

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



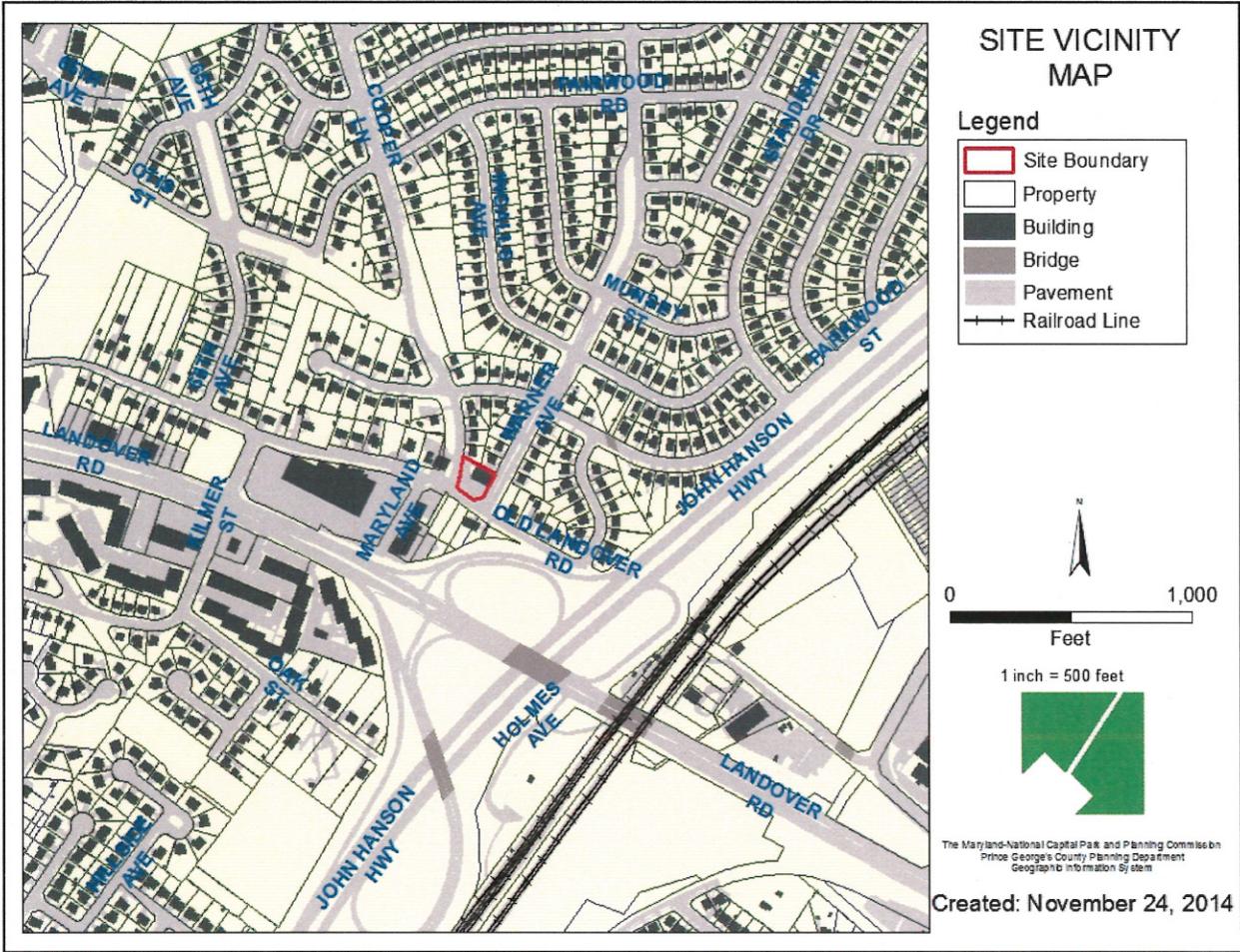
Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Departure from Design Standards DDS-628
Departure from Parking and Loading Standards DPLS-410

Application	General Data	
<p>Project Name: Philmatt-Afrik, Inc.</p> <p>Location: At the intersection of Old Landover Road and Cooper Lane.</p> <p>Applicant/Address: Philmatt-Afrik, Inc. 6690 Old Landover Road Landover, MD 20785</p> <p>Property Owner: PCE, LLC 6690 Old Landover Road Landover, MD 20785</p>	Planning Board Hearing Date:	12/11/14
	Staff Report Date:	11/24/14
	Date Accepted:	09/03/14
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.381
	Zone:	C-S-C
	Gross Floor Area:	4,900 sq. ft.
	Lots:	N/A
	Parcels:	1
	Planning Area:	69
	Council District:	05
	Election District:	02
	Municipality:	N/A
200-Scale Base Map:	204NE06	

Purpose of Application	Notice Dates	
<p>DDS-628: A departure request of 43 feet from the 50 feet required for a loading space adjacent to a residentially-zoned property.</p> <p>DPLS-410: A departure request of 14 of the 32 required parking spaces.</p>	Informational Mailing	06/30/14
	Acceptance Mailing:	08/28/14
	Sign Posting Deadline:	11/11/14

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



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board

VIA: Jimi Jones, Supervisor, Zoning Review Section, Development Review Division

FROM: Ivy R. Thompson, Senior Planner, Zoning Review Section, Development Review Division

SUBJECT: **Departure from Design Standards Application No. DDS-628**
Departure from Parking and Loading Standards Application No. DPLS-410

REQUEST: **DDS-628: A departure to allow the vehicular access to the loading space to be located within 50 feet of residentially-zoned property.**

DPLS-410: A departure request of 14 of the 32 required parking spaces.

RECOMMENDATION: **APPROVAL with conditions**

NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date of December 11, 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, 6690 Old Landover Road, is a 0.381-acre property located at the northeast intersection of Old Landover Road at its intersections with Cooper Lane to the west and Warner Avenue to the east in Landover Hills. The subject property is zoned Commercial Shopping Center (C-S-C) and is currently developed with a 4,900-square-foot single-story building used as a commercial retail food market. Access to the property is from Old Landover Road via an existing 22-foot-wide driveway. There is also access to the property from Cooper Lane via an existing 22-foot-wide driveway, which provides direct access to the loading area. The rear of the property is fenced and is adjacent to residential properties zoned One-Family Detached Residential (R-55).

B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Grocery/Food Market	Grocery/Food Market
Acreage	0.38	0.38
Parcels	1	1
Square Footage/GFA	4,900	4,900

C. **History:** The building was constructed in 1967. Parking and loading standards were grandfathered and are shown on prior approved plans. The business has operated at this site since 2006 under the name of PCE, LLC. The name was recently changed to Philmatt-Afrik, Inc.

