

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



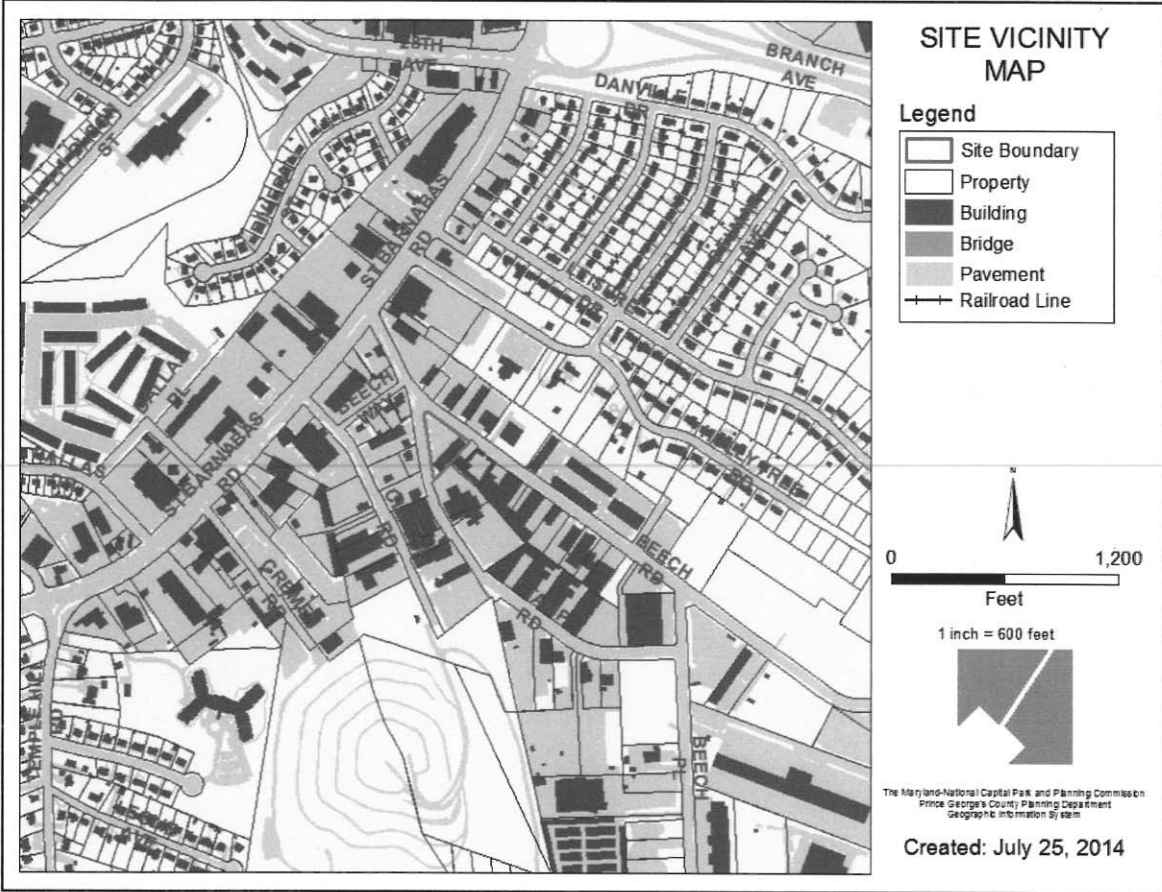
Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Departure from Parking and Loading DPLS-401

| Application | General Data | |
|---|------------------------------|-----------------|
| Project Name: Executive Barber Shop and Cosmetology Location: On the south side of Beech Road east of Stamp Road. Applicant/Address: Marvin and Jennifer Mallard 4007 Bedford Place Suitland, MD 20746 Property Owner: Same as applicant | Planning Board Hearing Date: | 11/06/14 |
| | Staff Report Date: | 10/17/14 |
| | Date Accepted: | 07/28/14 |
| | Planning Board Action Limit: | N/A |
| | Plan Acreage: | .9732 acres |
| | Zone: | I-1 |
| | Gross Floor Area: | 2,604.8 sq. ft. |
| | Lots: | N/A |
| | Parcels: | 1 |
| | Planning Area: | 76A |
| | Tier: | Developed |
| | Council District: | 08 |
| | Election District | 06 |
| Municipality: | N/A | |
| 200-Scale Base Map: | 206SE04 | |

| Purpose of Application | Notice Dates | |
|--|------------------------|----------|
| A departure of 14 parking spaces and one loading space from the required 70 parking spaces for a professional office center. | Informational Mailing | 11/19/13 |
| | Acceptance Mailing: | 06/25/14 |
| | Sign Posting Deadline: | 10/06/14 |

| | | | |
|-----------------------------|-----------------------------|--|------------|
| Staff Recommendation | | Staff Reviewer: Ivy R. Thompson Phone Number: 301-952-4326 E-mail: Ivy.Thompson@ppd.mncppc.org | |
| APPROVAL | APPROVAL WITH CONDITIONS | DISAPPROVAL | DISCUSSION |
| | X | | |



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board
VIA: Jimi Jones, Supervisor, Zoning Review Section, Development Review Division
FROM: Ivy Thompson, Senior Planner, Zoning Review Section, Development Review Division

SUBJECT: **Departure from Parking and Loading Standards DPLS-401**

REQUEST: **A waiver of 14 parking spaces and one loading space from the required 70 spaces for a professional office center**

RECOMMENDATION: **APPROVAL with Conditions**

NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date of November 6, 2014. The Planning Board also encourages all interested persons to request to become a person of record for this application.

Requests to become a person of record should be made in writing and addressed to The Maryland-National Capital Park and Planning Commission, Development Review Division, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Please call 301-952-3530 for additional information.

FINDINGS

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

B. **Development Data Summary:**

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

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

D. **Master Plan Recommendation:** The property is within the Interim Land Use Control (ILUC) which governs development in areas impacted by height limitations, high noise levels, and high accident potential resulting from flight patterns at Joint Base Andrews (JBA). The application is consistent with the *Plan Prince George’s 2035 Approved General Plan*, the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. The 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* recommends retaining the industrial use on the property. The subject property is within the plan identified Beech Road Focus Area. The sector plan examines the Beech Road focus area to address conflicts between residential, commercial, and industrial land uses. The plan envisions this area as community-scaled commercial area that supports the residential neighborhoods by providing locally serving retail, offices and public uses closely integrated with residential development.

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

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

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

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

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

G. **Design Requirements:**

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

H. **Required Findings:** Departure from Parking and Loading Standards.

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

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

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

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

(a) **The purposes of this Part are:**

(1) **To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**

(2) **To aid in relieving traffic congestion on streets by reducing**

the use of public streets for parking and loading and reducing the number of access points;

- (3) To protect the residential character of residential areas; and**
- (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

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

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

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

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

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

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

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

- (iv) All methods for calculating the number of spaces required have either been**

used or found to be impractical.

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

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

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

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

(B) In making its findings, the Planning Board shall give consideration to the following:

(i) The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within 500 feet of the subject property.

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

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

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

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

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

(iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.

There are no public parking facilities proposed for this area.

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

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

(i) Public transportation available in the area.

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

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

The applicant maximized the number of parking spaces allowed. There are no alternative design solutions that will yield additional spaces.

(iii) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within 500 feet of the subject property.

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

(iv) In the R-30, R-30C, R-18, R-18C, R-10A, R-10 and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.

The subject property is in the I-1 Zone; therefore, the above section is not applicable.

CONCLUSION

Based on the preceding analysis and findings, it is recommended that this Departure from Parking and Loading Standards application DPLS-401 for a waiver for 14 parking spaces and one loading space, be APPROVED with the following conditions:

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

- d. The van accessible parking space must be labeled on the site plan.
 - e. The note regarding the parking schedule “as per the previously approved plan” should be revised to read “as per 1984-81-CGU”.
 - f. The total gross floor area (GFA) of the building must be provided on the site plan.
 - g. Correct the total gross floor area in the parking schedule to read “19,044.2.”
 - h. The General Notes must be revised to indicate that the subject property is located within ILUC (Height Zone F of Joint Base Andrews (JBA) Runway Surface).
 - i. The proposed parking schedule must be revised to reflect the correct prior approved Departure from Loading Standards application “DPLS-248” to “DPLS-284.”
 - j. Provide a loading schedule on the site plan.
-
- k. Add a note to the site plan stating, “The approval of this departure is applicable for the uses of office and beauty/barber services and any other future uses permitted in the I-1 Zone.”
 - l. Label the vacant units in the unit schedule as “vacant office.”
2. Prior to certification, the applicant shall apply for a Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) Exemption Letter and a Natural Resource Inventory (NRI) Equivalency Letter.
 3. Prior to the issuance of any permits, any dead, diseased, or absent landscaping that was previously required on-site shall be replaced.

ITEM:

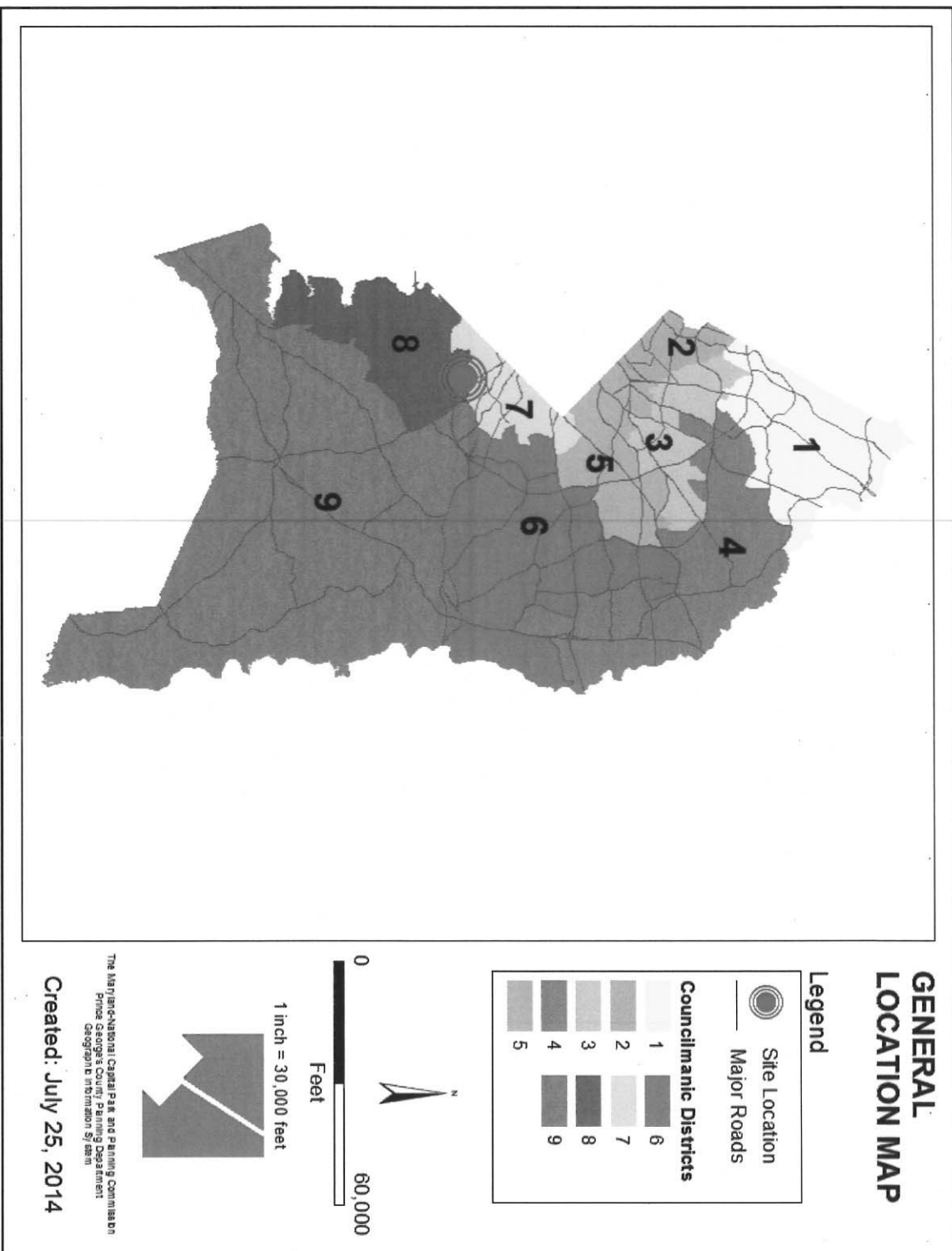
CASE: DPLS-401

**EXECUTIVE BARBER SHOP
AND
COSMETOLOGY**

THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT

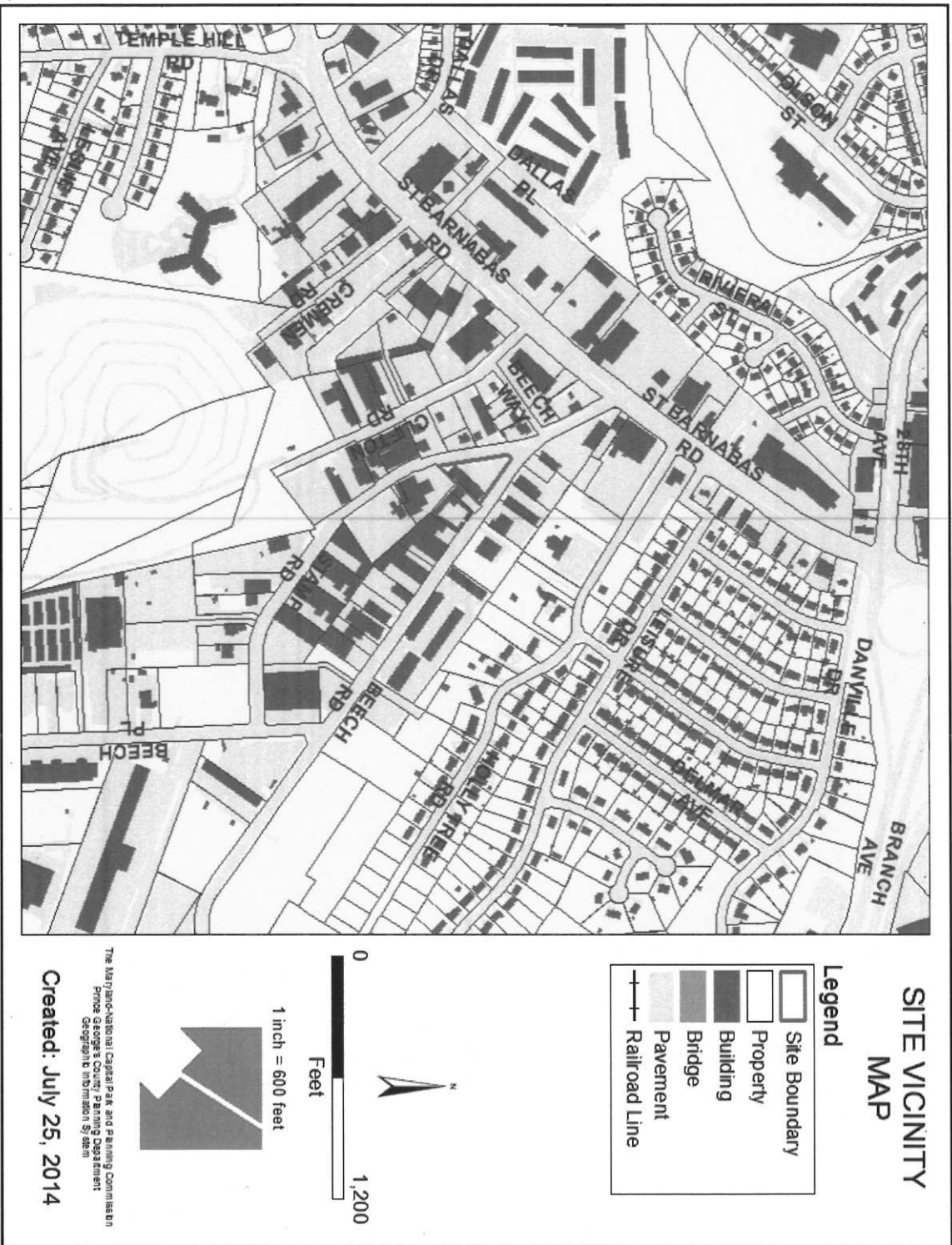


GENERAL LOCATION MAP



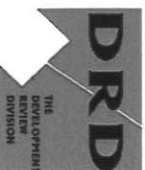
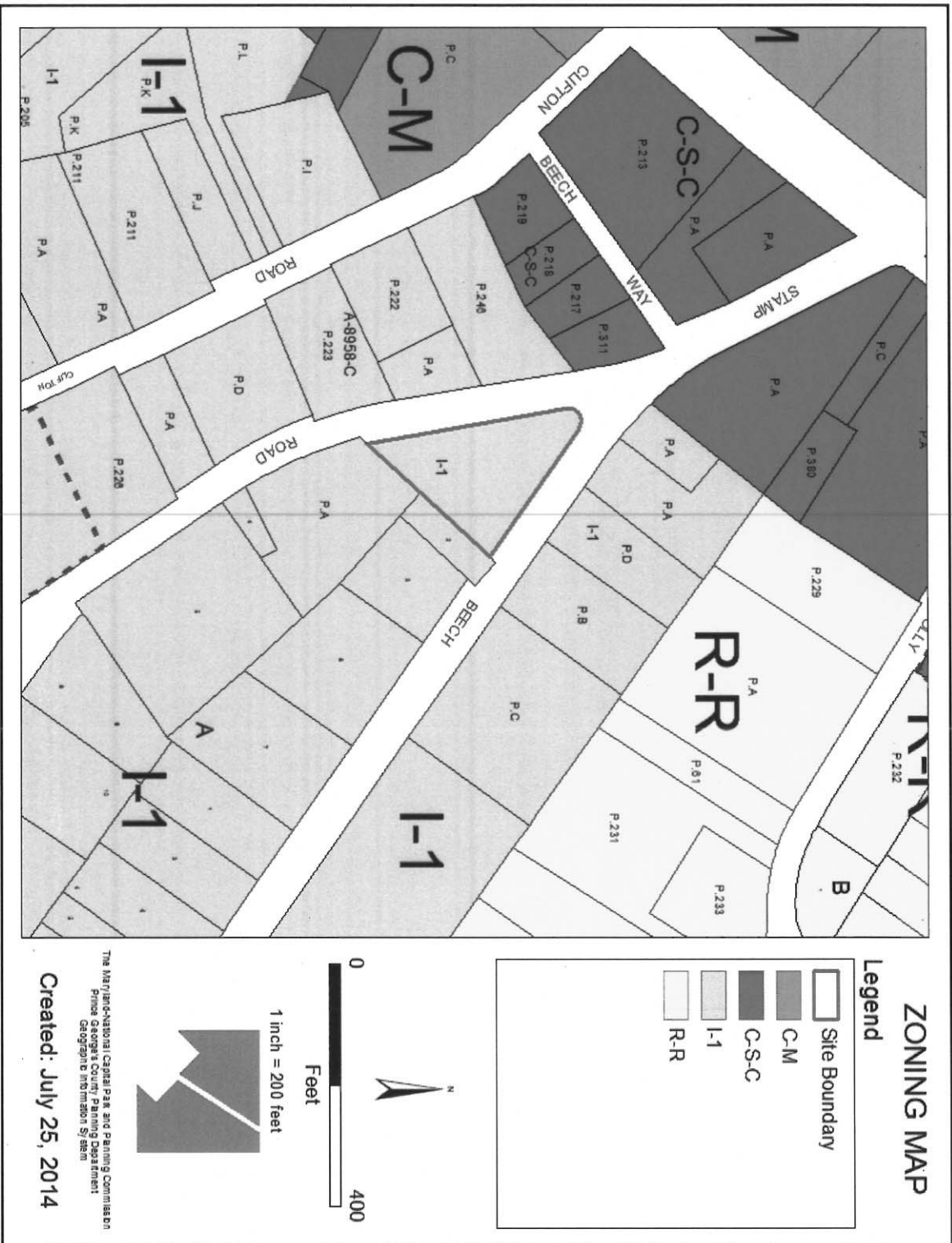
SITE VICINITY

