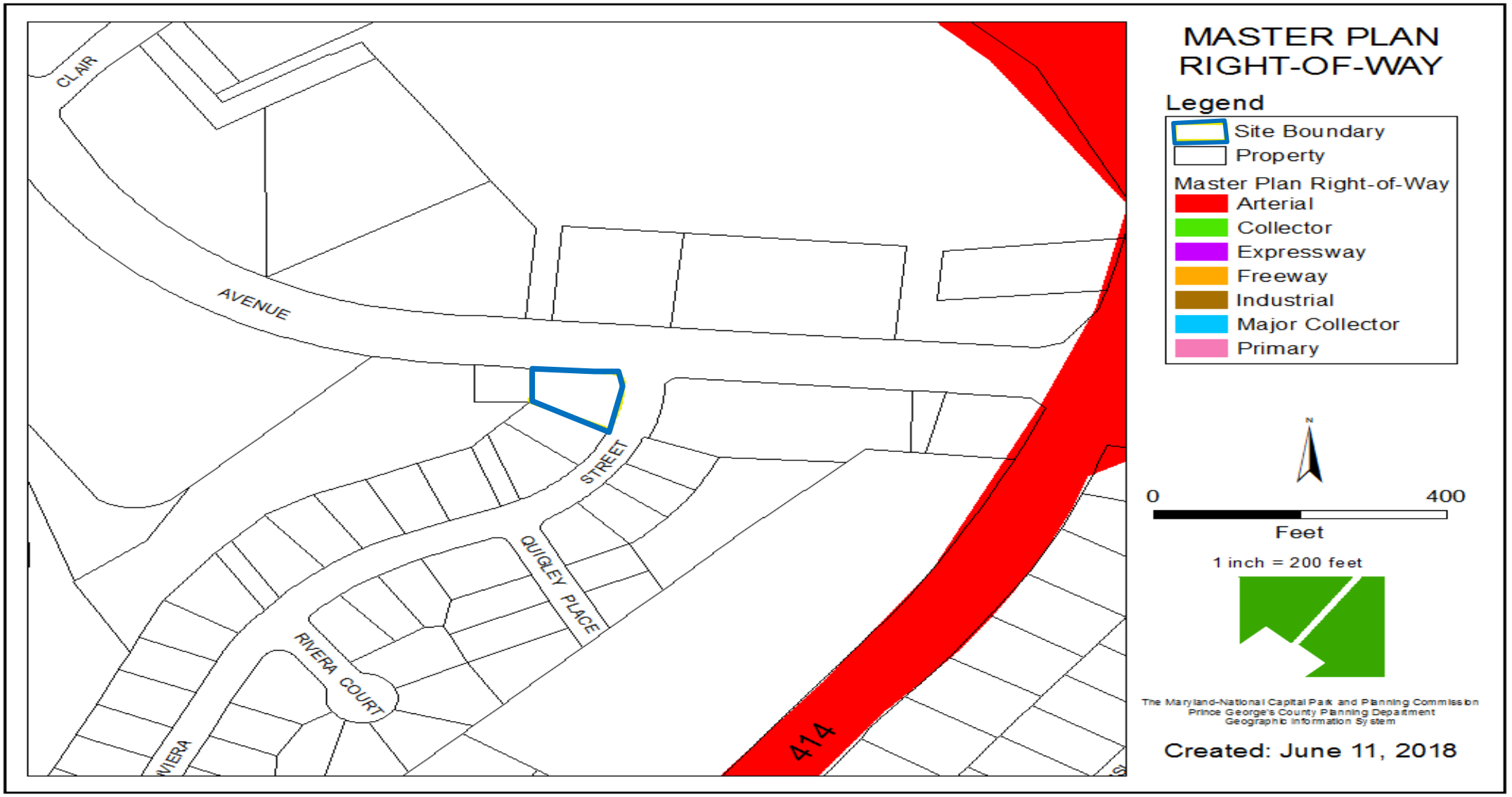
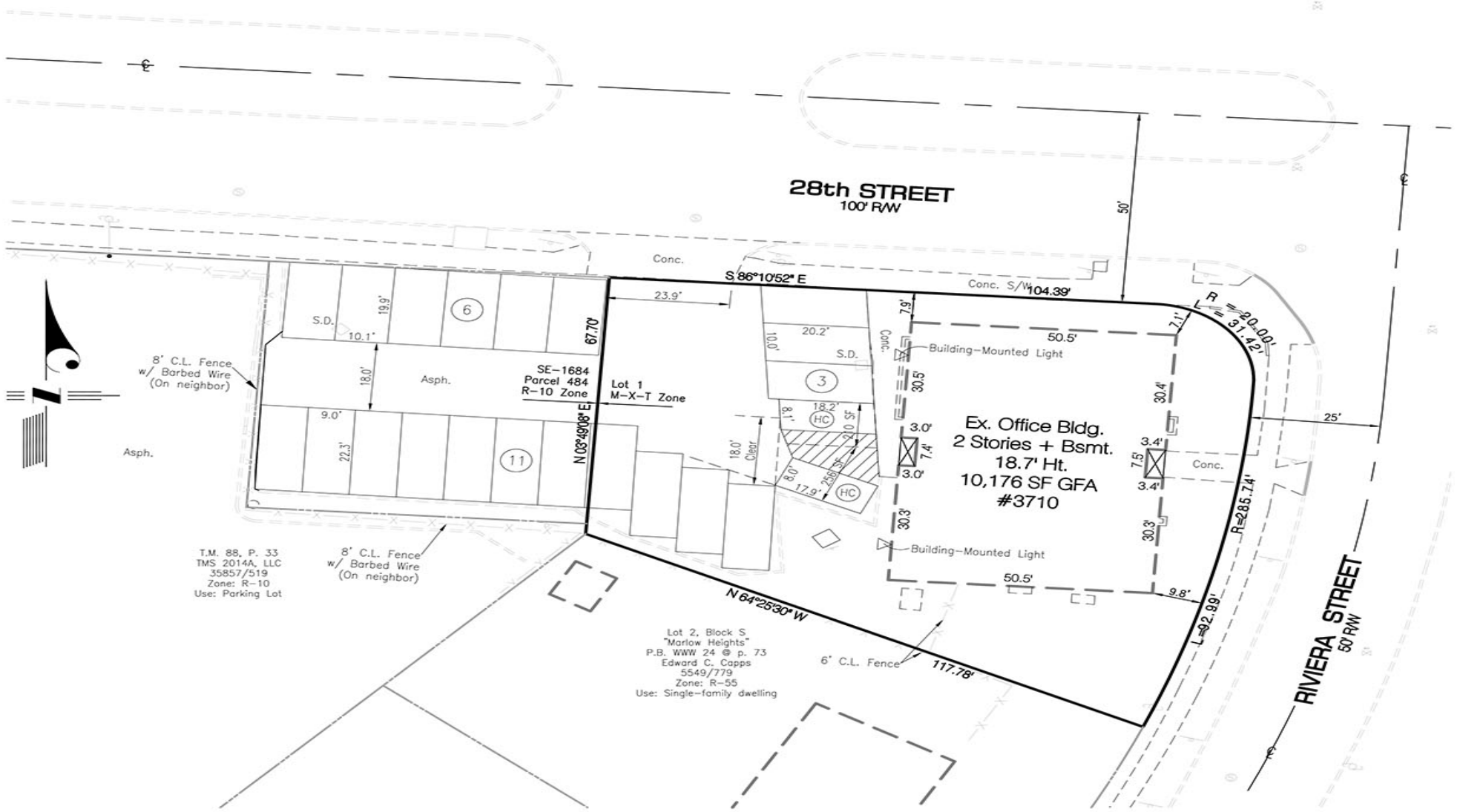
360
Feet
1 inch = 200 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: June 11, 2018

MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW LOOKING WEST

SITE PLAN



DRD
THE DEVELOPMENT REVIEW DIVISION

STATEMENT OF JUSTIFICATION
3710 RIVIERA STREET, TEMPLE HILLS, MD
CSP-18001

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STATEMENT OF JUSTIFICATION
3710 RIVIERA STREET, TEMPLE HILLS, MD
CSP-18001

1.0 INTRODUCTION/ORIENTATION/APPROVAL HISTORY

PAAP Properties, LLC is the owner of an existing office building located at 3710 Riviera Street, Temple Hills, Maryland and the Applicant for approval of this Conceptual Site Plan. The property is located at the corner of 28th Avenue and Riviera Street, directly across from the Marlow Heights Shopping Center. The sole purpose of this application, as will be discussed in greater detail herein, is to request that the Planning Board approve the number of parking spaces required for the existing building on the property in accordance with Section 27-574(a) of the Prince George's County Code. Since the determination of adequacy of parking is to be made at the time of DSP, and since no CSP has ever been approved for the Subject Property, this CSP is filed in conjunction with a companion DSP (DSP-18016).

The property which is the subject of this application is Lot 1, as shown on a plat of subdivision titled "Marlow Heights", which plat is recorded among the Land Records of Prince George's County at Plat Book 24 Plat No. 73 (the "Subject Property"). The Subject Property contains a total of 10,927 square feet. The Subject Property is zoned M-X-T. The Subject Property is improved with a two story, 10,176 square foot office building known as "Marlow Heights Center". Off street parking is provided for the office building. A portion of the parking is provided on the Subject Property. However, the majority of the parking spaces serving the

Subject Property are provided on an adjacent parcel of land owned by the Applicant. This parcel of land is described as Parcel 484 on Tax Map 88. Parcel 484 is zoned R-30. While not included in this CSP because it is zone R-30 and no CSP is required, it is depicted on the site plan to show the interrelationship between the two properties.

The Subject Property and Parcel 484 are located on the southwest corner of 28th Avenue and Riviera Street. Across Riviera Street to the east is an office building (constructed in 1971) which contains 100,000 square feet. To the south is a single family detached home zoned R-55. To the west, surrounding Parcel 484 on both its southern and western boundary lines, is a 2.37 acre parcel with a large surface parking lot. This property is owned by the same entity as owns the office building across Riviera Street and the two properties have been in common ownership since the office building was constructed. This property is zoned R-30. Finally, to the north across Rivera Street is the Marlow Heights Shopping Center in the C-S-C (DDO) zone.

As evidenced by aerial photographs, the Subject Property and Parcel 484 have operated without significant change, since the office building was constructed. This is supported by the zoning history of the two properties. On December 8, 1967, Special Exception SE-16854 was approved by the Prince George's County Council, sitting as the District Council, to allow Parcel 484 to be used as an automobile parking compound in conjunction with the development of the Subject Property. A copy of Zoning Resolution

No. 581 is attached hereto. According to SDAT records, the office building on the Subject Property was constructed in 1968.

The Applicant has attempted to obtain use and occupancy permits for its tenants for several years. However, in the review of such applications, the permit review division has determined that not only does the building not have sufficient parking to satisfy the current requirements of Section 27-568 of the Zoning Ordinance, it does not have sufficient parking to satisfy the requirements in existence when the building was constructed in 1968. Due to the age of the building, there do not appear to be permit records from which to conclude how the building was originally approved. If those records had been available and showed that the permit was issued in error, the applicant could pursue validation of a permit issued in error. Since those records do not exist, the Applicant commenced the process of filing a Departure from Parking and Loading Standards (application number DPLS-456 was assigned to the Subject Property). However, it has now been determined that because the parking requirements of Section 27-568 are not applicable in the M-X-T zone, a DPLS cannot be approved for the Subject Property. Thus, the only way to resolve the issues preventing issuance of use and occupancy permits is to file this Conceptual Site Plan and a Detailed Site Plan in order to obtain approval of the Planning Board of the number of parking spaces provided and utilized for the property for the past 50 years. In this instance, the Applicant proposes no construction or alteration of the existing building. The sole purpose of this

application is to seek approval of the number of parking spaces provided to serve the property. The adequacy of parking will be addressed in the companion DSP.