D. **Master Plan Recommendation:** The subject property is located in the Established Communities area of the Prince George’s County Growth Policy Map in the *Plan Prince George’s 2035 Approved General Plan* (Plan Prince George’s 2035). The vision for established communities in Prince George’s County is to have context-sensitive infill and low- to medium-density development. This application is consistent with Plan Prince George’s 2035 and is in conformance with the land use recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* (Bladensburg-New Carrollton Master Plan and SMA). The Bladensburg-New Carrollton SMA retained the property in the C-S-C Zone.

E. **Request:** Section 27-579(b) of the Zoning Ordinance does not allow any portion of an exterior loading space and no vehicular entrances to any loading space within 50 feet of any residential zone. The applicant is requesting a departure of 43 feet from Section 27-579(b) to allow access to the loading space to be located within 50 feet of residentially-zoned property. The applicant is also requesting a departure of 14 parking spaces from the Zoning Ordinance requirement of 32 parking spaces for a commercial retail food market. The purposes of the requests are to bring the existing conditions of the subject property into conformance with the requirements of the Zoning Ordinance. The applicant is changing the name of the store and using the entire building for the store. There are no proposed disturbances on the site.

F. **Surrounding Uses:** The property, which is surrounded by commercial and residentially-zoned land, is part of the Landover Park subdivision and is adjacent to the Radiant Valley subdivision that is developed with single-family residential dwellings.

- North—** R-55-zoned land, Radiant Valley subdivision, developed with single-family residential dwellings. There is a single property zoned Commercial Office (C-O).
- South and West—** R-55 and C-S-C-zoned land developed with commercial buildings and a single-family residential dwelling.
- East—** R-55-zoned land developed with single-family residential dwellings.

G. Design Requirements:

1. **Departure from Design Standards from Section 27-579(b):** Section 27-579(b) of the Zoning Ordinance sets forth the following requirements:

(b) No portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan).

The subject departure from design standards is a request to allow the vehicular access to the internal loading space to be located within 50 feet of the residentially-zoned property to the north. The property is unique in that it is small and surrounded on three sides by public rights-of-way and to the north by residentially-zoned property, which limits the options for appropriate locations of a loading access drive and space. Additionally, the commercial building, loading space, and adjacent residential homes have all been in existence since at least 1967, and the loading space is internal to the building, behind a rolling metal garage door. There are no viable alternatives for relocating the loading space and access drive on-site.

2. **Departure from Parking and Loading Standards from Sections 27-568, Number of Required Parking and Loading Spaces:** Section 27-568 of the Zoning Ordinance requires one parking space for every 150 square feet of gross floor area (GFA). The GFA of the Philmatt-Afrik Market is 4,900 square feet and requires 32 parking spaces. A minimum of one loading space is also required. The applicant’s parking schedule provides a total of 18 parking spaces, including 10 standard spaces, 4 compact spaces, 2 parallel spaces, 1 handicap space, and 1 van-accessible handicap space. One loading space is required and one is provided. The existing 18-space parking lot on-site does not provide sufficient parking spaces to meet the Zoning Ordinance requirements, resulting in the departure request of 14 of the 32 required parking spaces. The departure is justified because there is no space on-site to provide additional parking spaces and it accurately reflects the existing conditions of the developed site.

Parking and Loading Standard	Section 27-568 of the Zoning Ordinance requires one parking space for every 150 square feet of GFA.
Existing Parking	18
Required Parking	32
Departure Requested	-14
Total Proposed Parking	18

3. **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.
4. **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. **Referral Comments:**

1. **Community Planning Division**—There are no General Plan or master plan issues raised by this application.
2. **Urban Design Section:** No architectural review is being provided by the Urban Design Section for the subject project because architecture is not an issue for the subject departure applications. The application is exempt from the 2010 *Prince George's County Landscape Manual* (Landscape Manual) pursuant to Section 1.1(b) which states:

(b) Existing conditions on developed sites not in conformance with the requirements of this manual that were otherwise lawful on December 13, 2010, and not the subject of any building or grading permit, may continue as a matter of right.

However, General Note 23 indicates that there are no outdoor trash areas on the site, but recent aerial imagery show outdoor dumpsters located in the southeast corner of the site. The Urban Design Section suggests that these dumpsters either be moved internal to the building or be properly screened per Section 4.4 of the Landscape Manual. The subject application is exempt from the requirements of the Prince George's County Tree Canopy Coverage Ordinance, as it will not result in excess of 5,000 square feet of disturbance to the site. The Urban Design Section has no specific comments on the merits of the departure request in regards to the required findings for approval stated in Section 27-239.01(b)(7) of the Zoning Ordinance.

3. **Environmental Planning Section:** The site qualifies for a standard exemption from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. This exemption must be obtained via application from the Environmental Planning Section and must be submitted with any permit application. A stormwater management concept plan may be required by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) at the time of any permit application. Due to the commercial use, traffic-generated noise is not regulated in relation to the application. The site does not front on any designated scenic or historic roadway. No other environmental requirements have been identified for this application.
4. **Permit Review Section:** The review of this referral does not include the review of any signage because it is not the subject of this particular application. The location of the dumpster must be demonstrated with required screening, unless information is provided regarding where the trash will be stored. There are striped spaces on the site plan that will have to be removed if they are not in conformance with zoning. It appears that the building was constructed in 1967; the applicant still has the option of using pre-1970 standards for parking and loading. The pre 1970 parking space size is 10 feet by 20 feet, with a minimum 18-foot drive aisle. New parking spaces must be dimensioned at 9.5 by

19 feet in size. Compact parking spaces must also be dimensioned. The drive aisle widths for new parking must be shown on the site plan at 22 feet in size.

I. **Required Findings:**

Departure from Design Standards DDS-628

1. **Section 27-587** of the Zoning Ordinance authorizes the Planning Board to grant departures from design standards under procedures and requirements contained in Part 3, Division 5, of the Zoning Ordinance.
2. **Section 27-239.01(b)(7)(A)** of the Zoning Ordinance provides that, in order for the Planning Board to grant a departure from design standards, it shall make the following findings:

- (i) **The purposes of this Subtitle will be equally well or better served by the applicant's proposal.**

Comment: Staff finds that these purposes are equally well served by the application. The business has operated at this location since 2006. The building was constructed in 1967. The applicant's proposal maintains the residential nature of the area. A single loading space is required by the Zoning Ordinance and one is provided. The interior loading space is discreetly located at the rear of the site. The location of the loading space does not detract from the residential character of the neighborhood, as it is screened. Fencing along the property lines will ensure that the site will maintain compatibility with adjacent residential land uses.

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

Comment: The departure of 43 feet is the minimum necessary. There are no improvements being made to the property. All of the existing conditions are shown on the site plan. The request allows for the parking lot to be used to its maximum potential. There are no additional impacts on the surrounding residential uses.

- (iii) **The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the county developed prior to November 29, 1949.**

Comment: Staff finds that the departure is necessary in order to alleviate circumstances that are unique to the site because the property is zoned C-S-C and residentially-zoned developed land surrounds the property. The property is unique in that it is located at three intersections that are gateways to residential subdivisions. This departure is necessary to provide the required loading space, which is necessary for the proposed use and location.