Case # DPLS-401



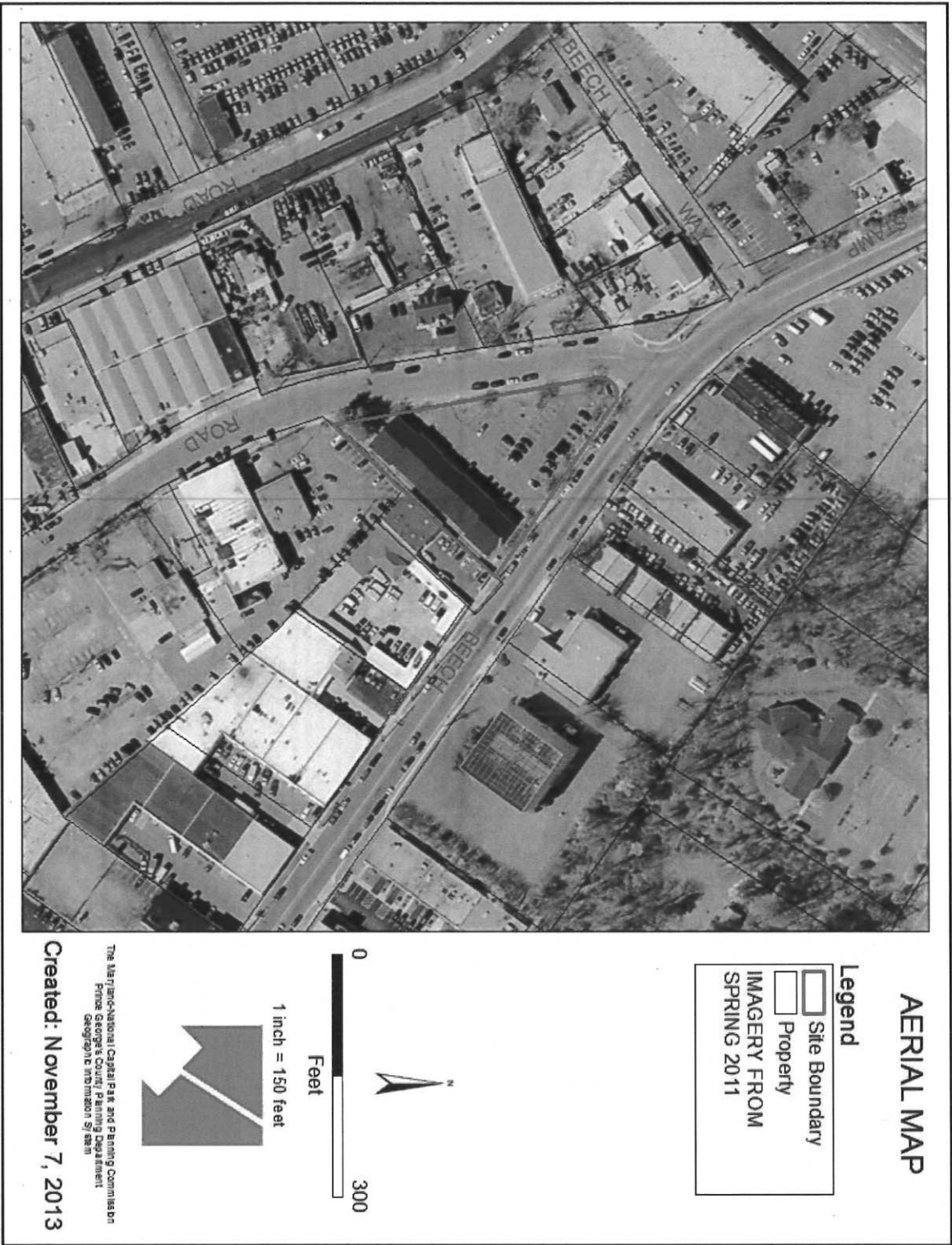
ZONING MAP

Case # DPLS-401



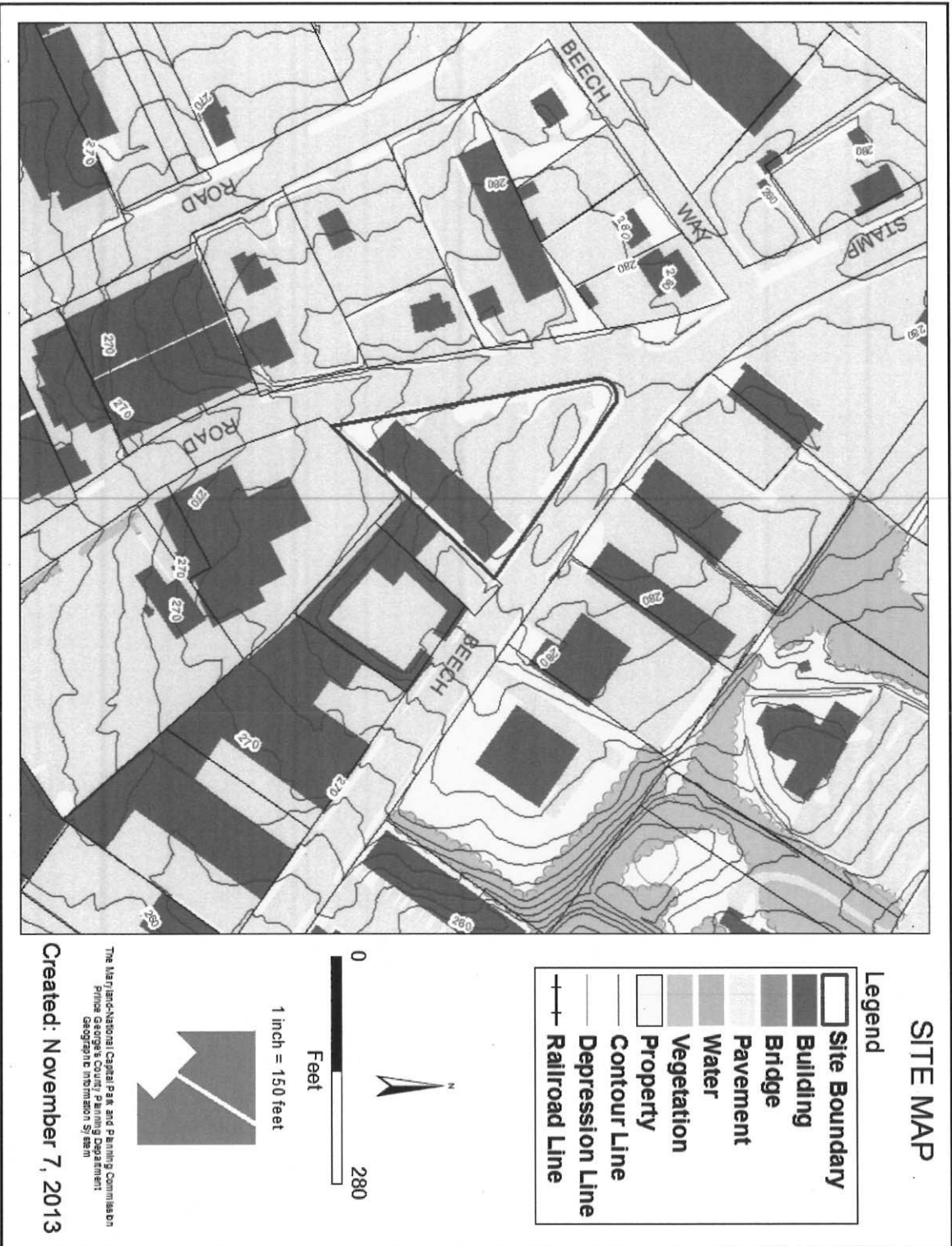
AERIAL MAP

Case # DPLS-401

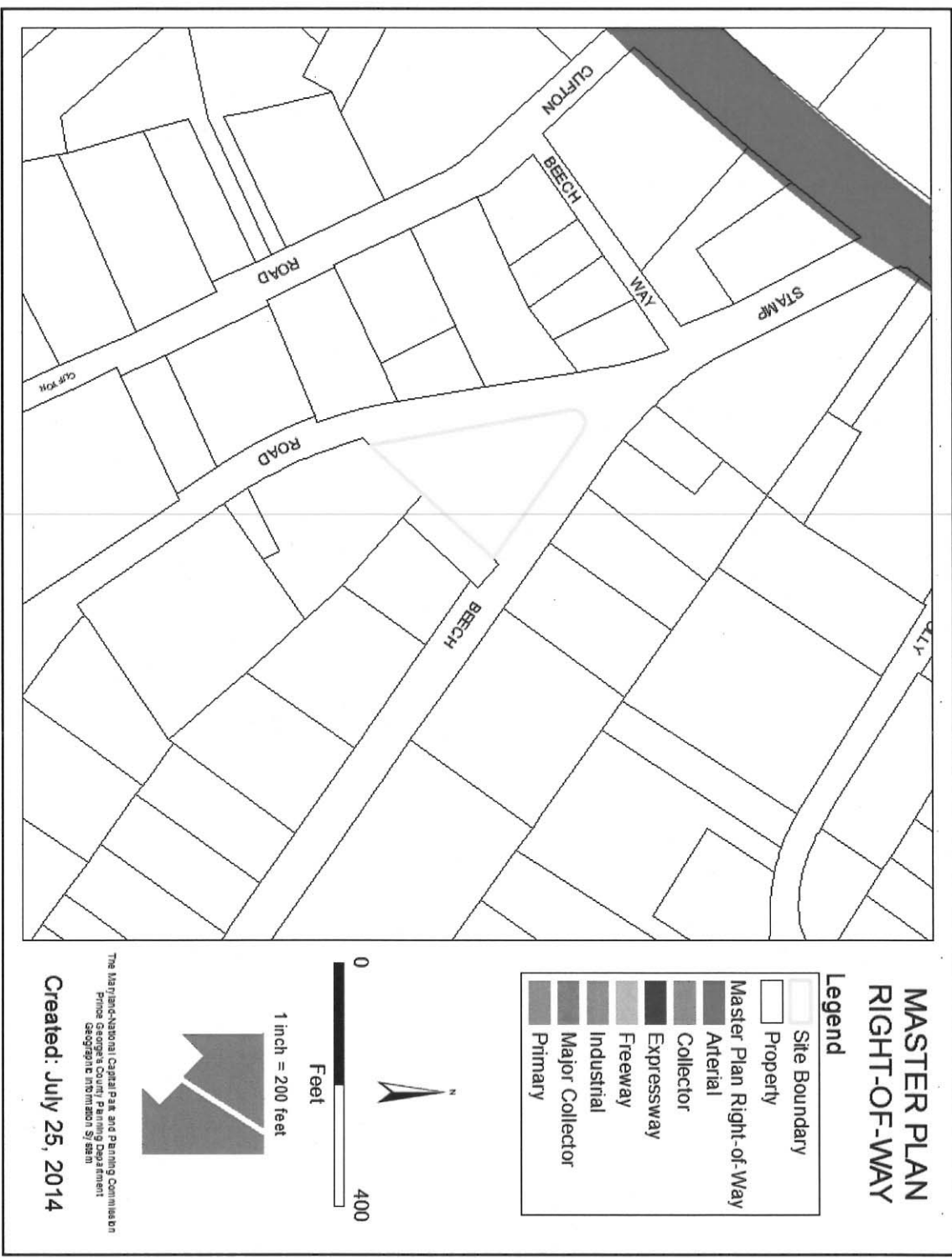


SITE MAP

Case # DPLS-401



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



SITE PLAN

Case # DPLS-401



GENERAL NOTES

1. See the attached site plan for details.

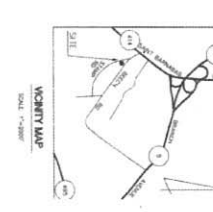
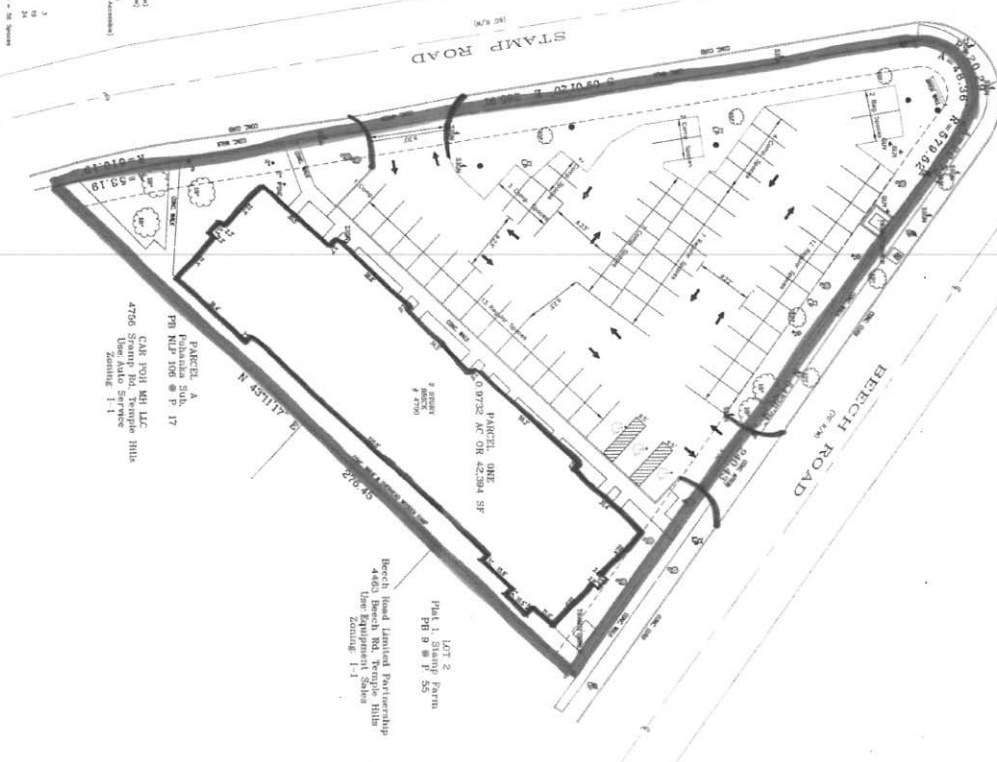
2. All dimensions are in feet and inches.