2.0 ANALYSIS OF CONFORMANCE WITH THE REQUIREMENTS OF A CONCEPTUAL SITE PLAN

The M-X-T zone, unlike the prior C-O zone, requires approval of a conceptual site plan. Since all prior approvals were obtained under the C-O zoning category, a Conceptual Site Plan is required. This Conceptual Site Plan is filed to fulfill this requirement.

In addition, the M-X-T zone requires that a mix of uses be provided. Specifically, Section 27-547(d) states as follows:

> (d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:
>
> (1) Retail businesses;
>
> (2) Office, research, or industrial uses;
>
> (3) Dwellings, hotel, or motel.

The office building is fully leased, and includes office, retail and institutional uses. The mix of uses is shown on the site plan. Thus, this requirement is satisfied.

In the M-X-T zone, a conceptual site plan is required to be approved. In order to approve a Conceptual Site Plan, the Planning Board must make certain findings, which are set forth in

Section 27-276(b) of the Zoning Ordinance. Section 27-276(b)(2) and (b)(3) are not applicable because the Subject Property is not a Mixed-Use Planned Community or a Regional Urban Community. Sections 27-276(b)(1) and (b)(4) are applicable to this application and will be addressed below.

Section 27-276(b)(1) provides as follows:

> **"The Planning Board may approve a Conceptual Site Plan if it finds that the Plan represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make this finding, the Planning Board may disapprove the Plan."**

COMMENT: The Applicant submits that the proposed CSP for the Subject Property does represent a most reasonable alternative for satisfying the site design guidelines. As noted above, the Subject Property was developed under regulations in effect in 1968 and has remained virtually unchanged since that time. No new development or modifications to the site are proposed.

The Site Design Guidelines are contained in Section 27-274. These Site Design Guidelines address General matters, Parking, Loading and Circulation, Lighting, Views, Green Area, Site and Streetscape Amenities, Grading, Service Areas, Public Spaces, Architecture and Townhouses. In this case, the building is existing and no new improvements are proposed, and the building was constructed under prior regulations. Since the Applicant seeks to make no new improvements, there are no conflicts between the proposed development and the Site Design Guidelines.

Section 27-276(b)(4) provides as follows:

"The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5)."

In this case, the Subject Property is fully developed and there are no regulated environmental features. Thus, the CSP conforms to this requirement.

In addition to the above findings, the Planning Board must make the findings set forth in Section 27-546(d)(1)-(11), which are related specifically to the M-X-T zone. Each of the subsections will be set forth below, with a corresponding comment, which provides as follows:

(1) The proposed development is in conformance with the purposes and other provisions of this Division;

COMMENT: The purposes of the M-X-T Zone are set forth in Section 27-542 of the Zoning Ordinance. There are a total of 10 purposes, several of which are promoted by this CSP. For example, one purpose of the M-X-T zone is to promote orderly development of land in the vicinity of major interchanges. The ability to be able to fully lease the building on the Subject Property promotes orderly development on a property near the intersection of Branch Avenue and St. Barnabas Road. Another purpose is to facilitate and encourage a 24 hour environment and to encourage an appropriate horizontal and vertical mix of uses. The Subject Property is in an area that exhibits a horizontal mix of office, retail and residential uses. The M-X-T zoning was meant to encourage redevelopment of the Marlow Height Shopping Center

across 28th Avenue. The continued use of the existing building is consistent with the Master Plan recommendations. A final purpose which is advanced in this case is to permit a flexible response to the market and promote economic vitality. The existing office building has been adequately served by the parking provided for 50 years. The M-X-T zone provides the flexibility to allow the building to continue to be used as originally constructed.

Each of the purposes discussed above is promoted by the CSP, which contributes to the implementation of the overall Master Plan and General Plan.

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

COMMENT: As stated above, the Subject Property was placed in the M-X-T Zone by the adoption of the 2008 Branch Avenue Corridor Sector Plan and Sectional Map Amendment. There are no specific guidelines or standards applicable to the Subject Property. The Subject Property was included within a 9.42 acre area of land zoned C-O and C-S-C which was rezoned to the M-X-T Zone. Regarding this area, the SMA states that the existing zoning does not allow for a mix of uses. The plan recommends that an appropriate mixed use technique be prepared to encourage redevelopment, and the M-X-T zone was placed on the property to ensure that the properties are not redeveloped under their

existing zoning. The Applicant does not propose redevelopment at this time, and any future redevelopment will be in accordance with the M-X-T zone as recommended by the SMA. The SMA does specifically recommend the redevelopment of the Marlow Heights Shopping Center across 28th Avenue and the Sector Plan includes concepts for such redevelopment. This redevelopment has not yet occurred and would be the catalyst for fringe properties, like the Subject Property, to redevelop at the appropriate time. Retention of the existing uses, especially since the building is fully tenanted, is appropriate for the present time.

(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;

COMMENT: As stated, no new development is proposed. The existing building is, however, oriented toward the streets it fronts and creates a more urban, pedestrian friendly streetscape. Sidewalks exist along both street frontages.

(4) The proposed development is compatible with existing and proposed development in the vicinity;

COMMENT: The existing development in the vicinity is dominated with commercial uses to the north. 28th Avenue is a mix of mostly office commercial and residential uses. The existing uses are compatible with the existing development in the vicinity.

(5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;

COMMENT: The existing tenant mix includes both office and retail uses. These uses exist in a single building. The building has operated for 50 years and has demonstrated the ability to sustain an independent environment of continuing quality and stability.

(6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;

COMMENT: No new development is proposed. This provision is not applicable to the CSP application.

(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;

COMMENT: The property has frontage on two roads, each of which has full sidewalks connecting the Subject Property to adjacent uses.

(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and

COMMENT: The current plan is a CSP. This issue will be addressed at the time of DSP.

(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The

finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

COMMENT: The property was placed in the M-X-T zone by a Sectional Map Amendment, but no new development is proposed.

(10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.

COMMENT: This finding is not applicable to the Subject Property as no new development is proposed.

(11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.

COMMENT: This provision does not apply to the Subject Property as it does not exceed 250 acres.

3.0 CONCLUSION

In conclusion, the Applicant submits that the proposed CSP represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. In addition, the other findings required for Conceptual Site Plans in the M-X-T zone can also be

made. For these reasons, the Applicants respectfully request approval of the CSP.

Respectfully submitted

6/8/18

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STATEMENT OF JUSTIFICATION
3710 RIVIERA STREET, TEMPLE HILLS, MD
DSP-18016

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STATEMENT OF JUSTIFICATION
3710 RIVIERA STREET, TEMPLE HILLS, MD
DSP-18016

1.0 INTRODUCTION

PAAP Properties, LLC is the owner of an existing office building located at 3710 Riviera Street, Temple Hills, Maryland and the Applicant for approval of this Conceptual Site Plan. The property is located at the corner of 28th Avenue and Riviera Street, directly across from the Marlow Heights Shopping Center. The sole purpose of this application, as will be discussed in greater detail herein, is to request that the Planning Board approve the number of parking spaces required for the existing building on the property in accordance with Section 27-574(a) of the Prince George's County Code. Since the determination of adequacy of parking is to be made at the time of DSP, and since no CSP has ever been approved for the Subject Property, a companion CSP is filed in conjunction with this DSP application (DSP-18001).

2.0 ORIENTATION AND PROPERTY DESCRIPTION

The property which is the subject of this application is Lot 1, as shown on a plat of subdivision titled "Marlow Heights", which plat is recorded among the Land Records of Prince George's County at Plat Book 24 Plat No. 73 (the "Subject Property"). The Subject Property contains a total of 10,927 square feet. The Subject Property is zoned M-X-T. The Subject Property is improved with a two story, 10,176 square foot office building.

Off street parking is provided for the office building. A portion of the parking is provided on the Subject Property. However, the majority of the parking spaces serving the Subject Property are provided on an adjacent parcel of land owned by the Applicant. This parcel of land is described as Parcel 484 on Tax Map 88. Parcel 484 is zoned R-30. Parcel 484 is not included in this DSP because it was developed pursuant to a special exception application and no DSP is required in the R-30 Zone for the existing use. Notwithstanding, it is depicted on the site plan to show the interrelationship between the two properties.

Photographs of all four sides of the existing building are provided as Exhibits "A"-"D". These photographs are intended to satisfy the requirements for providing architectural elevations in conjunction with a Detailed Site Plan application. As can be seen from the photographs. All four sides of the building are constructed out of brick. The building has a standing metal seam mansard roof. The main entrance to the building is from Riviera Street, where the western facade of the building faces. An entrance is also located along the eastern (rear) facade of the building which is accessed from the parking lot. All of the parking is located to the rear of the building.

The Subject Property and Parcel 484 are located on the southwest corner of 28th Avenue and Riviera Street. Across Riviera Street to the east is an office building (constructed in

1971) which contains 100,000 square feet. To the south is a single family detached home zoned R-55. To the west, surrounding Parcel 484 on both its southern and western boundary lines, is a 2.37 acre parcel with a large surface parking lot. This property is owned by the same entity as owns the office building across Riviera Street and the two properties have been in common ownership since the office building was constructed. This property is also zoned R-30. Finally, to the north across Rivera Street is the Marlow Heights Shopping Center in the C-S-C (D-D-O) zone.

3.0 APPROVAL HISTORY

According to SDAT records, the existing building on the Subject Property was constructed in 1968. This is consistent with the approval history which is available in County records. As evidenced by aerial photographs, the Subject Property and Parcel 484 have operated without significant change, since the office building was constructed. On December 8, 1967, Special Exception SE-1654 was approved by the Prince George's County Council, sitting as the District Council, to allow Parcel 484 to be used as an automobile parking compound in conjunction with the development of the Subject Property. A copy of Zoning Resolution No. 581 is attached hereto as Exhibit "E". At that time, Parcel 484 was zoned R-R and the Subject Property was zoned C-O.

Special Exception 1654 remains in effect. The Zoning Ordinance continues to allow parking in the R-30 zone to serve a use in an adjacent M-X-T Zone by special exception.

The Applicant has attempted to obtain use and occupancy permits for its tenants for several years. However, in the review of such applications, the permit review division has determined that not only does the building not have sufficient parking to satisfy the current requirements of Section 27-568 of the Zoning Ordinance, it does not have sufficient parking to satisfy the requirements in existence when the building was constructed in 1968. Due to the age of the building, there do not appear to be permit records from which to conclude how the building was originally approved. If those records had been available and showed that the permit was issued in error, the applicant could pursue validation of a permit issued in error. Since those records do not exist, the Applicant commenced the process of filing a Departure from Parking and Loading Standards.

Shortly after the Applicant purchased the property, the Branch Avenue Corridor Sector Plan and Sectional Map Amendment rezoned the Subject Property to the M-X-T Zone (Parcel 484 was retained in the R-30 Zone). In the M-X-T zone, the provisions of Section 27-568 are not applicable. Rather, Section 27-574 states that the number of parking spaces required are to be calculated by the Applicant and approved by the Planning Board at the time

of Detailed Site Plan. Due to this provision, it has now been determined that a DPLS cannot be approved for the Subject Property. Thus, the only way to resolve the issues preventing issuance of use and occupancy permits is to file a Detailed Site Plan. Since the M-X-T Zone requires a Conceptual Site Plan as well, and none has ever been approved for the Subject Property, a companion CSP has been filed in conjunction with the instant DSP application (CSP-18001). In this instance, the Applicant proposes no construction or alteration of the existing building. The sole purpose of this application is to seek approval of the number of parking spaces provided to serve the property.