- (iv) **The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.**

Comment: There is no new development occurring on the subject property. The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood. The existing adjacent residential areas will not be infringed upon.

Departure from Parking and Loading Standards DPLS-410

3. Section 27-588(b)(8) of the Zoning Ordinance provides that:

(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;

Comment: The purposes of Section 27-550 are as follows:

- (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.**

Comment: The purposes of the parking and loading regulations for an established use will be served by the applicant's request. The purposes seek to ensure sufficient parking and loading areas to serve the needs of the established use and to aid in relieving traffic congestion on the streets by reducing the use of public streets for parking and loading. The market has operated at this location since 2006 under the name of PCE, LLC. The name of the business was recently changed to Philmatt-Afrik, Inc. The provision of on-site parking spaces at the subject location protects the residential character of Old Landover Road, Cooper Lane, and Warner Avenue. The subject property is surrounded by fully developed land. There is no room for expansion. The 18 parking spaces provided are a convenient amenity to those patrons using the proposed services offered, which benefits the regional district. Additionally, public transportation is available in the area; 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;

Comment: The departure of 14 spaces is the minimum necessary. Approval of this departure request allows the parking lot to be utilized to its maximum potential.

- (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;**

Comment: The departure is necessary to alleviate the special circumstances related to building use and the physical limitations of the subject property. A departure from parking and loading standards, generally, is a means to provide relief from the strict application of the Zoning Ordinance when a property has unique characteristics that make compliance with the standard impractical at that particular location. The property, which was developed in 1967, is located in a fully developed area and has no room for expansion. The market has operated at this location since 2006 and has sufficient parking to serve its patrons.

- (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**

Comment: All methods of calculation have been fully applied to this application. The current site plan shows 18 parking spaces. Permit Review staff cited Section 27-568(b), which allows for a 15 percent reduction in the number of required parking spaces if under certain conditions interior green is added. The applicant found this option of bringing the existing conditions into conformance with the Zoning Ordinance to be impractical. The applicant's position is supported because there are no proposed disturbances to the site.

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

Comment: The applicant submits that the parking and loading needs of the residential areas will not be infringed upon if this request is granted. Residential streets will not be impacted because there is access to public transportation, the area is pedestrian friendly, and there are sufficient parking spaces to accommodate the use. There will be no spillover into residential streets.

- (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;**

Comment: The area within 500 feet of the subject property is characterized by residential uses. The adjoining and nearby residential 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;**

Comment: The commercial land use associated with this application is consistent with Plan Prince George's 2035 and is in conformance with the land use recommendations of the Bladensburg-New Carrollton Master Plan and SMA.

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

Comment: 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.**

Comment: 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;**

Comment: While public transportation is available, it has no impact on the requested departure from the required loading space.

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

Comment: There are no viable design solutions to off-street facilities for the required loading space that would not negatively impact parking, which would have a greater impact on the surrounding residential area.

- (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;**

Comment: The parking and loading demands for the existing retail food market will be unchanged. The market is open daily from 9:00 a.m. to 9:00 p.m. There will be no disruption to traffic flow or parking conditions on the surrounding streets resulting from the proposed use because there are similar commercial/retail uses in the area. The proposal has no effect on the nature and hours of operation of other commercial/retail uses within 500 feet of the subject property if the departure is granted because the hours are similar to the market.

- (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.**

Comment: The subject property is in the C-S-C Zone; therefore, the above section is not applicable.

CONCLUSION

The requested departures are necessary to bring the existing conditions of the subject property into conformance with the requirements of the Zoning Ordinance. The building was constructed on the subject property in 1967. The market has operated at the subject property since 2006 under the current ownership with these conditions. The applicant has satisfied all of the requirements pertinent to obtaining the requested departure from the requirement that access drives to a loading space shall be a minimum of 50 feet from adjoining residentially-zoned land. The request for a departure from the parking and loading standards meets the requirements of the Zoning Ordinance and will not adversely affect the subject property or the surrounding neighborhood. The proposed use is permitted by-right and will not alter the relationship between the market and the surrounding neighborhood.

RECOMMENDATION

Therefore, based on the preceding analysis and findings, it is recommended that the Planning Board finds that the requests conform to the purposes of the required parking design standards contained in Sections 27-579(b) and 27-568 of the Zoning Ordinance. Accordingly, staff recommends APPROVAL of Departure from Design Standards Application No. DDS-628, a departure request of 43 feet from the 50 feet required for a loading space adjacent to a residentially-zoned property; and Departure from Parking and Loading Standards Application No. DPLS-410, a departure request of 14 parking spaces from the required 32 parking spaces, subject to the following conditions:

1. Prior to certification of the site plan, the applicant shall correct General Note 19 and remove General Note 23.
2. Prior to issuance of permits, the applicant shall apply for a standard exemption from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
3. Prior to issuance of permits, all trash dumpsters should either be moved internal to the building or be properly screened per Section 4.4 of the 2010 *Prince George's County Landscape Manual*.

ITEM:

CASE: DDS-628 & DPLS-410

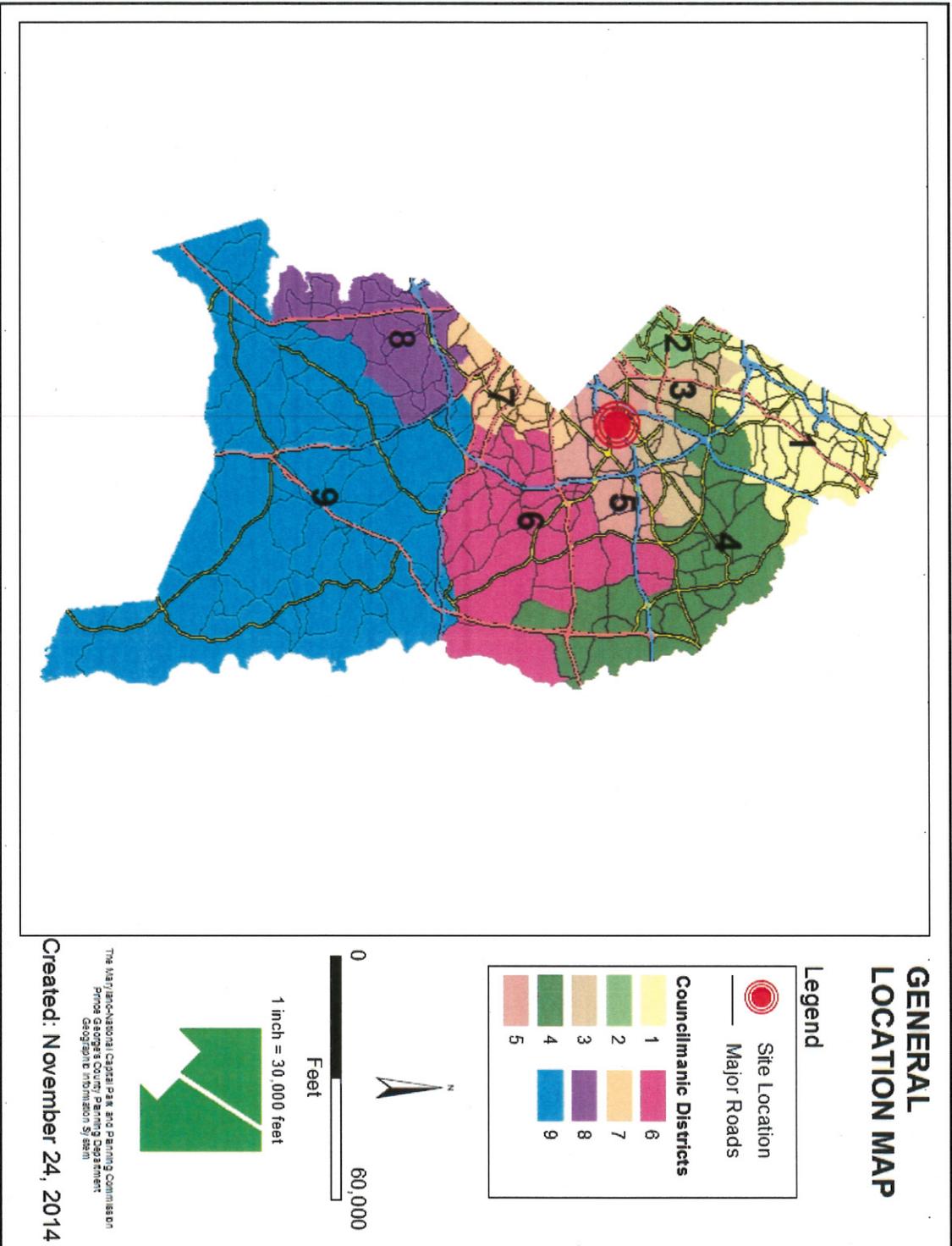
PHILMATT-AFRIK, INC.

THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



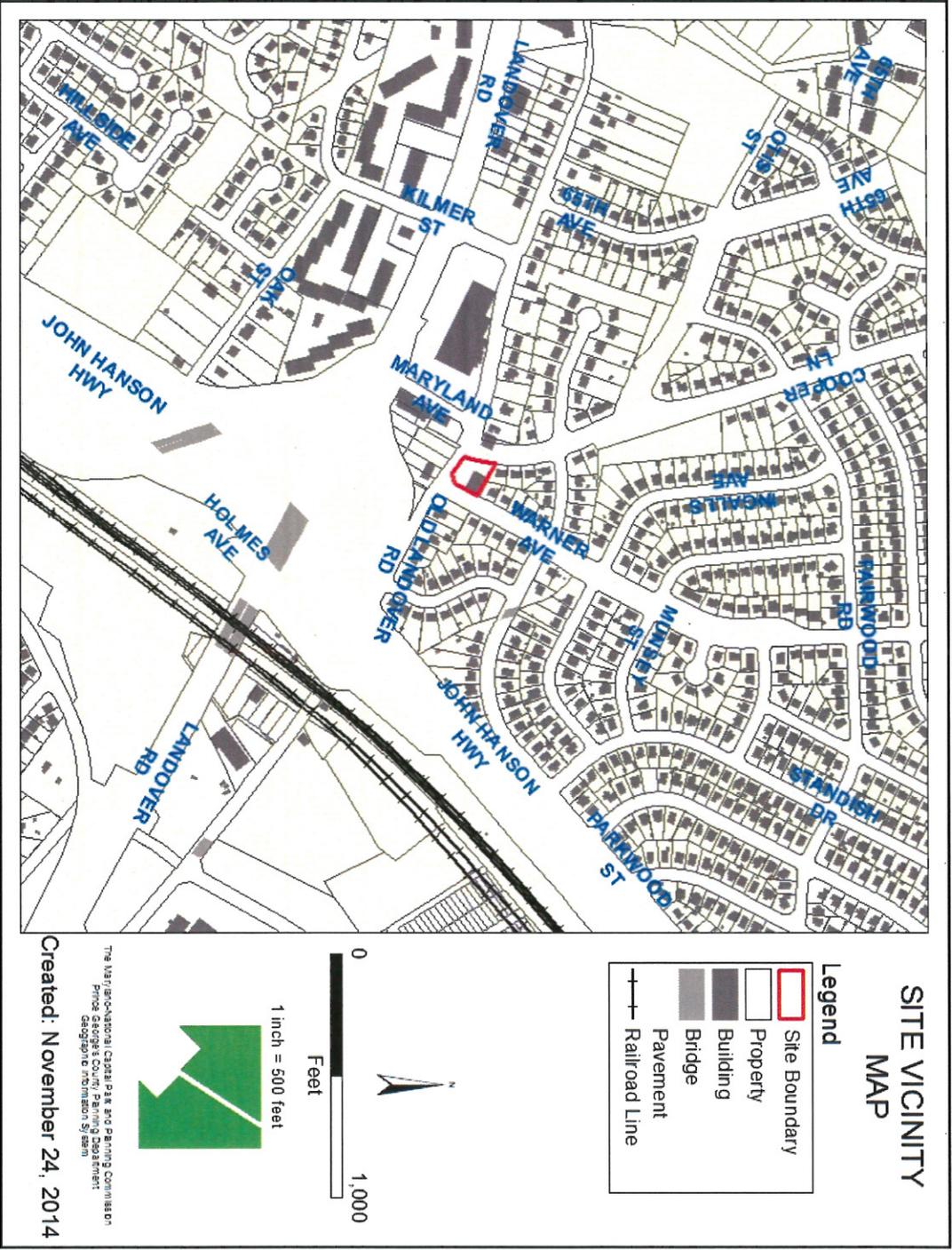
GENERAL LOCATION MAP

Case # DDS-628 & DPLS-410



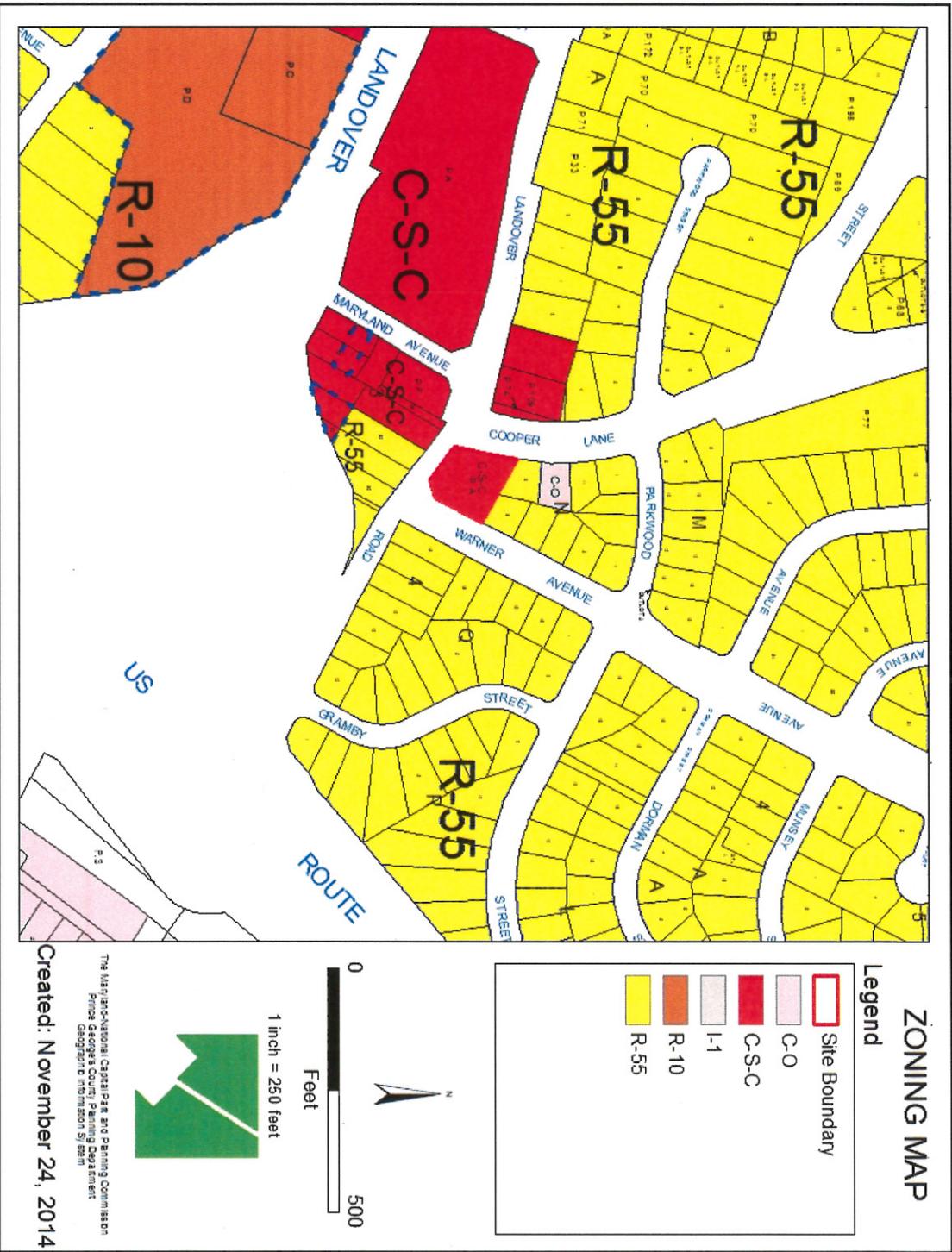
SITE VICINITY

Case # DDS-628 & DPLS-410



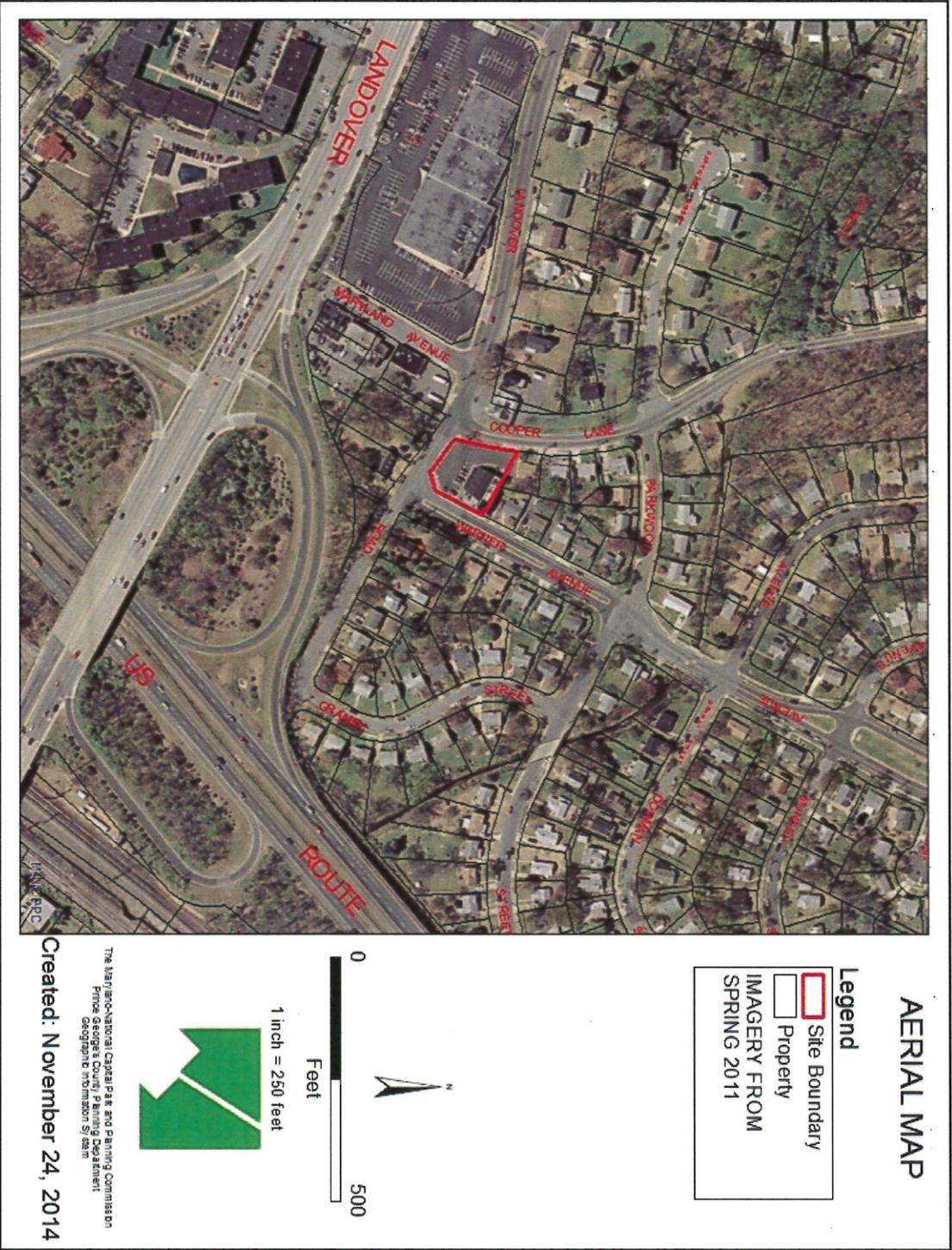
ZONING MAP

Case # DDS-628 & DPLS-410



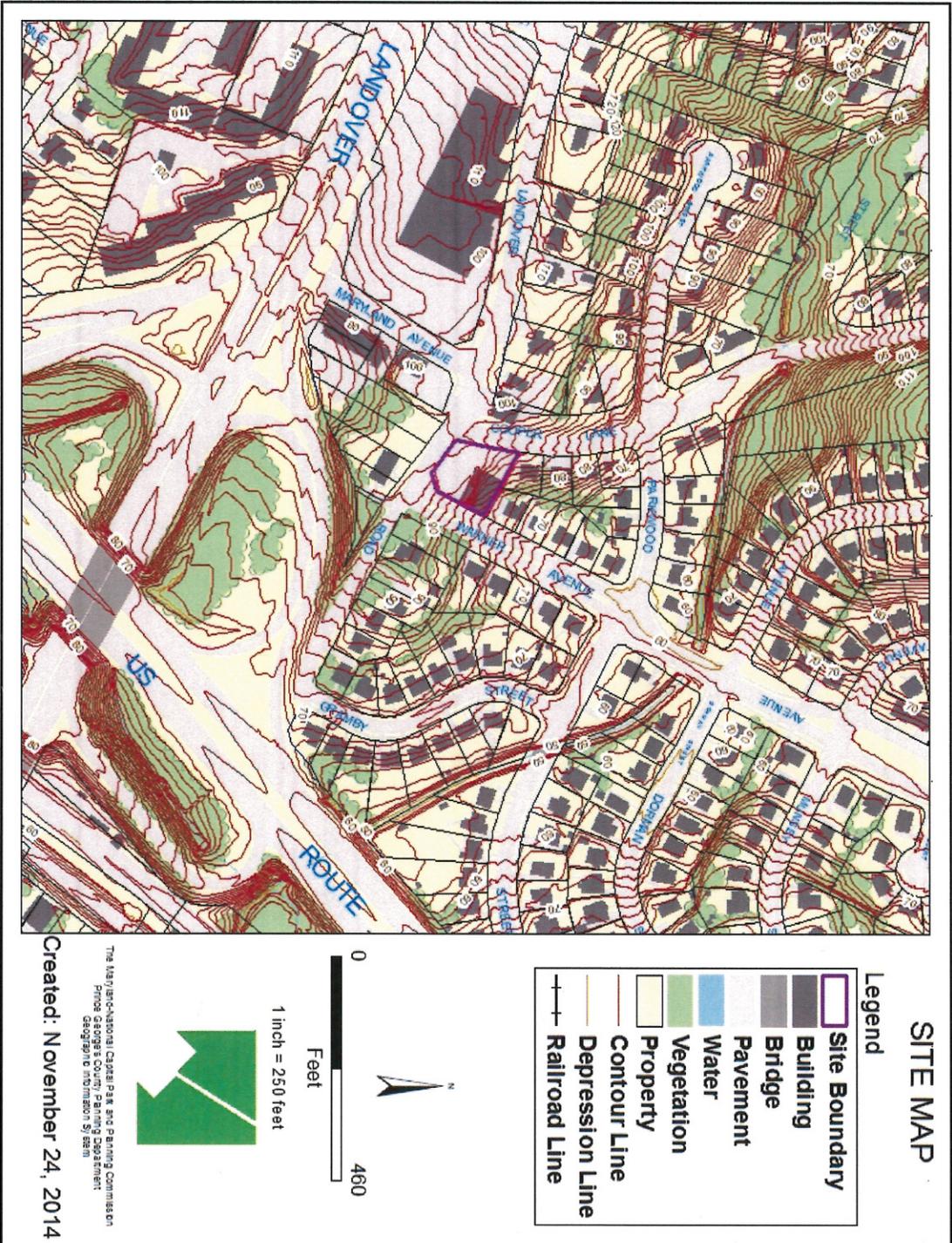
AERIAL MAP

Case # DDS-628 & DPLS-410

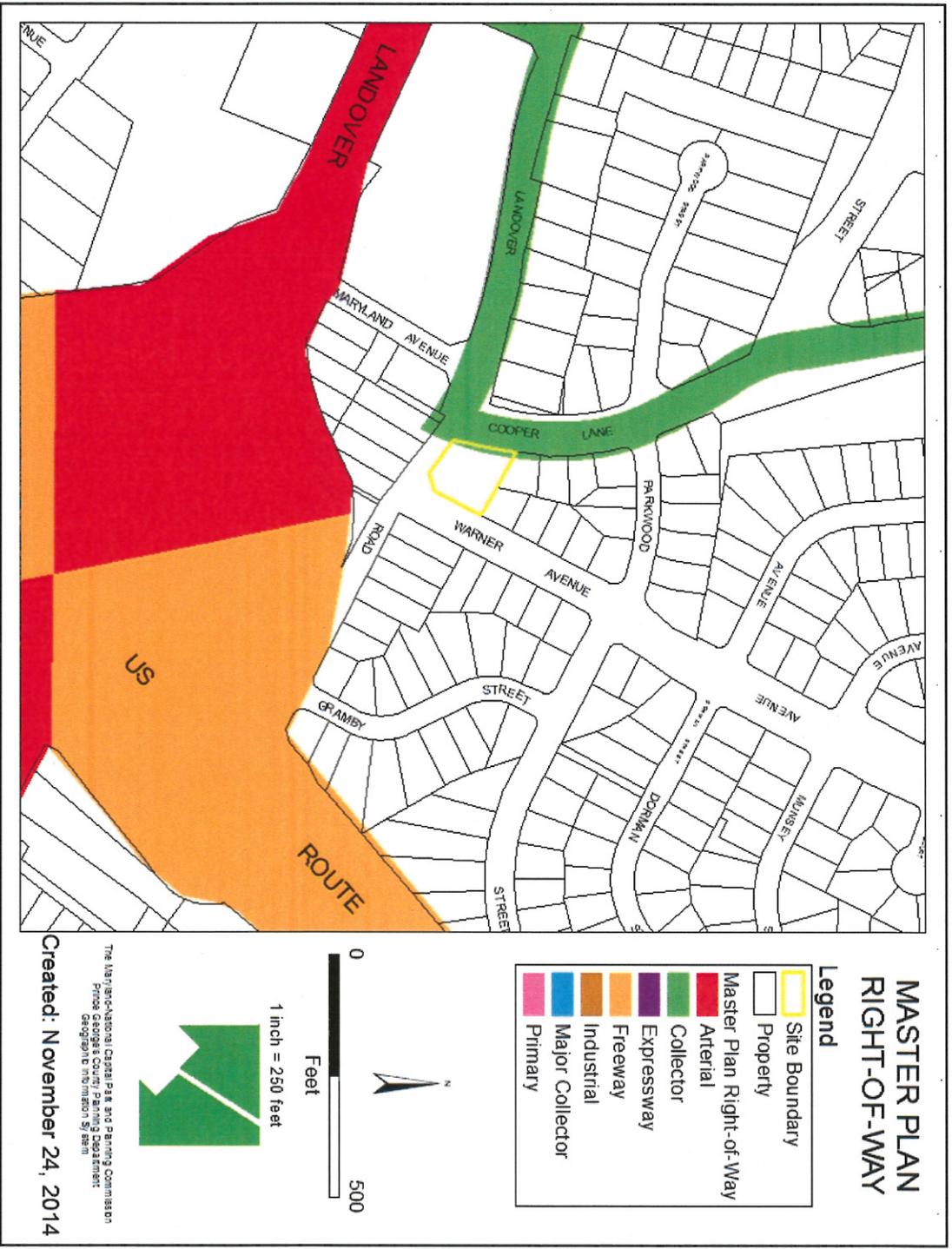


SITE MAP

Case # DDS-628 & DPLS-410



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



SITE PLAN

Case # DDS-628 & DPLS-410

PLAN

NOTE: WOOD FLOOR IS TO RETAIN NATURAL COLOR

BOARD-ON-BOARD FINISH

DETAIL

SITE LOCATION MAP

LEGEND

- Loading Space
- Narrow Inset Blog
- Standard Spaces
- Compound Spaces
- Perennial Spaces
- Hardscaping & Vorn Accessible Squares
- Edge of Pavement

GENERAL NOTES:

1. PROJECT NAME: PHILMATT-AFRIK, INC.
2. TOTAL AREA OF PROJECT: 0.281 AC
3. EXISTING ZONING: CS-3C
4. EXISTING ZONING: CS-3C
5. RETAIL FOOTPRINT PROPOSED USE OF THE PROPERTY
6. NUMBER OF PARCELS: 1 PARCEL: 410
7. GROSS FLOOR AREA OF EXISTING RETAIL STORE: 4,900 SQ FT
8. EXISTING ZONING: CS-3C
9. TAX MAP GRID: 08104
10. THIS SITE IS NOT LOCATED WITHIN AN AVIATION POLICY AREA (APA)
11. EXISTING WATERSEWER DESIGNATION: WS AND S-S
12. CEMETERIES ON OR CONTIGUOUS TO THE PROPERTY: NO
13. HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY: NO
14. EXISTING WETLANDS ON SITE: NO
15. EXISTING HIGH-YEAR FLOODPLAIN ON SITE: NO
16. SITE WITHIN CHEESEBARK BAY CRITICAL AREA OVERLAY: NO
17. THE SOURCE OF THE BOUNDARY SHOWN ON THIS PLAN IS FROM
18. A FIELD SURVEY BY W.L. MERRINS, INC DATED APRIL 25, 2011.
19. EXISTING BUILDINGS CONSTRUCTED IN 1970
20. TAX ACCOUNTING ISSUES
21. SUBMISSION OF LANDOWNER PARK
22. PROPOSED USE OF PROPERTY: FOOD & BEVERAGE STORE
23. NO OTHER USES
24. NO OTHER USES

PARKING TABLE