3. All dimensions are in feet and inches.

4. All dimensions are in feet and inches.

| NO. | DESCRIPTION | DATE |
|-----|-------------------|------------|
| 1 | Initial Site Plan | 10/20/2014 |
| 2 | Revised Site Plan | 10/20/2014 |
| 3 | Final Site Plan | 10/20/2014 |

OWNER: 4706 Stamp Rd, Temple Hills, MD 20780
 CONTACT: [Name Redacted]
 PHONE: [Phone Number Redacted]
 FAX: [Fax Number Redacted]



- 1. All dimensions are in feet and inches.
- 2. All dimensions are in feet and inches.
- 3. All dimensions are in feet and inches.
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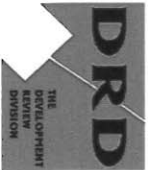
| NO. | DATE | BY | REVISIONS |
|-----|------------|-----------------|-------------------|
| 1 | 10/20/2014 | [Name Redacted] | Initial Site Plan |
| 2 | 10/20/2014 | [Name Redacted] | Revised Site Plan |
| 3 | 10/20/2014 | [Name Redacted] | Final Site Plan |

APPLIED CIVIL ENGINEERING INC.
 PLANNING • SURVEYING • LAND DEVELOPMENT
 9470 ANNEVILLE ROAD, SUITE 414
 LANHAM, MARYLAND 20786
 TEL: (301) 459-5932

OWNER/APPLICANT/DEVELOPER
 4706 Stamp Rd, Unit L-2
 Temple Hills, MD 20780
 Phone: 202 866-3344

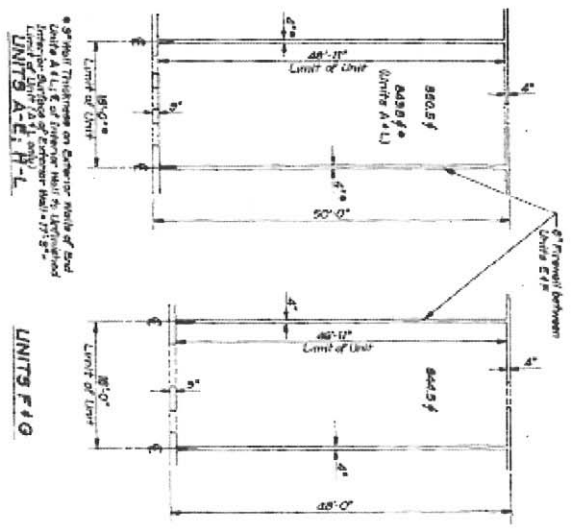
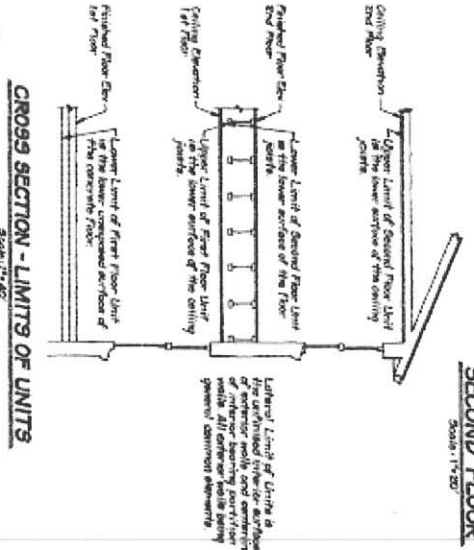
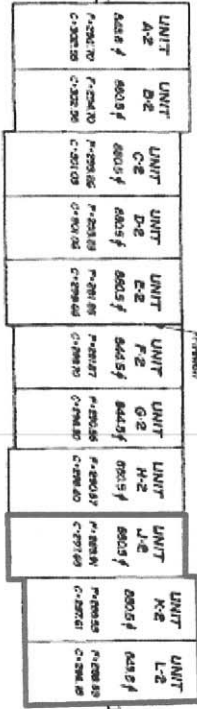
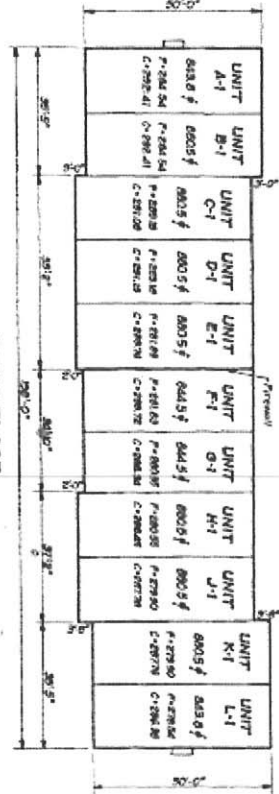
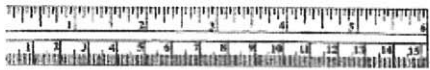
DATE DEVELOPMENT PLAN
 EXECUTIVE BARBER SHOP & COSMETOLOG
 SPADING (SH) ELECTION DISTRICT
 WINDY CREEK ESTATES, MARYLAND

SCALE: 1" = 20'
 CONTRACT NO.: 12-06
 SHEET: 1 OF 1



CONDOMINIUM PLAN EXHIBIT "B"

Case # DPLS-401



NOTE
The dimensions of each condominium unit shown on this plan are taken from the architectural plans as prepared by the architect and do not necessarily agree with the existing dimensions. All dimensions shown on this plan are intended to be approximate and are not intended to be used for any legal purpose. All ceiling elevations are measured to the finished ceiling surface of each unit.

All elevations shown are in datum established by the Washington Suburban District Commission.

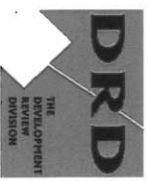
RECORDED 8-12-84
141 B.O.C. #12-177
C.A.T. NO. 49

FILED
SEP 27 1984
D.C. DISTRICT OF COLUMBIA
300 N. 14th Street, N.W.
Princ. Survey Comm. '84

RECEIVED
JANUARY 1985
DISTRICT OF COLUMBIA
PLANNING DEPARTMENT

PLAN OF CONDOMINIUM SUBDIVISION
CROSS SECTION, PLANS AND ELEVATIONS OF UNITS
MARLOW HEIGHTS PROFESSIONAL CENTER
CONDOMINIUM
SHOULDING DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
SCALE AS SHOWN
HOFFMAN AND HUBBARD, INC.
ENGINEERS & SURVEYORS & PLANNERS
6415 BALTIMORE AVENUE
RIVERDALE, MARYLAND 20737

EXHIBIT "B"



August 6, 2014

MEMORANDUM

TO: Ivy Thompson, Senior Planner, Zoning Section

FROM: Mary Hampton, Permits

SUBJECT: Referral Comments for Executive Barber Shop & Cosmetology DPLS 401

1. The interior parking lot landscaping calculations must be provided on the site plan as approved pursuant to 1984-81-CGU and the prior departure DPLS 284.
2. General Note 3 on the site plan must be revised to reflect the property use as office and beauty/barber services.
3. The site plan must be revised to provide the units numbers/location of units on building.
4. The van accessible parking space must be labeled on the site plan.
5. The note regarding the parking schedule “as per the previously approved plan” should be revised to “as per 1984-81-CGU”.
6. The total gross floor area of the building must be provided on the site plan.
7. The total gross floor area in the parking schedule adds up to 19, 082 s.f however the unit schedule reflects 19, 044.2 s.f. These square footages must match.
8. An approved departure shall only apply to the use specified in the departure per Section 27-588(a)(10) of the Zoning Ordinance. This departure request is for a beauty/barber service. The prior departure was also approved for a mixture of office and beauty services. Shouldn't the vacant units in the unit schedule be labeled as “vacant office” for the purposes of this departure? Will the approval of this departure be applicable only for the uses of office and beauty/barber services or will the Planning Board allow this departure to be applied any other future uses permitted in the I-1 Zone? If it is determined that this departure may be applied to other allowed uses, then a note to this effect must be provided on the site plan.
9. The proposed parking schedule must be revised to correct the prior departure from DPLS 248 to DPLS 284.

10. The proposed barber and beauty service that is the subject of this departure in units J-2, K-2 and L-2 is 2,604.8 s.f. Retail sales and service uses 2,000 to 10,000 square feet of gross floor area require one loading space. Therefore one loading space is required and must be provided unless a request to waive this requirement is included in this departure request.

11. A loading schedule must be provided on the site plan.

12. The General Notes must be revised to indicate the subject property fall within ILUC (Height Zone F of BJ Andrews Runway Surface).

September 8, 2014

MEMORANDUM

TO: Ivy Thompson, Senior Planner, Zoning Section

VIA: ^{MRF for} RB Ruth Grover, Planner Coordinator, Urban Design Section

FROM: ^{MRF} Meika Fields, Senior Planner, Urban Design Section

SUBJECT: Departure from Parking and Loading Standards DPLS-401
Executive Barber Shop and Cosmetology

The Urban Design Section has reviewed the information provided for the Departure from Parking and Loading Standards application referenced above. The subject 0.97-acre property in the Light-Industrial (I-1) Zone is currently developed with a two-story office and commercial condominium building. The site, also known as 4700 Stamp Road, Temple Hills, Maryland, is located in the southeast quadrant of the intersection of Beech Road and Stamp Road, approximately 500 feet south of Saint Barnabas Road.

BACKGROUND

The existing multi-unit building was built in 1982 and has since primarily operated with commercial and office uses. In 2002, the Planning Board approved Departure from Parking and Loading Standards DPLS-284 for an 8 parking space reduction on the subject site.