4.0 CONFORMANCE WITH THE REQUIREMENTS OF SECTION 27-574(a)

As reflected on the Site Plan, a total of 22 parking spaces are provided on the Subject Property and Parcel 484 to serve the existing office building. The dimension of the parking spaces conforms to the pre-1970 requirements for parking. The Applicant has owned the Subject Property for almost 10 years and has found that the number of spaces provided is adequate to meet the needs of the building.

As referenced previously, previous permit applications have been filed by the applicant and reviewed by the Permit Review Division. A copy of permit review comments for Permit Number 19073-2011-U are attached hereto as Exhibit "F". In these

comments, it was noted that at the time the building was constructed in 1968, the number of parking spaces required was 1 parking space per 200 square feet. Also, only the space used for office purposes was counted. Hallways, bathrooms, and stairwells were not counted. At the time the building was constructed, it was said to contain 6,800 square feet of useable office space. Even with that amount, the parking required would have been 34 spaces. It was this conclusion that led to the filing of this application.

The Applicant has measured the area of the building within the four walls of each tenanted space and has determined that the useable square footage of the building is 7,550 square feet. The Applicant does not know how the calculation of useable area was made 50 years ago. The building was constructed as an office building initially, but currently has a mix of tenants, which is consistent with the intent of the M-X-T zone. If all of the uses in the building were general office tenants, the total number of parking spaces required (based upon a useable square footage of 7,550 square feet) would be 22. This is based upon providing 1 space per 250 square feet for the first 2,000 square feet plus 1 space for each 400 square feet above 2,000, as currently provided in Section 27-568. Today, while 24 spaces are striped on the parking lot, but only 22 parking spaces can be provided utilizing the dimension which existed when the building was constructed.

Therefore, only 22 parking spaces can be legally provided to serve the building. The tenants currently occupying the building include a church with 40 seats, a retail store selling nutritional products, a dentist and general offices. General office is still the predominant use.

Section 27-574(a) requires that the Applicant calculate the number of required parking spaces in accordance with the methodology set forth in Section 27-574(b). Included with this application is a Parking Analysis prepared by Lenhart Traffic Consulting, Inc. The Parking Analysis evaluated the parking demand for the current mix of uses and the parking demand for general office use.[1] A parking survey was conducted which concluded that the peak parking demand was 17 parking spaces. The 22 space parking lot provides a surplus of 5 parking spaces. To verify this study, the parking analysis also calculated the peak parking demand utilizing the Institute of Traffic Engineers Parking Generation Manual. The ITE Parking Generation Manual reflected a peak parking demand of 19 spaces. More details are provided in the report. The conclusion of the Parking Analysis is that with 22 parking spaces available, there is sufficient parking to serve not only the existing uses but also the

[1]The Parking Analysis notes that there are currently 24 parking spaces striped on site. However, in order to comply with the dimension requirements which applied to parking lots constructed prior to 1970, the parking lot will only be able to accommodate 22 parking spaces. The three additional parking spaces will need to be removed.

possibility that the tenant mix would change to include all office uses.

Consistent with the M-X-T zone, which encourages a mix of uses, varied uses have varied peak parking requirements. Under the stringent parking requirements of Section 27-568, each use must meet the minimum number of required parking spaces, even if the peak parking requirements do not result in a greater number of spaces required than are provided. This often results in the need to file a Departure from Parking and Loading Standards. The current mix of tenants demonstrates that uses which could not be accommodate under Section 27-568 can be accommodated under the peak parking analysis required by Section 27-574(a). With the inherent flexibility to mix uses provided under the current zoning, and the history of the current owner over a ten year period of ownership, the Applicant requests that the Planning Board approve the Detailed Site Plan with a finding that a parking lot with 22 parking spaces provides adequate parking to serve the existing and any proposed uses which may occupy the property.

5.0 CONFORMANCE WITH THE GENERAL PURPOSES OF DSP'S

The general and specific purposes of Detailed Site Plan (DSP) are contained in §27-281(b) and (c) of the Zoning Ordinance, and are expressed as follows:

(b) General purposes.

(1) The general purposes of Detailed Site Plans are:

(A) To provide for development in accordance with the principles for the orderly, planned, efficient, and economical development contained in the General Plan, Master Plan or other approved plans;

(B) To help fulfill the purposes of the zone in which the land is located;

(C) To provide for development in accordance with the site design guidelines established in this Division; and

(D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.

COMMENT: the Subject Property was placed in the M-X-T Zone by the adoption of the 2008 Branch Avenue Corridor Sector Plan and Sectional Map Amendment. There are no specific guidelines or standards applicable to the Subject Property. The Subject Property was included within a 9.42 acre area of land zoned C-O and C-S-C which was rezoned to the M-X-T Zone. Regarding this area, the SMA states that the existing zoning does not allow for a mix of uses. The plan recommends that an appropriate mixed use technique be prepared to encourage redevelopment, and the M-X-T zone was placed on the property to ensure that the properties are not redeveloped under their existing zoning. The Applicant does not propose redevelopment at this time, and any future redevelopment will be in accordance with the M-X-T

zone as recommended by the SMA. The SMA does specifically recommend the redevelopment of the Marlow Heights Shopping Center across 28th Avenue and the Sector Plan includes concepts for such redevelopment. This redevelopment has not yet occurred and would be the catalyst for fringe properties, like the Subject Property, to redevelop at the appropriate time. Retention of the existing uses, especially since the building is fully tenanted, is appropriate for the present time and is consistent with the Sector Plan recommendations.

The Applicant submits that the proposed DSP for the Subject Property does represent a most reasonable alternative for satisfying the site design guidelines. As noted above, the Subject Property was developed under regulations in effect in 1968 and has remained virtually unchanged since that time. No new development or modifications to the site are proposed.

The Site Design Guidelines are contained in Section 27-274. These Site Design Guidelines address General matters, Parking, Loading and Circulation, Lighting, Views, Green Area, Site and Streetscape Amenities, Grading, Service Areas, Public Spaces, Architecture and Townhouses. In this case, the building is existing and no new improvements are proposed. The building was constructed under prior regulations. Since the Applicant seeks to make no new improvements, there are no

conflicts between the proposed development and the Site Design Guidelines.

6.0 CONFORMANCE WITH PURPOSES AND REGULATIONS OF THE M-X-T ZONE.

The purposes of the M-X-T Zone are set forth in Section 27-542 of the Zoning Ordinance, as set forth below.

Sec. 27-542. - Purposes.

(a) The purposes of the M-X-T Zone are:

(1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

(2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;

(3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;

(4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;

(5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity,

and the interaction between the uses and those who live, work in, or visit the area;

(6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;

(7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;

(8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;

(9) To permit a flexible response to the market and promote economic vitality and investment; and

(10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

Comment: There are a total of 10 purposes, several of which are promoted by this DSP. For example, one purpose of the M-X-T zone is to promote orderly development of land in the vicinity of major interchanges. The ability to be able to fully lease the building on the Subject Property promotes orderly development on a property near the intersection of Branch Avenue and St. Barnabas Road. Another purpose is to facilitate and encourage a 24 hour environment and to encourage an appropriate horizontal and vertical mix of uses. The Subject Property is in an area that exhibits a horizontal mix of office, retail and residential uses. The M-X-T zoning was

meant to encourage redevelopment of the Marlow Height Shopping Center across 28th Avenue. The continued use of the existing building is consistent with the Sector Plan recommendations. A final purpose which is advanced in this case is to permit a flexible response to the market and promote economic vitality. The existing office building has been adequately served by the parking provided for 50 years. The M-X-T zone provides the flexibility to allow the building to continue to be used as originally constructed.

Each of the purposes discussed above is promoted by the DSP, which contributes to the implementation of the overall Sector Plan and General Plan.

7.0 CONFORMANCE WITH SPECIFIC PURPOSES OF THE DETAILED SITE PLAN

Sec. 27-281 (c) lists the specific purposes of a detailed site plan. There are four specific purposes listed, each of which is addressed below:

> **Sec. 27-281 (c) (1)(A): To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site.**

COMMENT: The submitted Detailed Site Plan demonstrates the location of the existing building, parking facilities, streets and green areas, as required.

Sec. 27-281 (c)(1)(B): To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site.

COMMENT: No new development is proposed. The submitted DSP included in this application shows the existing improvements.

Sec. 27-281 (c)(1)(C): To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site.

COMMENT: No recreation facilities are proposed. All street furniture is existing.

Sec. 27-281 (b)(1)(D): To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.

COMMENT: No covenants or agreements will be required.

8.0 CONFORMANCE WITH CRITERIA OF APPROVAL--DETAILED SITE PLANS

The Planning Board must also find that the Detailed Site Plan satisfies the criteria of approval set forth in Section 27-285(b) of the Zoning Ordinance. These criteria are set forth below.

(b) Required findings.

(1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it

cannot make these findings, the Planning Board may disapprove the Plan.

COMMENT: The proposed development does represent a reasonable alternative for satisfying the site design guidelines. The site is fully developed and has been utilized for the past 50 years. No modifications or additions are proposed.

The design guidelines are set forth is Sections 27-283 and 27-274 of the Zoning Ordinance. Section 27-283 applies to Detailed Site Plans, and states that the site design guidelines are the same as those required for a Conceptual Site Plan, which are contained in Section 27-274. However, the guidelines shall only be used in keeping with the character and purpose of the proposed type of development. The Site Design Guidelines are addressed above.

In addition to the above findings, the Planning Board must make the findings set forth in Section 27-546(d)(1)-(11), which are related specifically to the M-X-T zone. Each of the subsections will be set forth below, with a corresponding comment, which provides as follows:

(1) The proposed development is in conformance with the purposes and other provisions of this Division;

COMMENT: The purposes of the M-X-T Zone are set forth in Section 27-542 of the Zoning Ordinance and are addressed in Section 6 of this Justification above.

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

COMMENT: As stated above, the Subject Property was placed in the M-X-T Zone by the adoption of the 2008 Branch Avenue Corridor Sector Plan and Sectional Map Amendment. There are no specific guidelines or standards applicable to the Subject Property. The Subject Property was included within a 9.42 acre area of land zoned C-O and C-S-C which was rezoned to the M-X-T Zone. Regarding this area, the SMA states that the existing zoning does not allow for a mix of uses. The plan recommends that an appropriate mixed use technique be prepared to encourage redevelopment, and the M-X-T zone was placed on the property to ensure that the properties are not redeveloped under their existing zoning. The Applicant does not propose redevelopment at this time, and any future redevelopment will be in accordance with the M-X-T zone as recommended by the SMA. The SMA does specifically recommend the redevelopment of the Marlow Heights Shopping Center across 28th Avenue and the Sector Plan includes concepts for such redevelopment. This

redevelopment has not yet occurred and would be the catalyst for fringe properties, like the Subject Property, to redevelop. Retention of the existing uses, especially since the building is fully tenanted, is appropriate for the present time.

(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;

COMMENT: As stated, no new development is proposed. The existing building is, however, oriented to the streets it fronts and creates a more urban, pedestrian friendly streetscape. Sidewalks exist along both street frontages.

(4) The proposed development is compatible with existing and proposed development in the vicinity;

COMMENT: The existing development in the vicinity is dominated with commercial uses to the north. 28th Avenue is a mix of mostly office commercial and residential uses. The existing uses are compatible with the existing development in the vicinity.

(5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;

COMMENT: The existing tenant mix includes both office and retail uses. These uses exist in a single building. The

building has operated for 50 years and has demonstrated the ability to sustain an independent environment of continuing quality and stability.