USE	REQUIREMENT	SIZE	PROVIDED
RETAIL STORE	12.5 sq ft per 50 sq ft	8.5 x 10	10
Handicap	1 per 50	8.5 x 10	1
Van Accessible	1 per 50	8.5 x 10	1
Female	1 per 50	8.5 x 10	1
Male	1 per 50	8.5 x 10	1
Total			14

Number of spaces provided for the use of the property is 14. The total number of spaces provided is 14. The total number of spaces provided is 14.

PARKING STRIPING DETAIL

DPLS-410
DDS-628

PHILMATT-AFRIK, INC.
6690 Old Landover Road
Landover, Maryland 20785
Parcel "A", Block 4

APPLICANT:
PHILMATT-AFRIK, INC.
6690 OLD LANDOVER ROAD
LANDOVER, MARYLAND 20785

ENGINEER:
DIGNITERRA DESIGN, LLC
14000 WOODBURN ROAD
DUBLIN, VA 22024

DATE: DEC 2014

SCALE: 1"=20'

PROJECT: SITE PLAN

DATE: AUG 5, 2014

SCALE: 1"=20'

1 of 1





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

October 20, 2014



MEMORANDUM

TO: Ivy Thompson, Senior Planner, Zoning Section
VIA: Teri Bond, Planning Supervisor, Community Planning Division *TMB*
FROM: Carol Beach, Planner Coordinator, Community Planning Division *CAB*
SUBJECT: **Philmatt-Afrik, Inc. (DPLS-410 and DDS-628)**

DETERMINATIONS

BACKGROUND

Location: Located in the northeast corner of the intersection of Old Landover Road and Cooper Lane.
Size: 0.38 acres
Existing Uses: Food Market
Proposal: Request is for a Departure from Parking and Loading Standards and Departure from Design Standards.

GENERAL PLAN, MASTER PLAN, AND SMA

This application requires conformance with the applicable General or Master Plan. NO

General Plan: The subject property is located in the Established Communities area of the Prince George's County Growth Policy Map in the Plan Prince George's 2025 Approved General Plan. The vision for Established Communities in Prince George's County is to have context-sensitive infill and low to medium-density development.

Master/Sector Plan: Bladensburg New Carrollton and Vicinity Plan, 1994