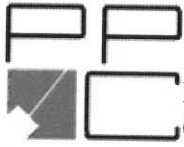
REQUEST

The applicant requests an additional departure of 14 of the required 70 parking spaces.

URBAN DESIGN REVIEW

There are no notable Urban Design issues connected with the project. The existing development was constructed prior to the adoption of the 1990 *Prince George's County Landscape Manual*. The Urban Design Section would suggest that the Zoning Section evaluate the previous permits and departure approvals and require that any dead, diseased, or absent landscaping that was previously required on the site be replaced.

MN
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
TTY: (301) 952-4366
www.mncppc.org/pgco
301-952-3972

August 26, 2014



MEMORANDUM

TO: Ivy Thompson, Senior Planner, Zoning Section
VIA: Steve Kaii-Ziegler, Planning Supervisor, Community Planning
FROM: Melissa Lindsjo, Principal Planning Technician, Community Planning
SUBJECT: **Executive Barber Shop & Cosmetology (DPLS-401)**

DETERMINATIONS

General Plan:

The application is consistent with the Plan Prince George's 2035 Approved General Plan.

Master Plan:

The application is consistent with the 2000 Approved Master Plan and SMA for the Heights and Vicinity.

Sector Plan:

The application is consistent with the 2013 Approved Central Branch Avenue Corridor Revitalization Sector Plan.

BACKGROUND

Location: Located on the south side of Beech Road, east of Stamp Road.

Size: 0.97 acres

Existing Uses: Vacant units in a commercial condominium

Proposal: Request departure from parking & loading standards for 14 parking spaces

GENERAL PLAN, MASTER PLAN, AND SMA

2002 General Plan: The Plan Prince George's 2035 Approved General Plan makes no relevant recommendations influencing a departure from parking and loading standards application on this property.

Master/Sector Plan: The 2013 Approved Central Branch Avenue Corridor Revitalization Sector Plan recommends retaining the industrial use on the property. The subject property is within the plan identified Beech Road Focus Area. The sector plan examines the Beech Road focus area to address conflicts between residential, commercial, and industrial land uses. The plan envisions this area as a community-scaled commercial area that supports the residential neighborhoods by providing locally serving retail, offices, and public uses closely integrated with residential development.

Planning Area/
Community:

Planning Area 76A/ The Heights

Land Use:

Industrial

Environmental:

See Environmental Planning Section referral for comments concerning Green Infrastructure elements. Regulated Areas, Evaluation Areas, and Network Gaps are not identified on the subject property.

Historic Resources:

There are no identified historic resources on or adjacent to the subject property.

Transportation:

See Transportation Planning Section referral for comments concerning transportation matters. A bike lane is planned for Beech Road.

Public Facilities:

There are no identified public facilities conditions or requirements on or adjacent to the subject property. The property is currently served by public water and sewer.

Parks & Trails:

There are no existing or proposed parks or trails on or adjacent to the subject property.

Aviation/ILUC:

This property is within the Joint Base Andrews (JBA) Interim Land Use Control (ILUC) area. The property is within Imaginary Surface F. This property is outside of the 65 dBA noise contours.

SMA/Zoning:

2013 Central Branch Avenue Corridor Revitalization Sector Plan retained the property in the I-1 zone.

PLANNING ISSUES

There are no planning issues.

RECOMMENDED CONDITIONS

There are no recommended conditions.

cc: Ivy A. Lewis, Chief, Community Planning Division



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mncppc.org

August 20, 2014

MEMORANDUM

TO: Ivy Thompson, Zoning Section, Development Review Division

FROM: Eric Jenkins, Transportation Planning Section, Countywide Planning Division

SUBJECT: DPLS-401, Executive Barber Shop & Cosmetology

The Transportation Planning Section has reviewed the departure noted above. The subject site consists of .97 acres of land in the I-1 Zone. The site is located south of the intersection of Stamp Road and Beech Road. The applicant is seeking a departure of 14 parking spaces.

Review Comments, Departure from Parking and Loading Standards

The application requests a waiver of the parking standards in the Zoning Ordinance to allow a reduction in the number of the parking spaces. The Zoning Ordinance provides minimum standards for on-site parking and loading on the subject property for two primary reasons. The standards protect the patrons of the subject property from the problems caused by not having adequate and available parking at hand. The parking standards also protect neighboring property owners from the problems caused by persons residing on or visiting the subject property and using parking spaces on adjacent land or streets during that time.

The Zoning Ordinance requires a minimum of 70 parking spaces for office condominiums approved for the site. The applicant seeks to reduce on-site or off-street parking to 56 spaces.

An effort was made by the applicant to provide photos of the empty parking spaces; a formal parking survey was not submitted but might have been a more effective demonstration of utilization. In addition, the justification statement includes a comment that some of the building units will remain vacant if the departure is not granted. In addition, a point is made that there is no immediate interest for office space at the space. These are not relevant to the departure request. Better justification includes the fact that additional surface parking cannot be provided, that on-street parking is available on both sides of Stamp Road and Beech Road, and there will be minimal, if any impacts on nearby residential areas. The site is in a predominantly industrial area.

Although retail uses are cited occupying the site, it is approved for office use and higher number of parking spaces. Regardless given the nature of the surrounding area and the presence of on-street parking the Transportation Planning Section offers no other comments on the parking departure.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


**Prince George's County Planning Department
Countywide Planning Division**


**(301) 952-3680
www.mncppc.org**

July 23, 2014

MEMORANDUM

TO: Ivy Thompson, Senior Planner, Zoning Section, Development Review Division

VIA: Christine Osei, Planner Coordinator, Special Projects Section, Countywide
Planning Division 

FROM: Jay Mangalvedhe, Senior Planner, Special Projects Section, Countywide Planning
Division 

SUBJECT: DPLS-401; Executive Barber Shop and Cosmetology

Executive Barber Shop and Cosmetology property located on the south side of Beech Road, east of Stamp Road. Special Projects Section, Countywide Planning Division has reviewed the proposed Departure from Parking and Loading Spaces (DPLS) application for Public Facility adequacy. The request departure from parking and loading standards for 14 parking lots will have no impact on existing public facilities.

MN
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



PGCPB No. 02-203

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 TTY: (301) 952-3796

File No. DPLS-284

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed Departure from Parking and Loading Spaces Application No. 284 requesting a departure from 8 of 64 required parking spaces in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on October 3, 2002, the Prince George's County Planning Board finds:

A. Location and Field Inspection: The subject property is located in the southeast quadrant of the intersection of Beech Road and Stamp Road, approximately 500 feet from St. Barnabas Road.

B. Development Data Summary

| | REQUIRED | PROPOSED |
|----------------|----------|----------|
| Parking Spaces | 64 | 56 |

Other Development Data: The applicant's property consists of two condominium units in a small business development of 22 condominium units and associated parking on a one acre I-1 zoned tract.

C. History: The subject property is one of a number of businesses located in a building described as a townhouse office site on a permit issued in 1981 (1984-81-CGU). The site was in the C-2 Zone at the time of the issuance of the 1981 permit but was placed in the I-1 Zone in 1984. Originally occupied by office uses, uses in the building now include a number of beauty shops, two offices and a church, as well as vacant space.

D. Master Plan Recommendation: *The Heights and Vicinity Master Plan* (2000) recommends light industrial uses for the subject property.

E. Request: The applicant has purchased a condominium unit in a small complex of office/commercial condominiums to operate a beauty shop. Although originally developed with office uses, a number of the building's units are currently occupied by beauty salons, a use permitted in the I-1 Zone. The applicant has requested a departure of 3 of 11 required parking spaces, however the total number of spaces required for the beauty salon is 12. Moreover, because the parking lot is used for the entire building, the parking needs of all of the uses in the building must be met. The total parking required for the updated current uses is 64, requiring a departure of 8 spaces or 12.5 percent.

F. Surrounding Uses: Other uses on the subject property are shown below:

| UNIT | USE | AREA (sq.ft.) |
|----------|--------------------------------|---------------|
| A-1 | Body & Soul Beauty Salon | 844 |
| A-2, B-2 | Venus Construction Company | 1,724.5 |
| B-1 | Vacant | 880.5 |
| C-1 | Exquisite Image Beauty Salon | 880.5 |
| C-2 | Vacant | 880.5 |
| D-1 | Sensations Beauty Salon | 880.5 |
| D-2 | Vacant | 880.5 |
| E-1 | Charlene's House of Beauty | 880.5 |
| E-2 | Vacant | 880.5 |
| F-1 | Vacant | 844.5 |
| F-2, G-2 | GLB Ministries (church)* | 1,689 |
| G-1 | Renz Hair Salon | 844.5 |
| H-1 | Allied Tax Service | 880.5 |
| H-2 | Vacant | 880.5 |
| J-1 | Barbershop | 880.5 |
| J-2 | Association Growth Enterprises | 880.5 |
| K-1, L-1 | Proposed Wellness Touch Salon | 1,725 |
| K-2 | Vacant | 880.5 |
| L-2 | Vacant | 844.5 |

* Permit records do not indicate a use and occupancy permit for the GLB Ministries church.

In addition to the uses on the subject property, the subject site is surrounded by a variety of light industrial and service commercial uses including auto repair facilities and another beauty shop.

G. Parking Requirements:

The number of parking spaces for the uses on the subject site have been calculated as follows:

| | | |
|---------------------|--|--------------------------|
| <u>Office Space</u> | 12,146.5 sq. ft. | |
| | (@1/250 for the first 2,000 sq.ft., 1/400 above 2,000) | 33.4 spaces |
| <u>Retail Space</u> | 6,935.5 sq. ft. (@1/150 sq.ft.) | 46.2 spaces |
| | Less 20 percent for multiple uses | -15.9 spaces |
| | TOTAL | 63.7 or 64 spaces |

H. Parking Observations

A staff field inspection showed that 18 of the 56 parking spaces on the site were occupied on Wednesday, September 4, 2002 at 10:00 AM. A second field inspection on September 5 at 7:00 PM showed that 47 parking spaces were occupied, leaving nine available spaces. These parking counts are fairly consistent with the information supplied by the applicant, who supplied a tally of available parking spaces on a recent Thursday:

12:25 PM 37 available (19 in use)

4:31 PM 21 available (35 in use)

7:41 PM 18 available (38 in use)

I. Required Findings:

(A) Section 27-588(h)(8) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:

1. The purposes of Section 27-550 will be served by the applicant's request. The purposes of Section 27-550 are:
 - (1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;
 - (2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;
 - (3) To protect the residential character of residential areas; and
 - (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District

The evidence provided at the hearing indicates that the requested departure will not result in a parking demand in excess of the number of spaces provided on the subject parking lot. This evidence includes the applicant's photographs and observations of the parking lot use, staff field observations, the typical number of vacancies in the building, the staggered hours of operation of office uses and beauty shops, and the availability of public transportation on St. Barnabas Road. The requested departure will therefore meet the purposes of Section 27-550.

2. The departure is the minimum necessary, given the specific circumstances of the request. The requested departure is the minimum necessary to permit the requested use and other approved uses to meet the parking requirements.