(6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;

COMMENT: No new development is proposed. This provision is not applicable to the CSP application.

(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;

COMMENT: The property has frontage on two roads, each of which has full sidewalks connecting the Subject Property to adjacent uses.

(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and

COMMENT: All improvements on the Subject Property are existing, and there is adequate attention paid to pedestrian circulation around the site.

(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be

provided by the applicant, or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

COMMENT: The property was placed in the M-X-T zone by a Sectional Map Amendment, but no new development is proposed.

(10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.

COMMENT: This finding is not applicable to the Subject Property as no new development is proposed.

(11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.

COMMENT: This provision does not apply to the Subject Property as it does not exceed 250 acres.

9.0 CONCLUSION

In conclusion, the Applicants submit that the proposed DSP represents a most reasonable alternative for

satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. In addition, the other findings required for Detailed Site Plans in the M-X-T zone can also be made. For these reasons, the Applicants respectfully request approval of the DSP.

Respectfully submitted

Thomas H. Haller 6/12/18
Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
(301) 306-0033

Google Maps 3710 Riviera St

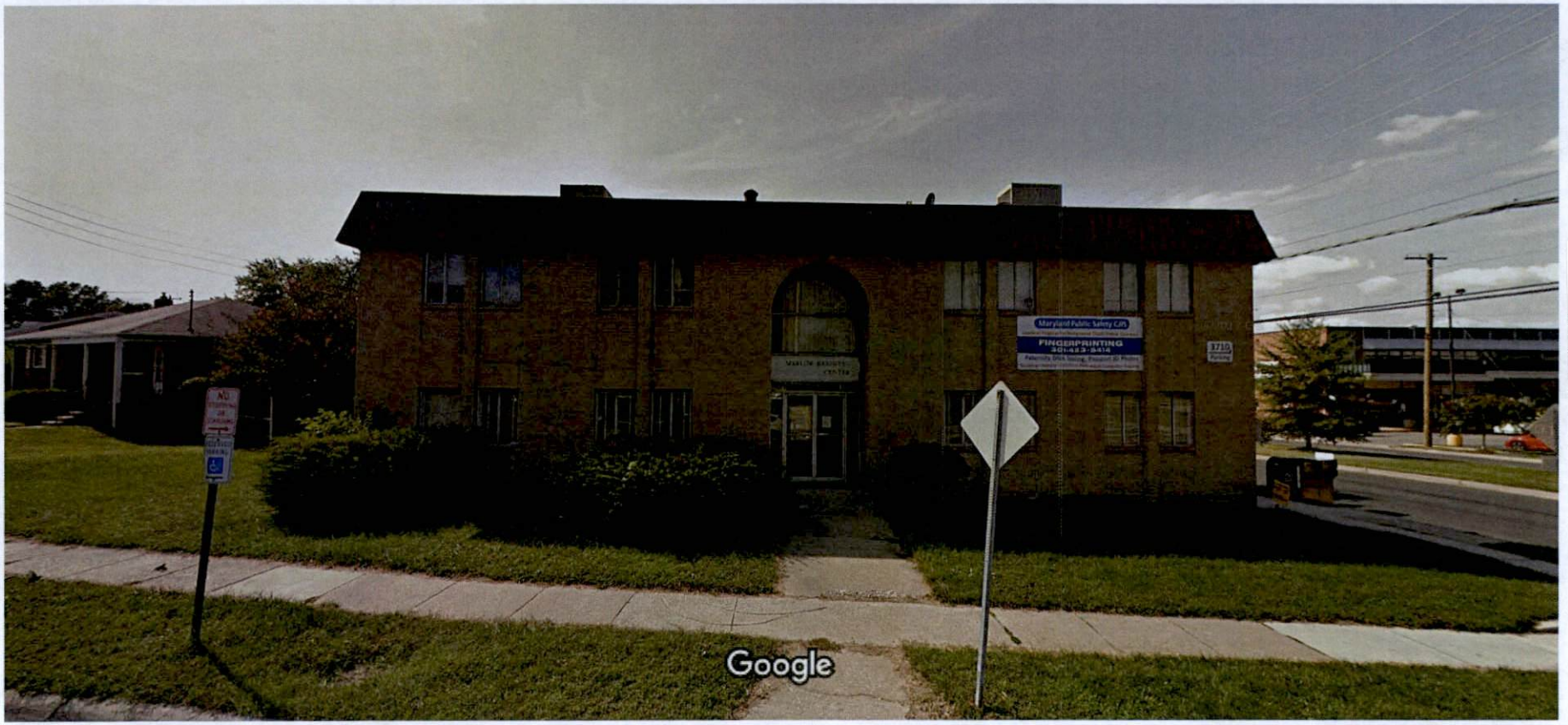


Image capture: Sep 2017 © 2018 Google

Marlow Heights, Maryland

Google, Inc.

Street View - Sep 2017

Exhibit "A"

Google Maps 28th Ave

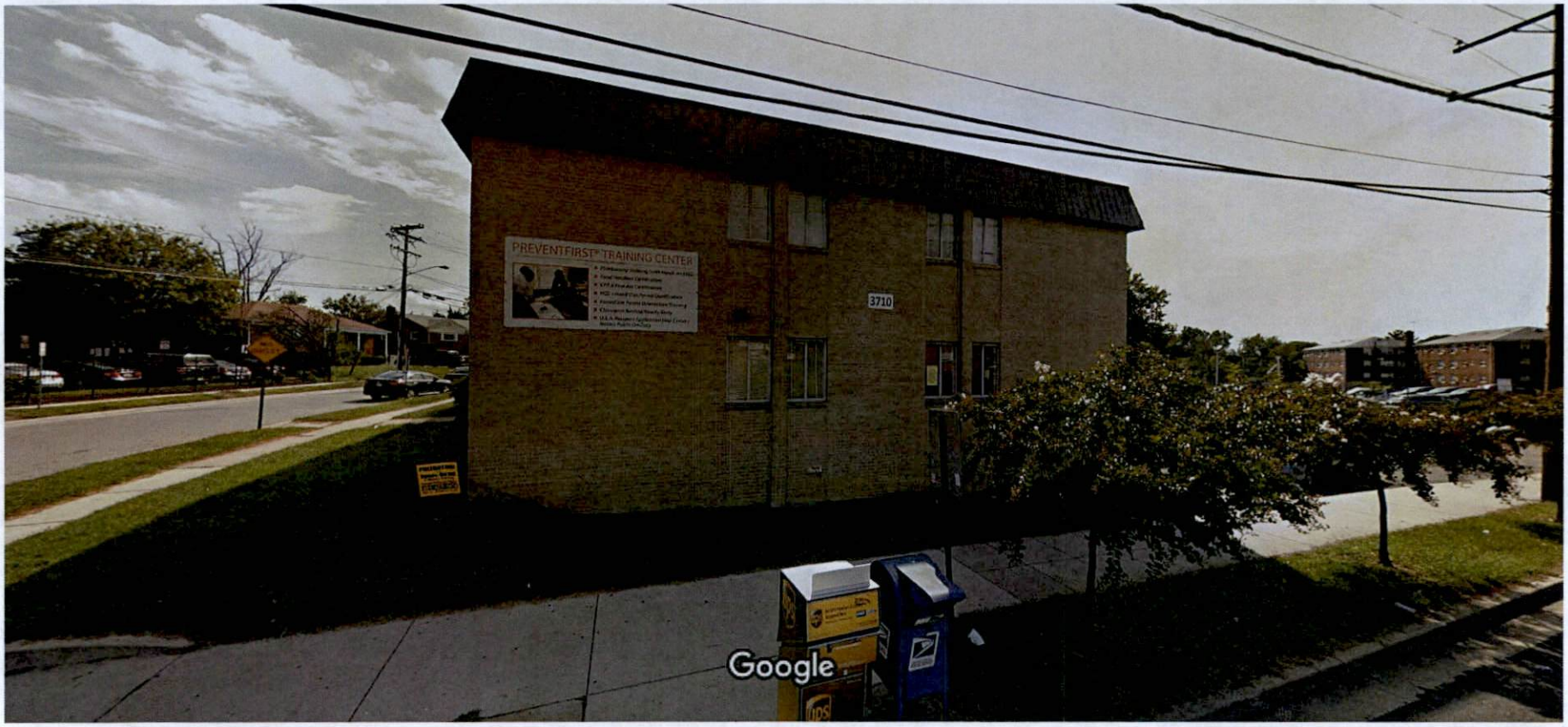


Image capture: Sep 2017 © 2018 Google

Marlow Heights, Maryland

Google, Inc.

Street View - Sep 2017

Exhibit "B"

Google Maps 28th Ave

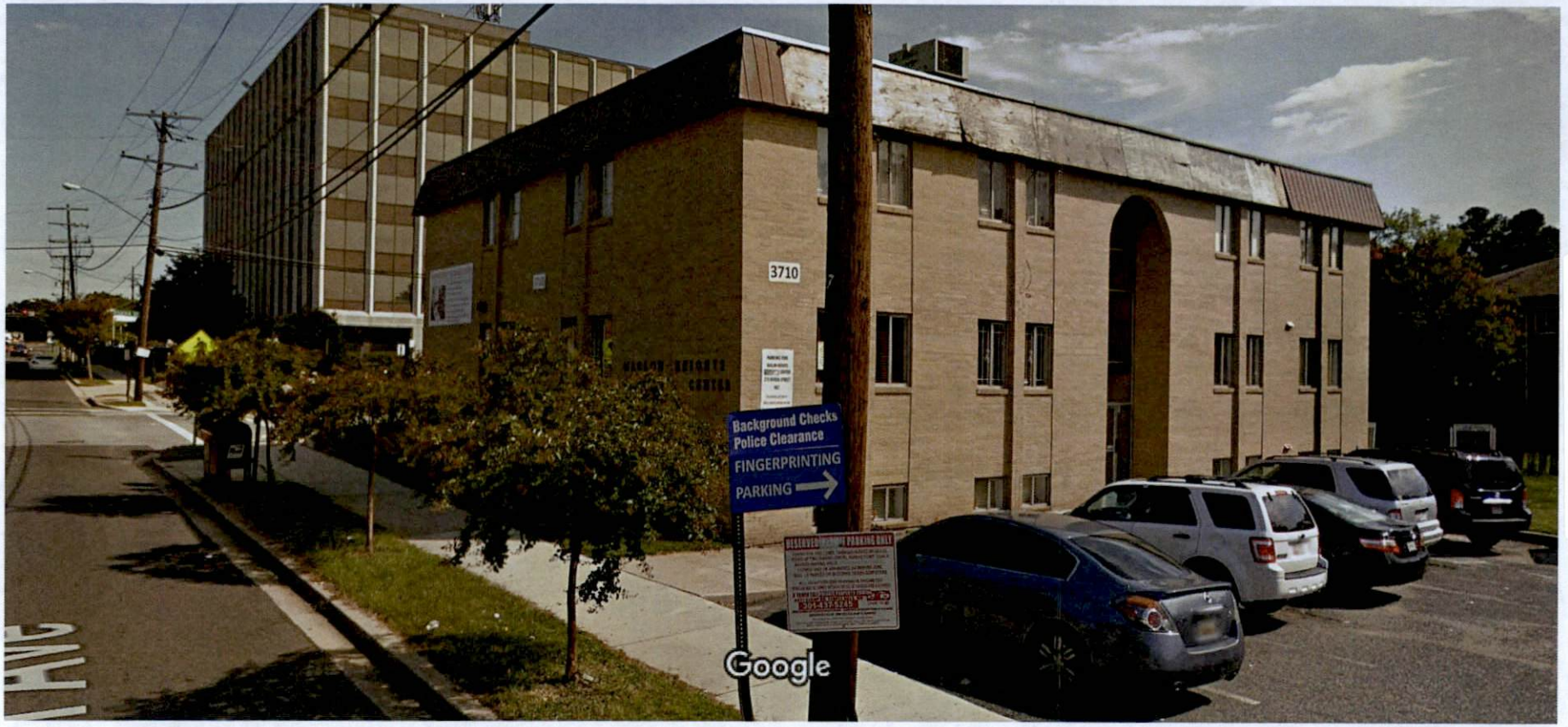


Image capture: Sep 2017 © 2018 Google

Marlow Heights, Maryland

Google, Inc.