Planning Area/Community: Planning Area 69 / Landover Hills
Land Use: Retail Commercial

- Environmental: See the Environmental Planning Section referral for comments from the 2005 Countywide Green Infrastructure Plan concerning development of this site.
- Historic Resources: None identified near the subject property.
- Transportation: Access is provided from Old Landover Road.
- Public Facilities: None identified near the subject property.
- Parks & Trails: None identified near the subject property.
- Aviation/ILUC: The subject property is not within the Joint Base Andrews ILUC impact area.
- SMA/Zoning:** The Bladensburg, New Carrollton SMA retained the property in the CSC, (Commercial Shopping Center) zone.

PLANNING ISSUES

cc: Ivy Lewis, Chief, Community Planning Division
Long-range Agenda Notebook

Thompson, Ivy

From: Reiser, Megan
Sent: Monday, September 15, 2014 3:39 PM
To: Thompson, Ivy
Subject: DPLS-410 and DDS-628

Hi Ivy,

The Environmental Planning Section (EPS) has reviewed the referral package stamped as received by EPS on September 3, 2014. The proposal is for a retail food market including a departure for a loading space less than 50 feet from a residential zone and a departure for 14 parking spaces instead of the 32 required.

The site qualifies for a standard exemption from the Woodland and Wildlife Habitat Conservation Ordinance. This exemption must be obtained via application from the Environmental Planning Section and must be submitted with any permit application. A stormwater management concept plan may be required by the Department of Permitting, Inspections, and Enforcement (DPIE) at time of any permit application.

Due to the commercial use, traffic generated noise is not regulated in relation to the application. The site does not front on any designated scenic or historic roadway.