3. **The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949.** The departure is necessary in order to address special circumstances surrounding the types of uses on the site and the staggered nature of their hours of operation.
 4. **All methods for calculating the number of spaces required have either been used or found to be impractical.** The methods of calculation used for this application are the most conservative that can be applied under the Zoning Ordinance.
 5. **Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.** There are no residential areas near enough to the subject site to be affected by the proposed departure.
- (B) **In making its findings, the Planning Board shall give consideration to the following:**
1. **The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within 500 feet of the subject property.** Parking is available on the street along Stamp Road and most of Beech Road.
 2. **The recommendations of an area master plan, or County or local revitalization plan, regarding the subject property and its general vicinity.** The subject site is included in the *Heights and Vicinity Master Plan* which recommends light industrial uses for the subject property.
 3. **The recommendations of a municipality (within which the property lies) regarding the departure.** The subject property is not located in a municipality.
 4. **Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.** There are no public parking facilities proposed in the vicinity.
- (C) **In making its findings, the Planning Board may give consideration to the following:**

1. **Public transportation available in the area.** A bus stop is located at the corner of Beech Road and St. Barnabas Road, approximately 500 feet from the subject property.
2. **Any alternative design solutions to off-street facilities which might yield additional spaces.** There are no alternative design solutions which would yield additional spaces on the site.
3. **The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within 500 feet of the subject property.** The hours of operation for this applicant will be similar to those of typical beauty salons. Typical hours of operation for office uses are different from those of a beauty shop. Therefore, there will be increased parking space availability due to the staggered hours of operation.
4. **In the R-30, R-30C, R-1S, R-1SC, R-10A, R-10 and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.** The property is in the I-1 Zone.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the above-noted application.

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

PGCPB No. 02-203
File No. DPLS-284
Page 6

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October 3, 2002, in Upper Marlboro, Maryland.

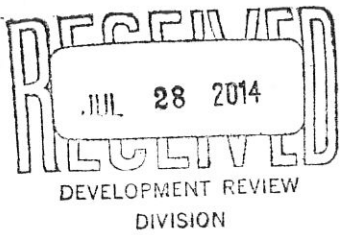
Adopted by the Prince George's County Planning Board this 24th day of 2002.

Trudye Morgan Johnson
Executive Director

By *Frances J. Guertin /ad*
Frances J. Guertin
Planning Board Administrator

TMJ:FJG:CW:rmk
(Revised 8/9/01)

APPROVED AS TO LEGAL SUFFICIENCY
B. J. Johnson
M-NCPPC Legal Department
Date 10/16/02



DPLS-401

STATEMENT OF JUSTIFICATION IN SUPPORT OF A
DEPARTURE FROM PARKING AND LOADING STANDARDS
4700 STAMP ROAD, TEMPLE HILLS, MD 20748



The applicant for this departure from parking and loading standards is Marvin Mallard. Mr. Mallard and his wife, Jennifer, are the owners of three units in a commercial condominium located at 4700 Stamp Road in Temple Hills, Maryland. The units are currently vacant. Mr. Mallard is seeking to open a business known as Executive Barber Shop and Cosmetology, which will provide beauty services. Mr. Mallard filed a permit application to occupy these units (33900-2012-U) but was advised that a Departure from Parking and Loading Standards would be required to permit his occupancy of the space. The purpose of this application is to obtain the departures necessary to allow such occupancy.

NATURE OF REQUEST

The subject property, known as The Marlow Heights Professional Center Condominium, consists of a series of two story, townhouse style office condominiums. The total property contains 42,732 square feet and is zoned I-1. Attached hereto as Exhibits "A" and "B" are the condominium plats for the Marlow Heights Professional Center Condominium, which are recorded among the Land Records of Prince George's County at Plat Book 114 Plats 47 and 48. At the time the property was originally developed in 1981 (1984-81-CGU), it was zoned C-2. The zoning of the property was changed to the I-1 zone in 1984. At the time it was constructed, the building was intended for office uses. However, the property now is occupied by offices and a number of beauty salons.

As noted, the building was originally intended to be occupied by office uses. As such, the parking scheduled based the required

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parking on that basis. Parking was calculated on the gross square footage of each floor of the condominium building. Thus, one space per 250 square feet was provided for the first 2,000 square feet of each floor, and one space per 400 square feet was provided thereafter. The total number of spaces required based on this calculation was 56 spaces. After applying a 20% reduction for shared parking, the total number of required parking spaces was 45. A total of 56 parking spaces was actually provided, and exist to serve the property today.

As often happens in situations like this, as non-office tenants began to occupy the property, the relatively few number of "excess" parking spaces were quickly taken. By 2002, when a beauty salon sought to occupy two units in the building, sufficient parking did not exist to satisfy the minimum requirements of the Zoning Ordinance. As a result, Wellness Touch Salon filed DPLS-284 seeking a waiver of 8 parking spaces. The departure was approved, and Wellness Touch still occupies Units K-1 and L-1.

Executive Barber and Cosmetology now seek to occupy units J-2, K-2 and L-2. Unit J-2 and K-2 each contain 880.5 square feet, while Unit L-2 contains 843.8 square feet. Since beauty shops are classified as a "Normal Parking Generator" one parking space for each 150 square feet is required. Thus, to occupy all three units, a total of 17.4, or 18 parking spaces is required. Applying the 20% reduction for shared parking, the space owned by the Mallards requires 13.89, or 14 parking spaces.

Currently, the condominium complex contains a mix of office uses, beauty and barber shops and vacant space. The following

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chart sets forth the existing occupants and square footage of each of the units.

| UNIT | USE | AREA (sq. ft.) |
|----------------|--|-------------------|
| A-1 | Body & Soul Beauty Salon | 843.8 |
| A-2 | Vacant | 843.8 |
| B-1 & B-2 | Monument Construction Co. | 1,761 |
| C-1 | Exquisite Image Beauty Salon | 880.5 |
| C-2 | Vacant | 880.5 |
| D-1 | Sensations Beauty Salon | 880.5 |
| D-2 | Vacant | 880.5 |
| E-1 | Charlene's House of Beauty | 880.5 |
| E-2 | Church office | 844.5 |
| F-1 | Barber shop | 844.5 |
| F-2 | Vacant | 844.5 |
| G-1 | Vacant | 844.5 |
| G-2 | Vacant | 844.5 |
| H-1 | Allied Tax Service | 880.5 |
| H-2 | Everest Financial | 880.5 |
| J-1 | Barber shop | 880.5 |
| J-2, K-2 & L-2 | Proposed Executive Barber Shop & Cosmetology | 2,604.8 |
| K-1, L-1 | Wellness Touch Salon | 1,724.3 |

The total square footage occupied by either office uses, or vacant space (which should also have parking calculated as office use) is

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9,504.8 square feet. Applying office parking ratios (1/250 for the first 2,000 square feet and 1/400 thereafter), a total of 26.76 parking spaces are required. The remaining units are occupied (or proposed to be occupied) by uses classified as normal parking generators, and contain a total of 9577.2 square feet. Since none of the individual uses exceeds 3,000 square feet in area, all square footage is calculated at a ratio of 1 space per 150 square feet, requiring 63.84 parking spaces. Thus, before taking the 20% reduction for shared parking, a total of 90.6 parking spaces are required. Although the 20% parking reduction allowed for a joint use parking lot pursuant to Section 27-572, such a reduction is not permitted for office buildings. Thus, for purposes of this Departure, the reduction is only applied to the normal parking generation uses. With the 20% reduction (12.76 spaces) the total required parking for the whole property is 77.83, or 78 parking spaces. As noted above, a departure of 8 parking spaces has already been approved under DPLS-284 for Wellness Touch Salon, reducing the required parking to 70 parking spaces. However, only 56 parking spaces exist on the property. Thus, in order to allow Executive Barber and Cosmetology to occupy the units owned by Mr. Mallard, a departure of 14 parking spaces is required. Mr. Mallard requests a departure of 14 parking spaces. Individually, Mr. Mallard's space, after applying the 20% reduction, requires a total of 14 parking spaces. Thus, in essence, a waiver of all of Mr. Mallard's required parking is requested in order to allow him to occupy his units in the building.

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ZONING ORDINANCE COMPLIANCE

Departures from the off-street parking requirements may be granted by the Planning Board in accordance with the provisions of Section 27-588 of the Prince George's County Zoning Ordinance. Section 27-588(b)(8) sets forth the required findings which the Planning Board must make in order to grant a requested departure from the off-street parking requirements. Those findings are as follows:

- (1) That the purposes of this Part will be served by the applicant's request;**

The purposes of the parking requirements are set forth in Section 27-550. Those purposes generally are to ensure that any use provides sufficient off-street parking to service said use and to lessen traffic congestion on the streets by reducing the use of the streets for parking. The applicant submits that its proposal in this case satisfies the purposes for requiring off-street parking.

As set forth above, parking requirement for all of the uses in the building, including the proposed use, cannot exceed 56 parking spaces. From July 9, 2013 to July 15, 2013, Mr. Mallard monitored the day to day parking needs of the condominium complex. Mr. Mallard compiled a book of photographs which clearly depict that at all times, ample parking is available in the parking lot. A copy of the photo book is attached as Exhibit "C". Approving the departure sought in this case will not result in vehicles causing

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congestion in the streets due to a lack of on street parking.

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

The request which the applicant is making is the minimum necessary. When the parking needed to serve the existing uses is calculated, and parking is assigned to the vacant units in the building, a total of 78 parking spaces is required. Even applying departure of 8 parking spaces approved in 2002, a total of 70 parking spaces are required, while only 56 exist. Thus, the departure requested is the minimum necessary, given the specific circumstances of the request.

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

The requested departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location. The location and design of the existing condominium units has proven to be an attractive location for businesses that offer beauty services. In fact, the majority of the occupied units offer beauty services. Notwithstanding, a parking problem has not resulted. If this departure is denied, the units will likely remain vacant, which will not contribute to a healthy business climate in the area. Thus, the circumstances which exist are special to this property and the departure is necessary to alleviate these circumstances.

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- (4) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical;**

Division 2, Subdivision 3 is applicable to an application for a departure from the number of parking spaces, as requested herein. This Subdivision contains the schedule for determining the number of parking spaces required, and gives the applicant the ability to provide spaces through the use of off site parking lots and shared parking. The schedule of required parking does not specifically list beauty services as a use, but such uses have always been classified as a normal parking generator. The zoning ordinance does allow for reductions in parking based on shared uses, and the applicant has applied all of the reductions which it believes are available. Notwithstanding, a departure is required.

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

The applicant submits that the parking and loading needs of residential areas will not be infringed upon if this request is granted. As noted above, there is always ample parking at the Subject Property and granting the requested departure is not expected to alter this condition. Denial of this application will simply result in the units remaining vacant. There has not been any interest in the space from office tenants for several years.