Street View - Sep 2017

Exhibit "C"

Google Maps 3680 Riviera St

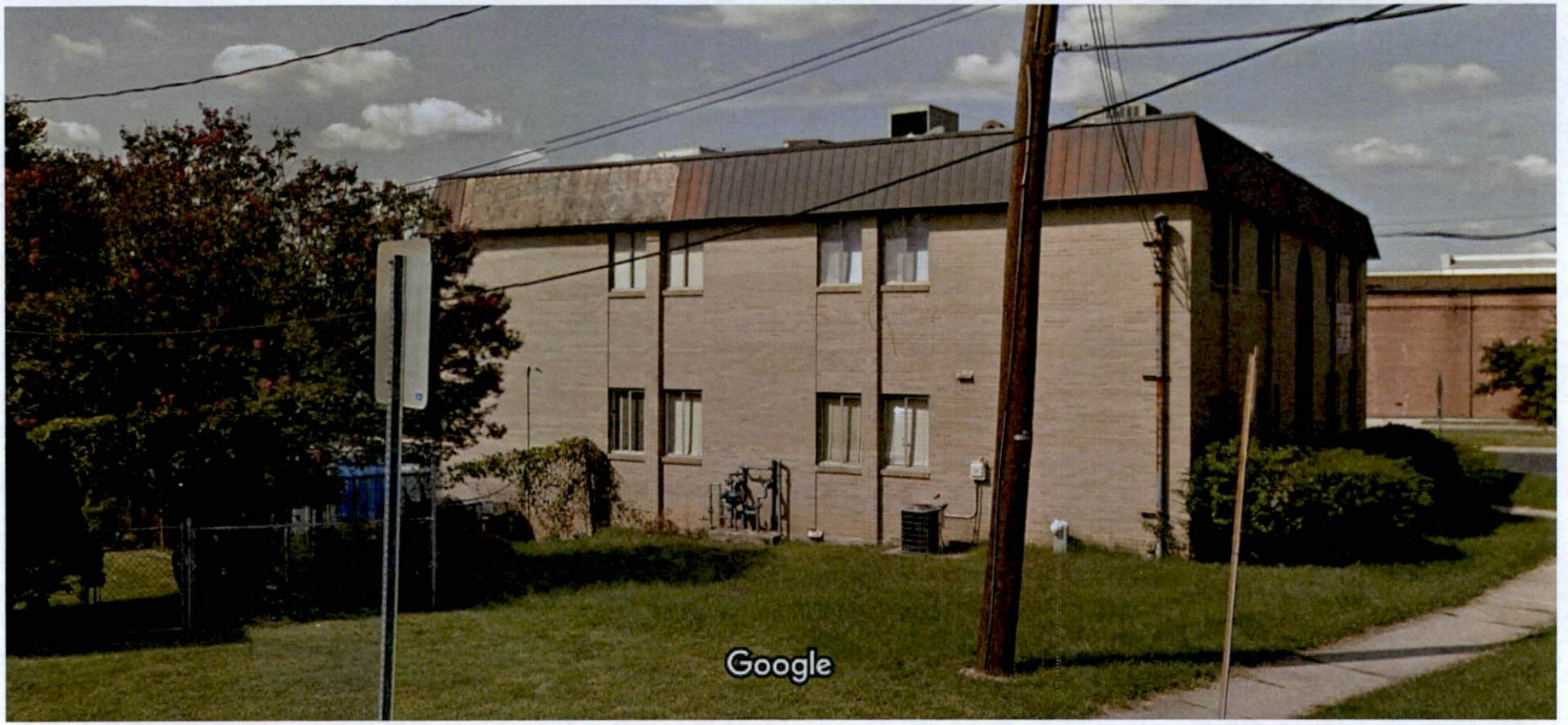


Image capture: Sep 2017 © 2018 Google

Marlow Heights, Maryland

Google, Inc.

Street View - Sep 2017

Exhibit "D"

PRINCE GEORGE'S COUNTY
Courthouse, Upper Marlboro, Maryland 20870
TELEPHONE: 627-3000 (AREA CODE 301)

COUNTY COMMISSIONERS
GLADYS NOON SPELLMAN, CHAIRMAN
FRANCIS B. FRANCOIS, VICE CHAIRMAN
FRANCIS J. ALUISI
JESSE S. BAGGETT
M. DAYNE BROOKE

OFFICE OF CLERK TO
COUNTY COMMISSIONERS

NO. S.E. #1654
Pitt

NOTICE OF FINAL DECISION
OF DISTRICT COUNCIL

Pursuant to Section 79(e), Chapter 780, Laws of Maryland, 1959, as amended by Chapter 898 of the Laws of Maryland, 1965, requiring service of the final decision of the District Council, you will find enclosed herewith a copy of the Board Order setting forth the action taken by the District Council in your case on December 8, 1967.

CERTIFICATE OF SERVICE

This is to certify that on December 20, 1967, the above notice and attached Board Order were mailed, postage prepaid, to the following named persons of record at the District Council's Hearing:

Herbert W. Reichelt, Esq.
Applicant or Applicant's Representative

MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Jean M. Schmuhl, Clerk
Board of County Commissioners

jb

SE 1654

Exhibit "E"

DISTRICT COUNCIL FOR PRINCE GEORGE'S COUNTY, MARYLAND

ZONING PROPOSAL NO. 581 1967

ZONING RESOLUTION NO. 581 1967

To grant a special exception to the Zoning Regulations for the Maryland-Washington Regional District of Prince George's County.

WHEREAS a petition for a special exception to the Zoning Regulations has been filed by Edward M. Pitt (Architect) Agent, Herbert W. Reichelt, Attorney, (Application No. 1654)

to use the property known as a parcel of land containing 4,225 square feet (65 feet x 65 feet) adjoining the west side of the land owned by Dr. Francis Chiaramonte, located at the southwest corner of the intersection of 28th Avenue and Riviera Street, Marlow Heights,

in the R-R zone for the purpose of an automobile Parking compound.

WHEREAS after public hearing the County Commissioners for Prince George's County, sitting as the District Council of the Maryland-National Capital Park and Planning Commission, has found that the proposed use is in harmony with the purpose and intent of the general plan for the physical development of the District, and will not affect adversely the health and safety of the residents or workers in the area and will not be detrimental to the use of development of adjacent properties or the general neighborhood,

SECTION 1. Be it resolved by the County Commissioners for Prince George's County, sitting as the District Council of the Maryland-National Capital Park and Planning Commission. That the special exception as requested be and it is hereby granted.

SECTION 2. And be it further resolved, That this resolution shall take effect from the date of its adoption.

ADOPTED THIS 8th DAY OF December 1967

COUNTY COMMISSIONERS FOR PRINCE GEORGE's COUNTY, MARYLAND.

ATTEST:

Jean Dye Edmonds
CLERK

BY Charles Noad Gallahan
PRESIDENT

SE 1654

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
PERMIT REVIEW SECTION
14741 Governor Oden Bowie Drive, Upper Marlboro MD 20772.

Permit Reviewer:	Debbie Gallagher	19073-2011-U
Telephone Number:	(301) 952-3216	July 7, 2011
Fax Number:	(301) 952-4141	

The following comments were generated from permit review. Any questions or concerns regarding the following should be directed to the reviewer at the phone number provided above. *Further comments may be generated when the appropriate information has been submitted. Revised plans and required information must be submitted to the Permit Review Section.*

1. Inadequate site plan for review, the applicant must contact the Management Company and have them provide an updated parking schedule that includes a listing of the unit number, square footage and use of each unit. The existing building was constructed in 1968 for a medical office building of 6800 square feet. The parking required for office in 1968 was one parking space for every 200 square feet of office purpose only, all hallways, bathroom and stairwells can be deducted from the gross floor area. The parking for the barber shop is one space for every 150 square feet. The site plan must be updated to demonstrate the required parking spaces to be shown at 10 feet by 20 feet in size with a minimum of 18 foot drive aisles. There must be sufficient parking to support all of the use's within the building. ***7/29/11 – see comments generated n 7/29/11 below.***

7/7/2010 I emailed the comments to Carlos Austin at Blesslosaustin1@yahoo

7/18/2011 I called and left a message for Carlos Austin to contact me regarding his submittal dropped off on 7/14/2011. I also e-mailed the comments to Mr. Austin again.

7/14/2011 The applicant dropped off the same site plan and a copy of his job card, what was submitted does not address his permit comments. Again Mr. Austin needs to contact the management company for the required information.

7/18/11 – Mr. Austin called and we discussed the comments. I also noticed in E Permits that his permit was in a revoked status to a returned check. I instructed him to contact the Permits office in Largo to check on this. MPH

7/21/11 – The property owner called and the comments were discussed. Comments faxed to Art at 814-623-1118.

7/29/11 – A parking schedule was submitted and a total of 33 parking spaces are required based on the uses and floor areas provided under current parking ratios. A site plan must still however be submitted in accordance with comment #1 above. **Note:** The building was constructed as a medical office in 1968 and the parking required for all offices in 1968 was one parking space for every 200 square feet of office purpose only - all hallways, bathroom and stairwells can be deducted from the gross floor area. Therefore if the area of the hallways, mechanical rooms, and stairwells can be submitted, this area could be deducted and the parking could be calculated under the 1968 requirements to see if less parking would be required. I faxed the revised comments to Art. MPH

Exhibit "F"

8/24/11 – Per the revised parking schedule either 32 parking spaces are required applying pre 1970 calculations for all of the office areas including vacant unit 1-A, or 29 parking spaces are required using current parking calculations with the vacant unit 1-A calculated as general office along with 2-C, 2-A, 2-B, 2-D. A site plan must still be submitted in accordance with comment #1 above. I faxed the revised comments to Art. MPH

9/14/11 – Mr. Halvorson faxed over a site plan however it was not to scale. I called him and told him to submit a plan to scale. The plan was not scanned.

9/29/11 – Mr. Halvorson faxed another site than which is still not to scale. The spaces scale 1:30 but not the building dimensions, etc. I called and spoke with Mr. Halvorson.

12/13/11 – Mr. Halvorson faxed another site plan. The parking spaces scale 1:30 but not the building or property dimensions. Also only 24 spaces are now shown and a minimum of 29 are required per the parking schedule. I called and left a message for Mr. Halvorson.

12/13/11 – Mr. Halvorson faxed another plan which still does not scale the parking, building, and property dimensions. This plan only shows 20 parking spaces which is not adequate for the uses in the building.

6/21/12 – Mr. Halvorson faxed a plan and schedule. There appears to be parking spaces shown within the driveway entrance which must be removed. The plan is slightly off scale so I cannot determine if the spaces are 10' x 20' or 9' x 22.25'. Also, unit G-2 was deleted from the schedule. I called and discussed these issues with Mr. Halvorson. I faxed revised comments, definition of gfa, and the required parking for the building using pre 1970 as all office, using current general and medical calculations, and finally using current calculations for all general office.

