

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed Departure from Parking and Loading Standards DPLS-466, 1 Salon Studio, requesting a departure of two loading spaces from the parking and loading requirements 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 February 28, 2019, the Prince George’s County Planning Board finds:

1. **Request:** The subject application requests approval of a departure of two loading spaces from the parking and loading requirements for a proposed beauty shop and an eating and drinking establishment, excluding drive-through service, as approved by Detailed Site Plan DSP-17012 (PGCPB No. 19-29).

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-R	R-R
Use(s)	Vacant	Beauty Shop/Eating and Drinking Establishment (excluding drive-through service)
Acreage	1.38	1.38
Gross Building Square Footage	0	10,400

3. **Location:** The subject site is located on the south side of MD 193 (Greenbelt Road), approximately 2,000 feet west of its intersection with MD 564 (Lanham-Severn Road). The site is within Planning Area 70 and Council District 3.
4. **Surrounding Uses:** The property is bounded to the north by MD 193 and the Maryland Corporate Center beyond in the Light Industrial (I-1) Zone. To the west and south, the site is bounded by single-family detached dwellings in the Rural-Residential (R-R) Zone. A vacant narrow parcel abuts the property to the east with an existing church beyond, both in the R-R Zone.
5. **Previous Approvals:** The property was the subject of Preliminary Plan of Subdivision PPS 4-17015 approved by the Prince George’s County Planning Board on December 6, 2018. The Board adopted PGCPB Resolution No. 18-125 on January 10, 2019, formalizing that approval. The site also has an approved Stormwater Management Concept Plan, 52828-2017-00, which was approved on May 1, 2018, and will remain valid through May 1, 2021.

6. **Site Design:** The associated DSP-17012 proposes a single point of vehicular access from Greenbelt Road. The single, two-story, 38-foot-high building containing the beauty shop and the eating and drinking establishment will be located at the center of the site, facing Greenbelt Road, with main entrances on both the north and south elevations. There are two fountains, constructed of stone veneer to match the building, sited at the front and rear entrances. Parking for the development is proposed at the front, sides, and rear of the building. Pedestrian accessibility is provided via a proposed sidewalk along Greenbelt Road, but it is not connected into the property. This shall be amended to show a pedestrian connection from the parking lot to the front door of the building. The dumpster is located at the rear, southeastern portion of the site. The dumpster enclosure is proposed to be constructed of a six-foot-high, gray, sight-tight vinyl fencing. An eight-foot-high, vinyl, sight-tight fence is proposed along the western, eastern, and southern boundaries, as requested by the adjacent property owners. Since Footnote 114 provides that other requirements of the R-R- Zone shall not apply, the eight-foot fence is not subject to Section 27-420.

Signage—The applicant proposes minimal signage throughout the proposed development. Section 27-615 of the Prince George’s County Zoning Ordinance specifies that signage associated with a nonresidential use permitted in a residential zone is regulated by the same provisions of the least intensive commercial zone, in this case the Commercial Office (C-O) Zone. The site plan shows the location for a six-foot-tall metal and clear acrylic monument sign (27 square feet) at the vehicular entrance. The monument sign will be internally lit. The upper four feet of the sign is dedicated to the 1 Salon Studio logo. The project also includes two window canopy signs and two internally lit building-mounted signs (53 square feet), one fronting Greenbelt Road and the other at the rear of the building, that includes the business name. The dimensions of the two window canopy signs shall be provided on the site plan. Section 27-613 of the Zoning Ordinance prohibits signage on a rear wall that is visible from any residentially-zoned land, so the rear building-mounted sign shall be removed. Conditions relative to these issues were included in the Planning Board’s decision on DSP-17012.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Parking and Loading Standards DPLS-466:** The applicant requests a departure from Section 27-582, which requires two loading spaces for the subject development of 10,400 square feet. Due to site constraints and the proposed use of the building as a beauty shop with an eating and drinking establishment (excluding a drive through), the applicant is seeking relief from the loading space requirement for the building; therefore, a departure of two loading spaces is sought.

Section 27-588. Departures from the number of parking and loading spaces required.

Section 27-588(b)(7) Required Findings:

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

(i) The purposes of this Part (Section 27-550) will be served by the applicant's request;

Section 27-550. Purposes

(a) The purposes of this Part are:

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

The purposes of the parking and loading regulations will be served by the applicant's request to use the existing parking spaces for loading. The applicant seeks to ensure enough parking to serve the needs of the patrons of this proposed beauty shop with an eating and drinking establishment. Full-size loading spaces are not anticipated to be needed for the beauty shop or the eating and drinking establishment uses. The provision of all required parking spaces is preferred because the predominant use is the beauty shop.

The use of parking spaces during off-peak hours, in lieu of a formally delineated loading space, is a reasonable alternative for this particular site because inclusion of the loading spaces would require additional departures, which would negatively impact the adjoining residential uses.

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

The loading-space departure is the minimum necessary. There is no viable area for loading spaces that would not eliminate parking spaces, which is more important due to the proposed use of the site or require another departure for inclusion. The adjacent properties to the site are developed with single-family residences and a church. There are no other opportunities for expansion. Therefore, the departure is the minimum necessary, given the specific circumstances.

- (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, which are special to the subject use, given its nature at this location. The proposed building will house 50 individual studio spaces for use as beauty shops. The underlying nature of this use is that each individual beauty professional provides their products at a small scale, such that it is served by panel trucks delivering directly to the beauty professional, café, and spa, and the loading needs can be addressed by using a parking space. If timed correctly, the use of that space will not impact the peak-hour parking needs of the subject use. The purposes of the parking and loading regulations will be served by the request.

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

All methods of calculation have been fully applied to this site. Fifty-seven parking spaces and two loading spaces are required, and the applicant is requesting relief from the provision of the two loading spaces only.

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

The subject property is adjacent to residential areas. However, the parking and loading needs of adjacent residential areas will not be infringed upon by the requested departure.

(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 five hundred (500) feet of the subject property;**

There is no indication of a shortage of parking within the general vicinity of this facility. The area within 500 feet of the subject property is characterized by residential and commercial development. All uses have adequate parking.

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

The proposed use is permitted in the Zoning Ordinance and will not impair the integrity of the master plan.

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

The subject property is not located within a municipality.

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

According to the Prince George's County Capital Improvement Plan, there are no public parking facilities proposed for this area.

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

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

Limited public transportation is available at this location, along Greenbelt Road and Mission Drive. However, due to the developing nature of the area, it is anticipated that a limited number of patrons will use public transportation. However, public transportation is not generally viable for delivery purposes.

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

The proposed development is occurring in an established neighborhood. There are no other alternative design solutions, which would yield additional spaces or would not require additional departures to provide the loading 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;**

The proposed development is within 500 feet of retail uses. The uses at the subject property are new, but compatible with the nature and operation of other uses in the area.

- (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 zoned R-R and, therefore, is not subject to this provision.

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 to allow for a departure of two loading spaces from the requirements of Section 27-582 of the Zoning Ordinance.

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.

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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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, February 28, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of March 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

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