Section 27-588 also requires the Planning Board to give consideration to certain other matters. These are as follows:

DPLS-401

- (1) **The parking and loading conditions within the general vicinity of the subject property, including number and locations of available on and off-street spaces within five hundred (500) feet of the subject property;**

The Stamp Road and Beech Road area is predominantly an industrial park. On street parking is common along both of these roads. The Subject Property is a triangular shaped formed by the fork of Stamp Road and Beech Road. As a result, the Subject Property has substantial frontage on both roads, able to safely accommodate parking for 13-14 vehicles. While this parking cannot be counted toward meeting the minimum requirements of the proposed use, it is available in the general vicinity of the property should there ever be a need and the customers who may park there can access the Subject Property without crossing any roads. Further, there are sidewalks along the entire frontage of the property on both roadways.

- (2) **The recommendations of an area Master plan or County/Local Revitalization Plan, regarding the subject property and its general vicinity;**

The Central Branch Avenue Corridor Revitalization Sector Plan, which impacts this property, recommends industrial use for the subject property and retained the property in the I-1 zone. Therefore, the proposed use of the property is in full compliance with the recommendations of that Plan.

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

This property does not lie within the limits of any

DPLS-401

municipality.

(4) Public parking facilities which are proposed within the general vicinity of the property.

To the applicant's knowledge, there are no public parking facilities proposed within the general vicinity of the subject property.

The Planning Board is also permitted to consider several other factors which are set forth in Section 27-588(b)(7)(C). While many of these factors are not relevant to the facts of this case, they are listed as follows:

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

- (i) Public transportation available in the area;**
- (ii) Any alternative design solutions to off-street facilities which might yield additional spaces;**
- (iii) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;**
- (iv) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

As to requirement (i), public transportation is available in the area to serve the businesses in this office complex.

As to requirement (ii), there is insufficient land area on site to provide additional parking and therefore eliminate the need for this departure.

As to requirement (iii), the nature of the proposed uses contributes to a finding that adequate parking is available to serve the mix which exists on the property. Denial of the departure will result in space remaining vacant.

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

CONCLUSION

Given all of the above considerations, the applicant respectfully submits that all of the required Findings set forth in Section 27-588 are met and satisfied with this application. Most importantly, the applicant submits the purposes for requiring off-street parking spaces are also satisfied. Therefore, the applicant requests that its departure from the required number of off-street parking spaces be granted.

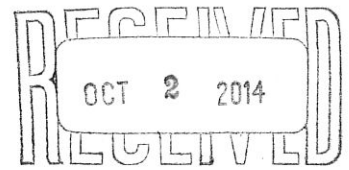
Respectfully submitted,

GIBBS AND HALLER



Thomas H. Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
(301) 306-0033

AMENDED



SUPPLEMENTAL
STATEMENT OF JUSTIFICATION IN SUPPORT OF A
DEPARTURE FROM PARKING AND LOADING STANDARDS
4700 STAMP ROAD, TEMPLE HILLS, MD 20748

DEVELOPMENT REVIEW
DIVISION

DPLS-401

The applicant for this departure from parking and loading standards is Marvin Mallard. Mr. Mallard and his wife, Jennifer, are the owners of three units in a commercial condominium located at 4700 Stamp Road in Temple Hills, Maryland. The units are currently vacant. Mr. Mallard is seeking to open a business known as Executive Barber Shop and Cosmetology, which will provide beauty services. Mr. Mallard filed a permit application to occupy these units (33900-2012-U) but was advised that a Departure from Parking and Loading Standards would be required to permit his occupancy of the space. The purpose of this application is to obtain the departures necessary to allow such occupancy.

In addition, during the processing of the application, it was determined that since the proposed use is a service use (barber shop and beauty salon) exceeding 2,000 square feet, a loading space is required pursuant to Section 27-582. This Supplemental Statement of Justification is filed to support the request for a departure from the requirement to provide a loading space in conjunction with the use.

NATURE OF REQUEST

The subject property, known as The Marlow Heights Professional Center Condominium, consists of a series of two story, townhouse style office condominiums. The total property contains 42,732 square feet and is zoned I-1. Attached hereto as Exhibits "A" and "B" are the condominium plats for the Marlow Heights Professional Center Condominium, which are recorded among the Land Records of Prince George's County at Plat Book 114 Plats 47 and 48. At the

time the property was originally developed in 1981 (1984-81-CGU), it was zoned C-2. The zoning of the property was changed to the I-1 zone in 1984. At the time it was constructed, the building was intended for office uses. However, the property now is occupied by offices and a number of beauty salons.

As noted, the building was originally intended to be occupied by office uses. As such, the parking and loading schedules based the required parking and loading on that premise. Parking was calculated on the gross square footage of each floor of the condominium building. Thus, one space per 250 square feet was provided for the first 2,000 square feet of each floor, and one space per 400 square feet was provided thereafter. The total number of spaces required based on this calculation was 56 spaces. After applying a 20% reduction for shared parking, the total number of required parking spaces was 45. A total of 56 parking spaces was actually provided, and exist to serve the property today.

Since the building is two floors the top floor and the ground floor were treated as separate office buildings. Neither floor exceeded 10,000 square feet, and therefore no loading space was required (an office building with less than 10,000 square feet does not require a loading space).

As often happens in situations like this, as non-office tenants began to occupy the property, the relatively few number of "excess" parking spaces were quickly taken. By 2002, when a beauty salon sought to occupy two units in the building, sufficient parking did not exist to satisfy the minimum requirements of the Zoning Ordinance. As a result, Wellness Touch Salon filed DPLS-284 seeking a waiver of 8 parking spaces. The departure was approved,

and Wellness Touch still occupies Units K-1 and L-1.

Executive Barber and Cosmetology now seek to occupy units J-2, K-2 and L-2. Unit J-2 and K-2 each contain 880.5 square feet, while Unit L-2 contains 843.8 square feet. Since beauty shops are classified as "Retail or service" use under Section 27-582, a loading space is required if a use exceeds 2,000 square feet. The three units owned by the applicant contain a total of 2,604.8 square feet. As a result, a loading space is required. Since the building was constructed with no loading space, there is no opportunity to provide a separate space without removing parking. The applicant does not propose to remove parking spaces.

ZONING ORDINANCE COMPLIANCE

Departures from the off-street loading requirements may be granted by the Planning Board in accordance with the provisions of Section 27-588 of the Prince George's County Zoning Ordinance. Section 27-588(b)(8) sets forth the required findings which the Planning Board must make in order to grant a requested departure from the off-street parking requirements. Those findings are as follows:

- (1) That the purposes of this Part will be served
by the applicant's request;**

As set forth above, on the office buildings were constructed, no loading spaces were required. While a barber or beauty shop is a permitted use in office buildings regardless of the zoning category, it is not technically considered an office use. If an office use were to occupy the three units owned by the applicant, no additional loading space requirement would be generated. From

a practical standpoint, the additional 600 sq. ft. in the applicant's condominium units does not now generate the need for a loading requirement which would not have existed if the size of the units was less than 2000 sq. ft. Therefore, the incremental size of the subject property in this case does not create the need for a loading space. Therefore, the purposes of the loading requirements are not undermined by approving the request for a departure.

(2) The departure is the minimum necessary, given the specific circumstances of the request;

~~As noted above, zoning ordinance would require one loading space to serve the proposed use. No loading spaces exist on site. Therefore the departure requested is the minimum necessary.~~

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

The applicant would submit that the departure is necessary in order to alleviate certain circumstances which are special to the subject use, given its nature at this location. The existing structures consist of office space. Beauty salons and barber shops are common tenants in office buildings and office building complexes. They do not however, change the nature of the overall use. While some retail and service uses may generate a need for loading space because of the nature of their use, a barber or beauty shop does not. While hair care products are sold, they are not sold at a pace which requires deliveries of large packages or boxes. No more delivery services are required for a beauty salon or barbershop than for a comparably sized office use. If the size of

an individual office tenant does not dictate the need for a loading space, it should not dictate the need to provide a loading space for the subject use.

- (4) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical;**

Division 3, Subdivision 3 is applicable to an application for a departure from the number of loading spaces, as requested herein. This subdivision contains the schedule for determining the number of loading spaces required. The schedule of required loading spaces does not specifically list beauty or barbershops as a use. Rather, the schedule only provides a general classification for retail and service uses. Applying such a classification to the subject use results in the need for a single loading space. There is no other method for calculating the number of spaces required which could alleviate the need for this departure.

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

The existing office building complex has been in existence for over 30 years. There's no indication that the parking and loading needs of adjacent residential areas have been infringed on, or will be infringed on if the departure is granted. There are other beauty when barbershops located within the building, and no need for loading spaces has arisen. While the other uses are less than 2000 sq. ft., the nature of the use does not change dramatically with the additional 600 sq. ft. of floor area. Denial of this application will simply result in the units remaining vacant.

Section 27-588 also requires the Planning Board to give consideration to certain other matters. These are as follows:

- (1) **The parking and loading conditions within the general vicinity of the subject property, including number and locations of available on and off-street spaces within five hundred (500) feet of the subject property;**

The Stamp Road and Beech Road area is predominantly an industrial park. As noted above, while the subject property was originally zoned commercial, but is now zoned I-1. Most of the uses surrounding the subject property are industrial in nature. Trucks and other vehicles enter this neighborhood frequently to provide materials to the businesses. Any loading which is necessary to serve the subject property, such as a UPS truck, can be easily accommodated and will not infringe on adjoining residential areas or otherwise interfere with normal business activities of other uses on a day-to-day basis.

- (2) **The recommendations of an area Master plan or County/Local Revitalization Plan, regarding the subject property and its general vicinity;**

The Central Branch Avenue Corridor Revitalization Sector Plan, which impacts this property, recommends industrial use for the subject property and retained the property in the I-1 zone. Therefore, the proposed use of the property is in full compliance with the recommendations of that Plan.

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

This property does not lie within the limits of any municipality.

(4) **Public parking facilities which are proposed within the general vicinity of the property.**

There are no public loading facilities available to serve the subject property.

The Planning Board is also permitted to consider several other factors which are set forth in Section 27-588(b)(7)(C). While many of these factors are not relevant to the facts of this case, they are listed as follows:

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

- (i) **Public transportation available in the area;**
- (ii) **Any alternative design solutions to off-street facilities which might yield additional spaces;**
- (iii) **The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;**
- (iv) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

Of the above additional considerations, only requirement (iii) could be applicable to the proposed use. As noted above, the existing building consist of a mixture of small office and service establishment consistent with an office environment. These uses do not generate, or need, substantial loading facilities. Large trucks are not required to service the

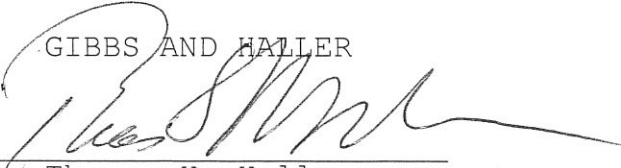
property, can small delivery vehicles can be accommodated in the parking lot. Thus, the nature of the existing and proposed uses contributes to a finding that a loading space is not required to serve the mix which exists on the property. Denial of the departure will result in space remaining vacant.

CONCLUSION

Given all of the above considerations, the applicant respectfully submits that all of the required Findings set forth in Section 27-588 are met and satisfied with this application. Therefore, the applicant requests that its departure from the required number of off-street loading spaces be granted.