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

Memorandum: *Date:* **May 24, 2018**

TO: M-NCPPC - Development Review Division
Room 4150
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

FROM: Mike Lenhart

RE: 3710 Riviera Street -- Parking Analysis per M-X-T Zoning Requirements

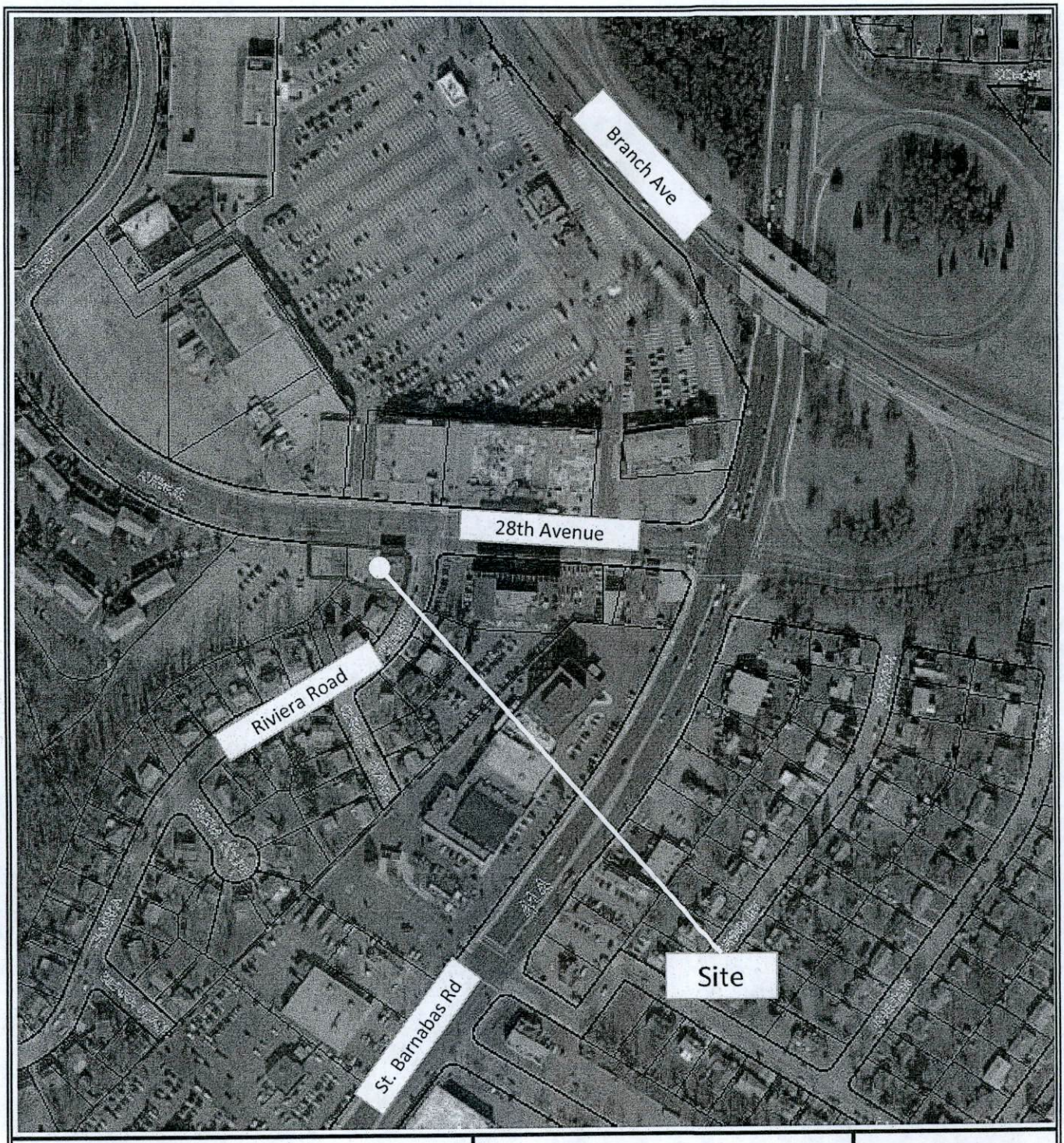
Introduction

Section 27-574(a) of the Zoning Ordinance provides that "the number of parking spaces required in the M-X-T Zone and in a Metro Planned Community are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations." This memorandum is to provide a parking assessment for the site, which is located within the M-X-T zone, per the guidelines detailed in Section 27-574(a) of the Zoning Ordinance. **Exhibit 1** provides a site location map for the site located at 3710 Riviera Street in Temple Hills, Maryland. The site contains a two (2) story office building with a mix of office, retail, and church uses. It should be noted that the gross floor area of the site is 10,176 square feet, while the leasable area within the building (excluding stair wells, restrooms, etc.) is 7,550 square feet.

The number of parking spaces required is to be calculated in accordance with the methodology set forth in Section 27-574(b). The first step in determining the number of required spaces is to calculate the peak parking demand. In this regard, Section 27-574(b)(1) states as follows. "Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one (1) hour and are to be known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied)." Section (b)(2) and (b)(3) go on to recommend an hourly distribution of each use within the M-X-T zone to determine the hourly fluctuation and the resulting peak parking demand for the overall site. However, the parking requirements set forth in the zoning ordinance is simply a parking schedule and does not translate to an actual peak parking demand. It may, in many cases, be appropriate to utilize the minimum parking requirements set forth in Section 27-568 as the peak parking demand, but this is often not an accurate indicator of peak parking demand and may result in providing excess parking which increases impervious area, adds unnecessary development cost, and underutilizes land intended for more dense development. The subject property presents such a situation. In order to supplement the provisions of Section 27-568, we have considered the ITE Parking Generation Manual to determine the appropriate peak parking demand for the site. The ITE Parking Generation Manual is based on empirical data and actually provides peak parking demand projections, as well as hourly parking demand rates relative to the peak.

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

OFFICE: (410) 216-3333
FAX: (443) 782-2288
EMAIL: mlenhart@lenharttraffic.com



Parking Demand Study	Site Location Map	**Exhibit 1**
LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com		

Current Parking Demand – Based on Parking Utilization Counts

Exhibit 2 shows an aerial map of the site with the border of the property outlined in blue. For the purposes of this report, the site is assumed to have 22 available parking spaces based on the Pre-1970 Prince George's County Parking requirements, which mandate that each parking space be a minimum of 200 square feet.

In order to determine actual parking demand for the site, parking utilization counts were conducted from 6 AM to 7 PM on Tuesday, January 23, 2018, and Wednesday, January 24, 2018. **Exhibit 3** shows the results of the parking demand study. The parking count includes all vehicles parked on site including the two handicap spaces. **Exhibit 4** shows a bar graph of the hourly parking demand relative to the available parking spaces (22) for the property.

The parking demand study revealed that the maximum parking demand was 17 vehicles. The maximum parking demand for the site was observed to occur between 10:30 AM and 11 AM on Tuesday, January 23, 2018. It should be noted that on the following day, the maximum parking demand was 10 vehicles. With the existing total of 22 parking spaces, there remains a surplus of at least five (5) parking spaces at the peak times.

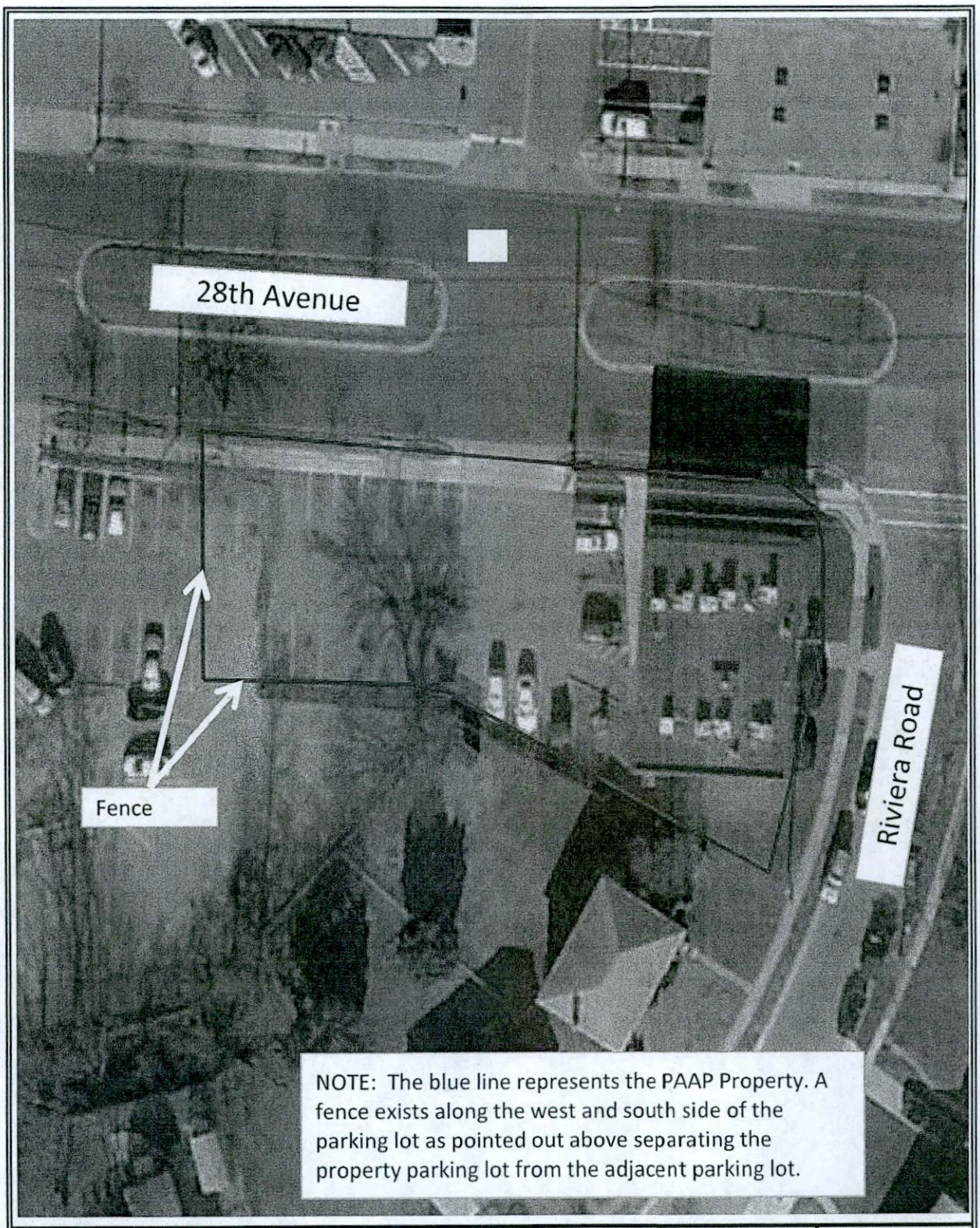
Based on the results of the parking demand evaluation using existing parking utilization counts:

- The building currently has a maximum parking demand of 17 vehicles.
- The building was fully leased and occupied on the dates the study was conducted.
- Based on this information, the existing 22 parking spaces provides adequate parking for the building and has a surplus of at least five (5) spaces at the peak parking demand.

Prince George's County Parking Codes

Section 27 – 568 of the Prince George's County Code of Ordinances details the requirements for off-street parking for a variety of land uses. The list of tenants within the site, as well as their land use classification per the Zoning Ordinance and square footage, is as follows:

- Dentist (Medical Practitioner's Office/Medical Clinic - In an Office Building) – 650 SF
- Herbalife Nutrition (Commercial Trade – Normal Parking Generation Group) – 650 SF
- Church (Church or Similar Place of Worship) – 2,100 SF/40 Seats
- Office Building – Except Medial Practitioner's Offices (sum of uses below) – 4,150 SF
    - Ministry Outreach – 1,400 SF
    - Auto Tag/Title – 650 SF
    - DNA Testing – 2,100 SF



Parking Demand Study	Site Layout and Boundary	**Exhibit 2**
LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com		

The parking requirements per Section 27-568 for each of the uses are as follows:

- Medical Practitioners' Office/Medical Clinic - In an Office Building – 650 SF: 1 space/200 SF
  - 4 spaces required
- Commercial Trade – Normal Parking Generation Group – 650 SF: 1 space/150 SF
  - 5 spaces required
- Church or Similar Place of Worship – 40 Seats: 1 space/4 seats
  - 10 spaces required
- Office Building – Except Medial Practitioner's Offices – 4,150 SF: 1 space/250 SF up to 2,000 SF + 1 space/400 SF over 2,000 SF
  - 14 spaces required

Based on Section 27-568 of the Zoning Ordinance, the total required parking spaces for the site would be 33 spaces, as shown above. However, as described previously, the M-X-T requirements in Section 27-574 (b)(2) and (b)(3) recommend an hourly distribution for each use within the M-X-T zone to determine the hourly fluctuation and the resulting peak parking demand for the overall site. Since no guidance on hourly distributions is provided in the Zoning Ordinance, the ITE Parking Generation Manual was utilized to determine the hourly demand for the site. The ITE Parking Generation Manual is based on empirical data and actually provides hourly fluctuations in parking demand relative to the peak.

The ITE Parking Generation Manual shows that peak parking demand for both Medical-Dental Office Buildings [ITE-720] and general Office Buildings [ITE-701] occurs at 10:00 AM on a typical weekday. Given the breakdown of the number of spaces by use within the building, this hour will be the peak hour for the site. During this time period a Pharmacy/Drugstore without Drive-Through Window [ITE-880] (best approximation for Herbalife Nutrition/Commercial Trade component of building) operates with 35% of its peak parking demand, thereby requiring 2 spaces for this site (5 spaces x 35%). A Church [ITE-560] would have 8% of its peak utilization on a weekday at 10:00 AM, resulting in 1 spaces for this site (10 spaces x 8%). As such, the parking demand during the weekday peak hour (10:00 AM) is 21 vehicles.

Based on the results of the County Parking Code evaluation:

- The parking demand, as calculated per Section 27-574 of the Zoning Ordinance, is 21 vehicles during the peak hour for the site.
- Based on this information, the existing 22 parking spaces provides adequate parking for the building at the peak parking demand.

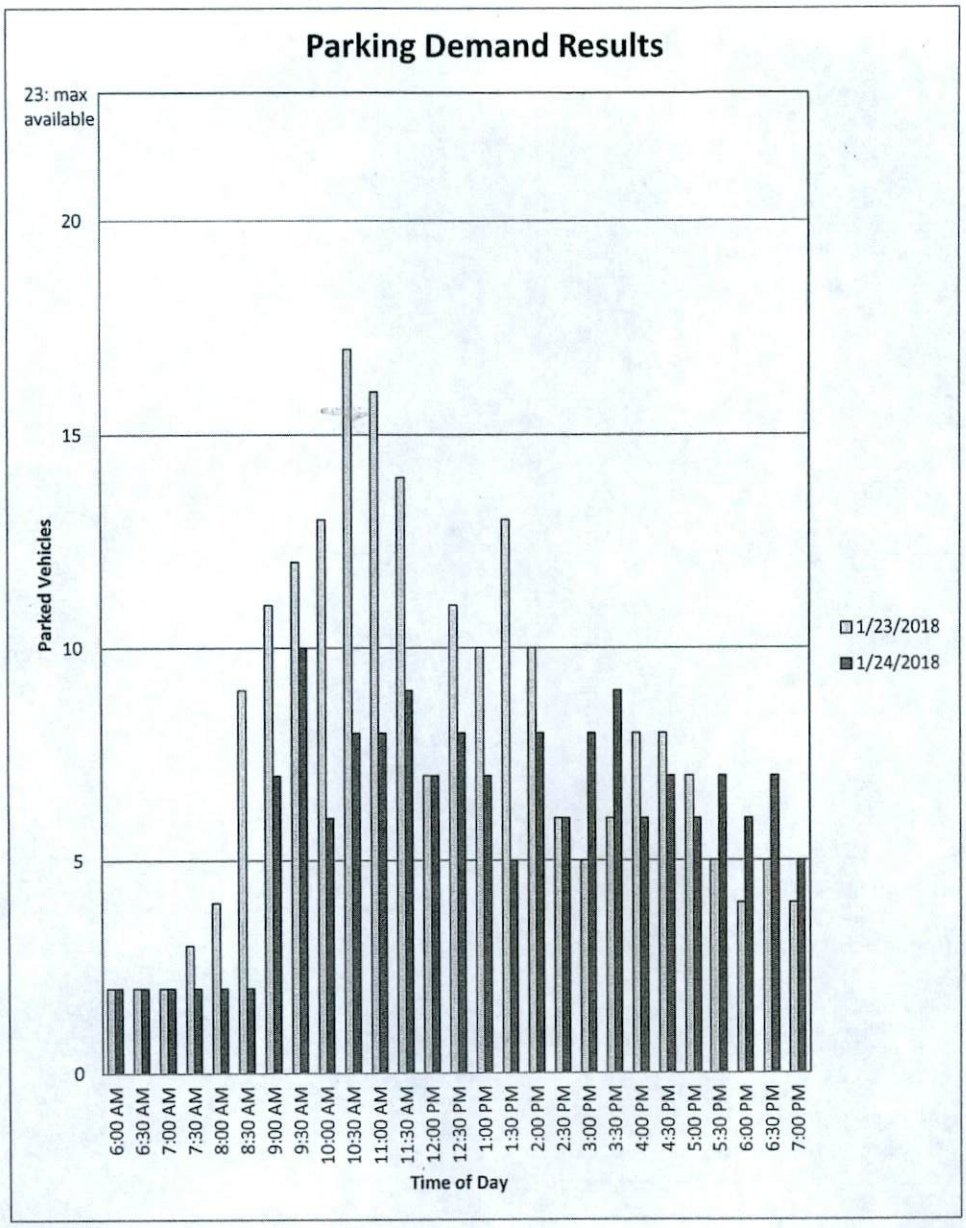
ITE Parking Generation

In order to confirm the results of the actual parking demand data and Prince George's Parking Code evaluation, an evaluation of parking requirements based on the ITE Parking Generation Manual was conducted. The ITE Parking Generation Manual is based on empirical data and actually provides peak parking demand projections, as well as hourly fluctuations in parking demand relative to the peak.

	Tuesday	Wednesday
Time	1/23/2018	1/24/2018
6:00 AM	2	2
6:30 AM	2	2
7:00 AM	2	2
7:30 AM	3	2
8:00 AM	4	2
8:30 AM	9	2
9:00 AM	11	7
9:30 AM	12	10
10:00 AM	13	6
10:30 AM	17	8
11:00 AM	16	8
11:30 AM	14	9
12:00 PM	7	7
12:30 PM	11	8
1:00 PM	10	7
1:30 PM	13	5
2:00 PM	10	8
2:30 PM	6	6
3:00 PM	5	8
3:30 PM	6	9
4:00 PM	8	6
4:30 PM	8	7
5:00 PM	7	6
5:30 PM	5	7
6:00 PM	4	6
6:30 PM	5	7
7:00 PM	4	5
Maximum Demand (All Vehicles for Site):	17	10
Available Parking Supply:	22	22
Parking Demand (per 1000 sq. ft.):	1.67	0.98
Remaining Spaces Available at Peak Parking Demand:	**5**	**12**

10,176 Square Feet Gross Floor Area (100% Occupancy)

Parking Survey	Parking Survey (Date of Counts -- January 2018)	**Exhibit 3**
LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com		



NOTE: There are 22 total parking spaces on site.

Parking Survey LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com	Parking Demand Results (Date of Counts -- January 2018)	**Exhibit 4**

The list of tenants within the site, as well as their land use classification per the ITE Parking Generation Manual and square footage, is as follows:

- Dentist (Medical-Dental Office Buildings [ITE-720]) – 650 SF
- Herbalife Nutrition (Pharmacy/Drugstore without Drive-Through Window [ITE-880]) – 650 SF
- Church (Church [ITE-560]) – 2,100 SF/40 Seats
- Office Building – (Office Buildings [ITE-701]) – 4,150 SF (sum of uses below)
    - Ministry Outreach – 1,400 SF
    - Auto Tag/Title – 650 SF
    - DNA Testing – 2,100 SF

The parking requirements per The ITE Parking Generation Manual average parking supply ratio for each of the uses are as follows:

- Medical-Dental Office Buildings [ITE-720] – 650 SF: 3.2 spaces/1,000 SF
    - 3 spaces required
- Pharmacy/Drugstore without Drive-Through Window [ITE-880] – 650 SF: 2.2 spaces/1,000 SF
    - 2 spaces required
- Church [ITE-560] [Weekday] – 2,100 SF: 1.17 spaces/1,000 SF
    - 3 spaces required
- Office Buildings [ITE-701] – 4,150 SF: 2.84 spaces/1,000 SF
    - 12 spaces required

Based on The ITE Parking Generation Manual, the total required parking spaces for the site would be 20 spaces, as shown above. However, as described previously, the M-X-T requirements in Section 27-574 (b)(2) and (b)(3) recommend an hourly distribution for each use within the M-X-T zone to determine the hourly fluctuation and the resulting peak parking demand for the overall site. Since no guidance on hourly distributions is provided in the Zoning Ordinance, the ITE Parking Generation Manual was utilized to determine the hourly demand for the site. The ITE Parking Generation Manual is based on empirical data and actually provides hourly fluctuations in parking demand relative to the peak.

The ITE Parking Generation Manual shows that peak parking demand for both Medical-Dental Office Buildings [ITE-720] and general Office Buildings [ITE-701] occurs at 10:00 AM on a typical weekday. Given the breakdown of the number of spaces by use within the building, this hour will be the peak hour for the site. During this time period a Pharmacy/Drugstore without Drive-Through Window [ITE-880] (best approximation for Herbalife Nutrition/Commercial Trade component of building) operates with 35% of its peak parking demand, thereby requiring 1 space for this site (2 spaces x 35%). The value shown above for a Church [ITE-560] is for a weekday at 10:00 AM, so 3 spaces are required for the church at this site. As such, the parking demand during the weekday peak hour (10:00 AM) is 19 vehicles.

Based on the results of the ITE Parking Generation Manual evaluation:

- The parking demand, as calculated per the ITE Parking Generation Manual, is 19 vehicles during the peak hour for the site.
- Based on this information, the existing 22 parking spaces provides adequate parking for the building and has a surplus of at least three (3) spaces at the peak parking demand.

Conclusions

The county codes are designed to ensure that more than enough parking spaces are provided during the design of the site before construction occurs. In this case, since the building is fully constructed and fully occupied, the parking demand study based on actual parking counts conducted over two days, as discussed above, provides the most accurate assessment of the necessary parking spaces for the site. Based on the results of the parking demand evaluation using existing parking utilization counts:

- The building currently has a maximum parking demand of 17 vehicles.
- The building was fully leased and occupied on the dates the study was conducted.
- Based on this information, the existing 22 parking spaces provides adequate parking for the building and has a surplus of at least five (5) spaces at the peak parking demand.

In order to provide additional information with respect to parking requirements for the site, analyses were conducted based on the Prince George's County Zoning Ordinance requirements. Based on the results of the Zoning Ordinance parking requirement evaluation:

- The parking demand, as calculated per Section 27-574 of the Zoning Ordinance, is 21 vehicles during the peak hour for the site.
- Based on this information, the existing 22 parking spaces provides adequate parking for the building at the peak parking demand.