Respectfully submitted,

GIBBS AND HALLER



Thomas H. Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
(301) 306-0033

OWNER'S DEDICATION

We, Stamp Beach Association, a Maryland Limited Partnership, owners of the property shown hereon and described in the accompanying Declaration, hereby adopt the plat and plan of subdivision shown hereon, and the provisions of Title XI of the Real Property Article, Section 11-101, et seq., of the Annotated Code of Maryland and certify that the requirements of the Real Property Article, Section 4-109, of the Annotated Code of Maryland have been complied with in the preparation of this plat and plan.

There are no suits of action, leases, liens or trusts on the property included in this plat of condominium subdivision, except for a certain deed of trust and the parties in interest thereto have below indicated their assent to this plan of condominium subdivision.

January 8, 1988 **STAMP BEACH ASSOCIATION**
 Richard L. Hoffmann, President

January 8, 1988 **MADISON NATIONAL BANK**
 Norman F. Hecht, Sr., Trustee

January 8, 1988 **ROBERT J. GARDNER, TRUSTEE**

We hereby assent to this plan of condominium subdivision.
 January 8, 1988
 [Signatures]
 WITNESSES

SURVEYOR'S CERTIFICATE

I hereby certify that this plat and plan of condominium subdivision consisting of two (2) shares is correct.

That it is a subdivision of land improved by office townhouses located on Parcel One, of the Parcel One subdivision, in Prince Georges County, Maryland, and recorded among the Land Records of Prince Georges County, Maryland, of this XI of the Real Property Article, Section 11-101, et seq., of the Annotated Code of Maryland.

I further certify that the locations and dimensions of all buildings have been carefully established by a survey and that the same otherwise shown, there are no visible encroachments and that the requirements of the Real Property Article, Sections 4-109, of the Annotated Code of Maryland have been complied with in the preparation of this plat and plan.

That the total area included within the bounds of this condominium subdivision is 0.9726 acre of land.

January 8, 1988

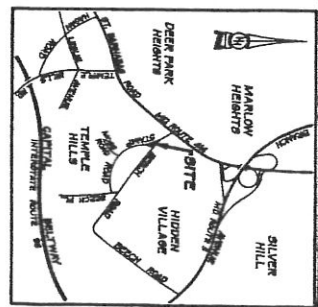
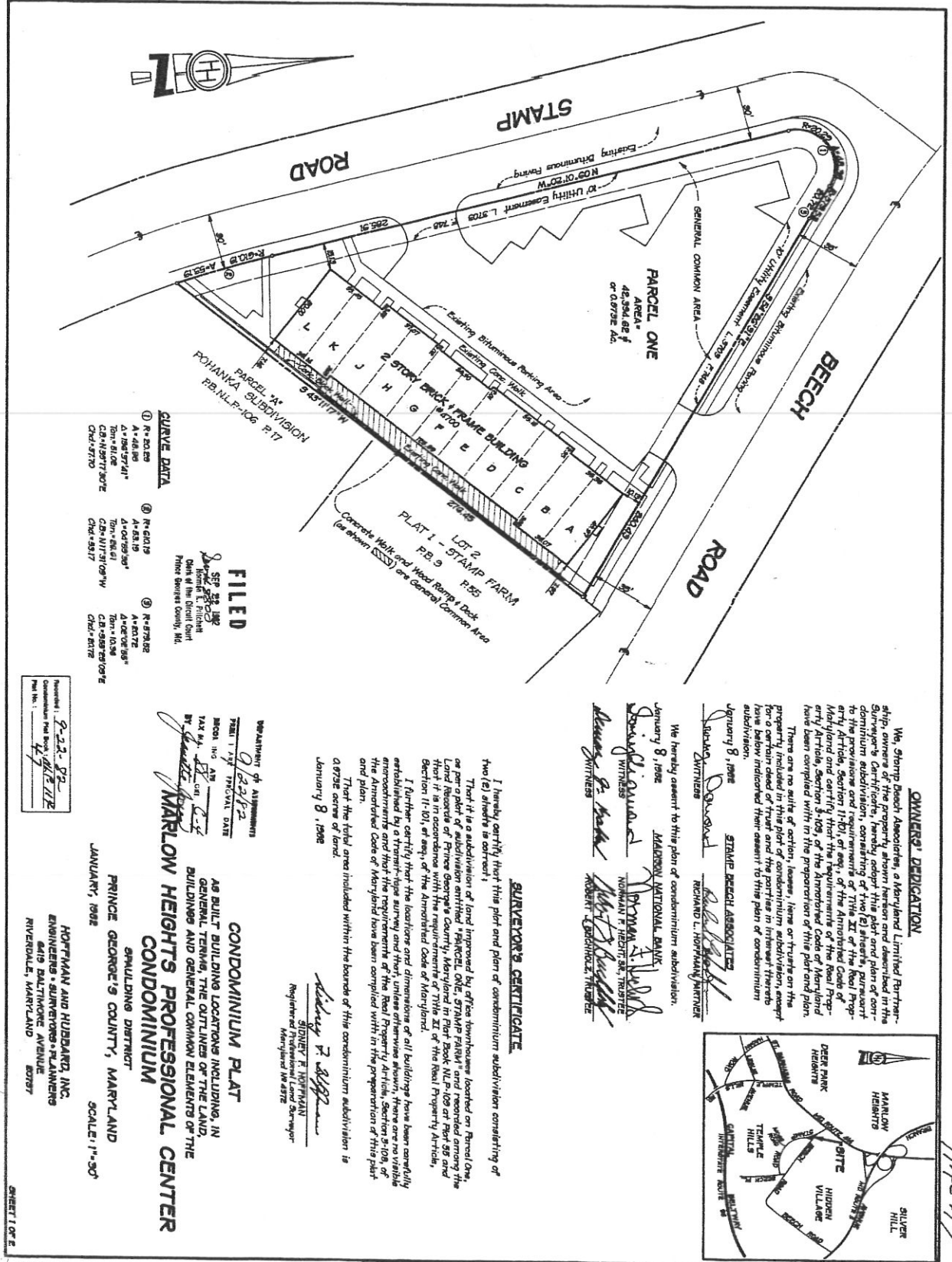
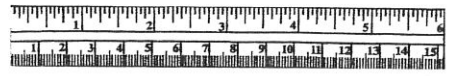
Signey F. Hoffmann
SIGNEY F. HOFFMANN
 Registered Professional Land Surveyor
 Maryland No. 4572

TREATMENT OF ASSIGNMENTS
 9/23/82
 TAX MAP AND
 BY *[Signature]*
MARLOW HEIGHTS PROFESSIONAL CENTER CONDOMINIUM

CONDOMINIUM PLAT
 AS BUILT BUILDING LOCATIONS INCLUDING IN GENERAL TERMS, THE OUTLINES OF THE LAND BUILDINGS AND GENERAL COMMON ELEMENTS OF THE CONDOMINIUM
 SPENDING DISTRICT
 PRINCE GEORGE'S COUNTY, MARYLAND
 JANUARY, 1988
 SCALE: 1"=30'

HOFFMANN AND HUBBARD, INC.
 ENGINEERS & SURVEYORS-PLANNERS
 AND DRAFTSMEN
 RIVERDALE, MARYLAND 20737

SHEET 1 OF 2









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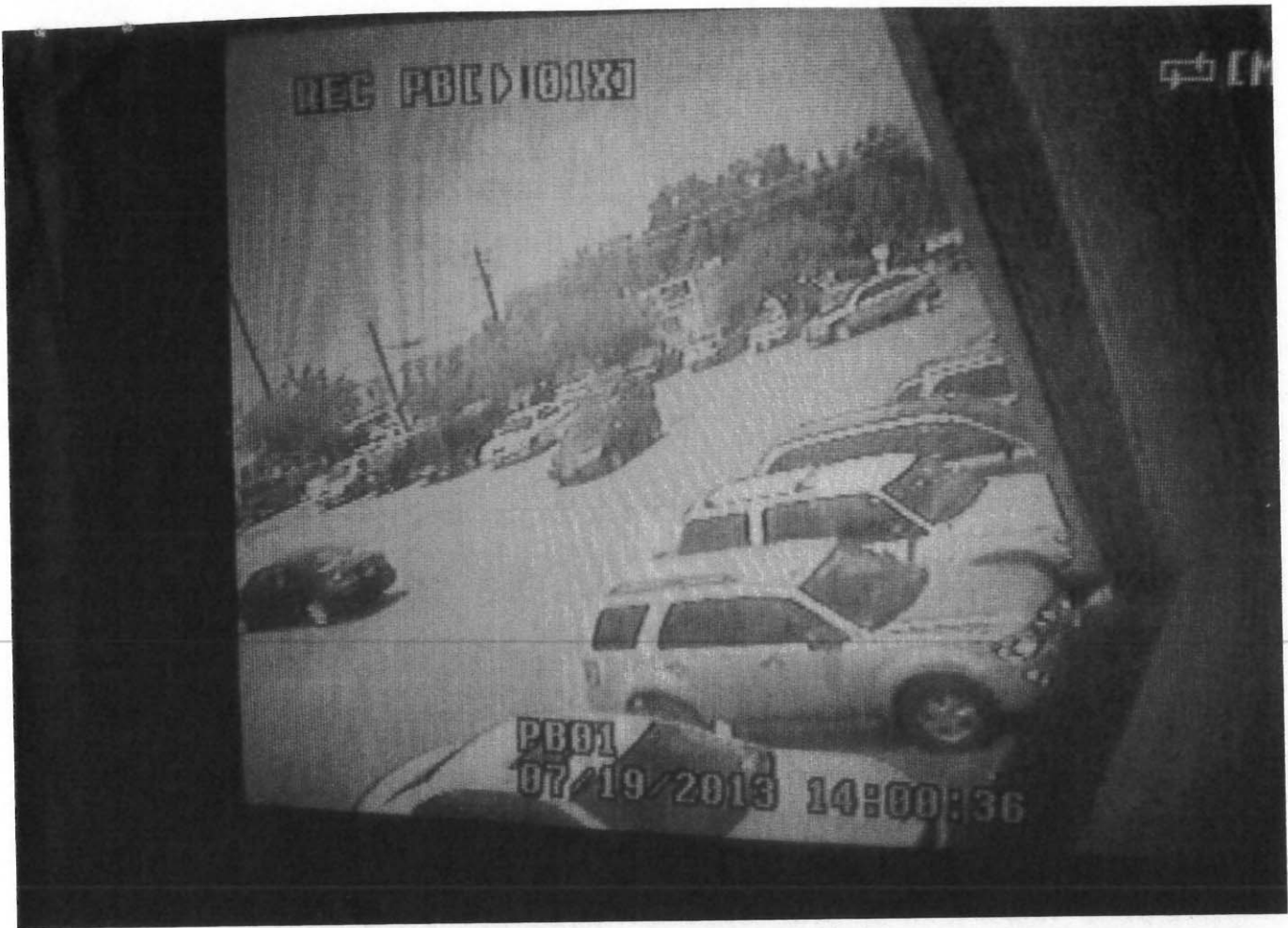
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