Finally, in order to provide one additional piece of information for comparison with respect to parking requirements for the site, analyses were conducted based on the ITE Parking Generation Manual requirements. Based on the results of the ITE Parking Generation Manual parking requirement evaluation:

- The parking demand, as calculated per the ITE Parking Generation Manual, is 19 vehicles during the peak hour for the site.
- Based on this information, the existing 22 parking spaces provides adequate parking for the building and has a surplus of at least three (3) spaces at the peak parking demand.

In conclusion, based on calculations performed in accordance with Section 27-574 of the Zoning Ordinance, this property has adequate parking for the M-X-T zone regardless of which of the above methodologies is used to determine parking requirements.

The above analysis refers to the existing uses within the building. However, it should be noted that if the entirety of the leasable area within the building, 7,550 square feet, was changed to exclusively office use in the future the site would still have adequate parking based on current parking requirements which mandate 1 space/250 SF up to 2,000 SF + 1 space/400 SF over 2,000 SF. At these parking requirement rates the site would require 22 spaces which is adequate based on the 22 available parking spaces on site.

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Thanks,
Mike

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
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EMAIL: mlenhart@lenharttraffic.com

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Community Planning Division

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

301-952-3972

January 16, 2019

MEMORANDUM

TO: Andrew Bishop, Senior Planner, Urban Design Section , Development Review Division

VIA: Scott Rowe, AICP, CNU-A, Supervisor, Long-Range Planning Section, Community Planning Division BSR
David A. Green, Master Planner, Community Planning Division

FROM: Thomas Lester, Senior Planner, Long-Range Planning Section, Community Planning Division TEL

SUBJECT: **CSP-18001 and DSP-18016 3710 Riviera Street Property (Marlow Heights Center)**

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 2 of the Zoning Ordinance, Master Plan conformance is not required for this CSP application.

Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this DSP application.

BACKGROUND

Application Type: Conceptual Site Plan and Detailed Site Plan outside of an overlay zone.

Location: 3710 Riviera Street, Temple Hills, Maryland, 20748

Size: 0.25 acres

Existing Uses: Office building, parking lot

Proposal: Approval of 22 existing parking spaces

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is located in the Established Communities. The vision for the Established Communities is context-sensitive infill and low- to medium-density development.

Master Plan: The 2008 *Approved Branch Avenue Corridor Sector Plan* recommends mixed-use land uses on the subject property.

Planning Area: 76A
Community: The Heights

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

SMA/Zoning: The 2008 *Approved Branch Avenue Corridor Sectional Map Amendment* reclassified the subject property from C-O (Commercial Office) into the M-X-T (Mixed Use-Transportation Oriented) zone.

c: Long-range Agenda Notebook

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
Transportation Planning Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

301-952-3680

January 29, 2019

MEMORANDUM

TO: Andrew Bishop, Urban Design Section, Development Review Division

FROM: Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: CSP-18001, Marlow Heights Center

Proposal
The applicant is proposing the Conceptual Site Plan as a means of obtaining official approval of the number of parking spaces on the site. Given that the site is in the M-X-T Zone, the parking approval must be done via a detailed site plan, and a detailed site plan cannot be approved without a corresponding conceptual site plan.

Background
The applicant proposes no new construction on the site, which currently contains a 10,176 square foot office building. The site was originally developed under the C-O Zone and was rezoned to M-X-T in 2008 via the *Approved Branch Avenue Corridor Sector Plan and Endorsed Sectional Map Amendment*. By means of the rezoning via a sectional map amendment, the site is subject to transportation-related findings related to traffic or adequacy in accordance with Section 27-546 of the Zoning Ordinance.

Review Comments
The existing office building is located on recorded Lot 1 of Marlow Heights. Access and circulation are acceptable. It is noted that the plan shows adjacent tax Parcel 484 on Tax Map 88; this parcel contains most of the site's parking. Parcel 484 is not in the M-X-T Zone, however, and is not a part of this site plan. Once again, the site parking will be appropriately analyzed with a concurrent detailed site plan.

Section 27-546(d)(9) requires that proposed development shown on "a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment" be subject to a transportation adequacy determination. There is no development proposed by this plan. As a result, it is determined that the requirements of this section are met; all development exists, and no new or additional development is proposed at this time.

This site is not within or adjacent to any master planned transportation facilities.

Conclusion
From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a Conceptual Site Plan as described in the Zoning Ordinance.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
Transportation Planning Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

301-952-3680

January 30, 2019

MEMORANDUM

TO: Andrew Bishop, Urban Design Section, Development Review Division

FROM: Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-18016: Marlow Heights Center

Proposal
The applicant is proposing the detailed site plan as a means of obtaining official approval of the number of parking spaces on the site. Given the site is in the M-X-T Zone, parking approval must be done via a detailed site plan process and cannot be done by means of a departure.

Background
The applicant proposes no new construction on the site, which currently contains a 10,176 square foot office building. The site was originally developed under the C-O Zone and was rezoned to M-X-T in 2008 via the *Approved Branch Avenue Corridor Sector Plan and Endorsed Sectional Map Amendment*. By means of the rezoning via a sectional map amendment, the site is subject to transportation-related findings related to traffic or adequacy in accordance with Section 27-546 of the Zoning Ordinance.

Review Comments
The existing office building is located on recorded Lot 1 of Marlow Heights. Access and circulation are acceptable. This site is not within or adjacent to any master planned transportation facilities.

Regarding the parking issue – which is the central issue to this case given that no new development is proposed – the applicant has provided an extensive justification and a parking study. With the information provided, the following are noted:

1. By strict adherence to the parking requirements in Section 27-568, the site would require 33 parking spaces.

2. It is noted that the plan shows adjacent tax Parcel 484 on Tax Map 88; this parcel contains most of the site's parking. Parcel 484 is not in the M-X-T Zone, however, and is not a part of this site plan. Nevertheless, in 1967 Special Exception SE-1654 was approved to allow Parcel 484 to serve as a parking lot for the subject property.

3. The applicant has provided an extensive and detailed parking analysis as a part of the justification. The following are noted:

A. The analysis discusses the use of the methodology in Section 27-574(b), and reasons that it is not possible to use the methodology in this Section to reasonably compute hourly fluctuations in parking and a peak hourly parking demand. In fact, the methodology in Section 27-574(b) is designed to compute a peak hourly parking demand for mixed uses, and the subject site is not truly mixed-use. It is agreed that a different approach is appropriate in this case.

B. The analysis continues by analyzing parking utilization on the site and adjacent Parcel 484 on two weekdays in January 2018. The dates were Tuesday and Wednesday, January 23 and 24; the weather on those dates was sunny to partly sunny and unseasonably warm. Staff believes that all conditions make those dates fully appropriate for such a survey.

C. The parking utilization study determined that a maximum of 17 parking spaces were occupied during hours of the study, with the peak hour occurring between 10:30 and 11:00 a.m. on Tuesday. The peak parking demand was noted to be 1.67 spaces per 1,000 square feet. Parking supply is shown as 22 spaces.

4. Total parking supply is 22 spaces, with 9 spaces on Lot 1 and 13 spaces on Parcel 484.

5. The Zoning Ordinance provides minimum standards for on-site parking and loading for two primary reasons. The standards protect the patrons of the subject property from the problems caused by not having adequate and available parking at hand. The parking standards also protect neighboring residential properties from the problems caused by persons visiting a property and using parking spaces on adjacent land or streets during their visits.

Based on the above determinations, the Transportation Planning Section believes that sufficient evidence is provided to show that the 22 spaces provided on site is sufficient to serve the demand posed by the existing office building use. It is not believed that there will be off-site impacts from allowing this number of spaces for this use.

Section 27-546(d)(10) requires that proposed development shown "on the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time" by adequate transportation facilities. There is no development proposed by this plan, and the appropriate finding in Section 27-546(d)(9) is being made with the accompanying Conceptual Site Plan CSP-18001. As a result, it is determined that the requirements of this section are met.

Conclusion

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a Detailed Site Plan as described in the Zoning Ordinance.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

January 18, 2019

MEMORANDUM

TO: Andrew Bishop, Urban Design Section

VIA: Sherri Conner, Subdivision and Zoning Section

FROM: Amber Turnquest, Subdivision and Zoning Section

SUBJECT: CSP-18001 and DSP, Marlow Heights Center

The subject property is located on Tax Map 88 in Grids B3 and C3, is 0.25 acres, and is zoned Mixed Use Transportation Oriented (M-X-T). The site includes Lot 1, Block S of Marlow Heights, recorded in Plat Book WWW 24-73 which was approved in 1954.

The site is subject to the 2008 *Approved Branch Avenue Corridor Sector Plan.* The applicant has submitted this CSP for the approval of the number of off-site parking spaces required for an existing office/mixed use building on the property.

In accordance with Section 24-107(c) of the Subdivision Regulations, a preliminary plan of subdivision (PPS) is not required, as the development proposed is less than 5,000 square feet of gross floor area therefore, the site meets the standards for an exemption.

The off-site parking used to support the DSP use is located on abutting Parcel 484 to the west, a legal acreage parcel, created by deed dated May 25, 1966 and recorded in liber 3419 and folio 476.

Recommended Conditions

1. Prior to certification of the CSP, the following revision shall be made to the plans:

    a. The recording reference to the Liber/folio shall be removed.

    b. Revise General Note 10 to include and grid numbers C3.

    c. Add a general note indicating the above statement regarding off site Parcel 484.

This referral is provided for the purposes of determining conformance with Subtitle 24. All bearings and distances must be clearly shown on the CSP and DSP and must be consistent with the legal description of the property. There are no other subdivision issues at this time.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

January 2, 2019

MEMORANDUM

TO: Andrew Bishop, Urban Design

FROM: Debbie Gallagher, Information and Permit Review Supervisor DG

SUBJECT: CSP-18001 & DSP-18016 (Marlow Heights Center) 3710 Riviera Street Property.

1. **Sec. 27-583. - Number of spaces required in M-X-T Zone.**

(a) The number of off-street loading spaces required in the M-X-T Zone are to be calculated by the applicant and submitted to the Planning Board for approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.

(b) The number of off-street loading spaces required shall be calculated using the following procedures:

(1) Determine the number of loading spaces normally required under Section 27-582.

(2) Determine the number of loading spaces that may be readily shared by two (2) or more uses, taking into account the location of the spaces, the uses they will serve, and the number of hours and when during the day the spaces will be occupied.

(3) The number of loading spaces normally required (paragraph (1)) may be reduced by the number of spaces determined to be unnecessary through the use of shared loading spaces (paragraph (2)).

2. The site plan demonstrates an eight-foot high fence on the residential property. An eight-foot high fence would have required a variance for construction. The Special Exception record with comments generated by Department of Inspection and Permits required a 5-foot high sight tight fence to be constructed and maintained in the parking area adjacent to the side and/or rear lot line pursuance to Section 24.75 of the 1967 Code.

3. The Department of inspection and permits also required shrubbery or other screen planting on the residential side of the wall or fence pursuant to 24.75 of the 1967 Code.

4. If lighting was to be provided, the lights shall be arranged so as not to reflect or cause glare into abutting residential lots (Section 24.76).

5. An agreement for continued use of the parking compound was required to be submitted to Maryland-National Capital Park and Planning Commission (Section 24.8).

6. The review of this referral does not include the review of any signage, the standards for signs are also set by the Planning Board in the M-X-T zone.

7. Parking space sizes for pre 1970 parking lots shall be 10 by 20 or 200 square feet 9 by 22.1/4. Not 10.1 by 19.9, or the applicant has the option to use today standards by must meet the requirements for drive aisle etc.