No other environmental requirements have been identified for this application.

Thanks,
Megan Reiser
Planner Coordinator, Environmental Planning Section
Prince George's County Planning Department
The Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772
301-952-3752 Fax:301-952-3799
megan.reiser@ppd.mncppc.org



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

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

September 5, 2014

MEMORANDUM

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

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

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

SUBJECT: DPLS-410 & DDS-628; Philmatt-Afrik, Inc.

Philmatt-Afrik, Inc. property is located at the northeast intersection of Old Landover Road and Cooper Lane. Special Projects Section, Countywide Planning Division has reviewed the following:

- (a) Proposed Departure from Design Standards (DDS) application for public facility adequacy. The request DDS for a loading space being less than 50 feet from residential zone will have no impact on existing public facilities.
- (b) Proposed Departure from Parking and Loading Spaces (DPLS) application for public facility adequacy. The request DPLS for 14 parking spaces from the 32 required parking spaces will have no impact on existing public facilities.



**** REFERRAL REQUEST ****

Date: 9/3/2014
 To: PRANOY CHOUDHARY, MD. STATE HIGHWAY ADMINISTRATION
 From: IVY THOMPSON, SENIOR PLANNER, ZONING SECTION
 Subject: PHILMATT-AFRIK, INC. (DPLS-410 & DDS-628)

IDENTIFICATION OF MAJOR ISSUES DUE DATE*: 9/18/2014
 *Note: E-mail any major issues/problems to the reviewer by the above date.

S D R C DATE: N/A

REFERRAL DUE DATE: 10/3/2014

X Full Review of New Plan Revision of Previously Approved Plan
 Limited or Special Review Plans/Documents Returned for Second Review Following Revision by Applicant

NOTE: This case is being reviewed at: X Planning Board level OR Planning Director level

COMMENTS: Please email major issues to Ivy Thompson at Ivy.Thompson@ppd.mncppc.org

Related Cases: _____

REFERRAL REPLY COMMENTS:

SHA offers no comments. All access is via County Road. Projected is subjected to Terms & conditions of P.G. County Permitting process

PRANOY

NOTE: IF YOU HAVE NO COMMENTS, PLEASE INDICATE ABOVE AND FORWARD OR FAX TO THE REVIEWER'S ATTENTION.

SHA
410 395-8895

59/91

OWNER'S DEDICATION

We Joseph Bertram and Iva Bertram, his wife, owners of the property shown hereon and described in the Surveyor's Certificate hereby accept this plan of resubdivision, establish the minimum building restriction lines and dedicate the street widening to public use. There are no suits of action, leases, liens or trusts on the property included in this plan of resubdivision.

March 21, 1966.

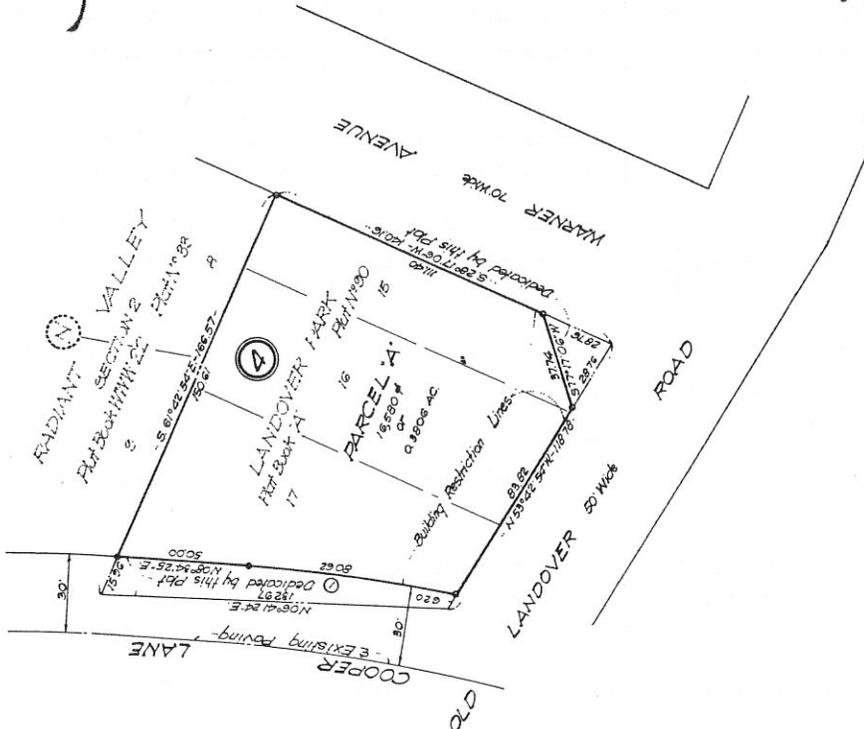
Joseph Bertram
Iva Bertram

SURVEYOR'S CERTIFICATE

I hereby certify that the plan shown hereon is correct. That a resubdivision of Lot 16 and one part of Lots 15 and 17, Block A, Landover Park, as hereafter recited in Plat Book A, Part 1, No. 93, shall take effect from the date of filing of this plan of resubdivision. That the minimum building restriction lines and dedication of the street widening to public use are hereby established by this plan of resubdivision. That the total area included in this plan of resubdivision is 0.2536 acres of land. And that the plan is filed in the Land Records of Prince Georges County, Maryland, at the office of the Surveyor, on March 21, 1966.

Joseph Bertram
 Surveyor
 4401 Landover Park, N.W. #8
 Prince Georges County, Md. 20786

NOTE: The aforementioned Lots 15, 16 and 17, Block A, Landover Park, as mentioned in December 9, 1937 by Equity No. 02290.



CURVE DATA			
NO. RADUS	ARC	TRAV	CHORD BEARING
7	83.000	07° 15' 57"	80° 51' 03"
1	83.000	07° 15' 57"	80° 51' 03"

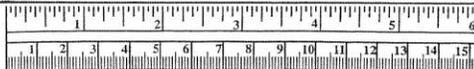
**PARCEL A, BLOCK A
 LANDOVER PARK
 BLADENSBURG DISTRICT
 PRINCE GEORGES COUNTY, MARYLAND
 SCALE: 1"=30'**

BENDER ASSOCIATES, INC.
 ENGINEERS-SURVEYORS
 RIVERDALE, MARYLAND

J-65147
 (5)

"FOR PUBLIC SEWER AND WATER SYSTEMS ONLY"
 MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
 PRINCE GEORGES COUNTY PLANNING BOARD
 APPROVED: *March 30, 1966*
 DATE: *March 30, 1966*
 FILE NO. *J-65089*

PLAT NO. 101P
 W. MARYLAND SURVEYING
 1010 15th St. N.W.
 WASHINGTON, D.C. 20004



September 29, 2014

MEMORANDUM

TO: Ivy Thompson, Senior Planner, Zoning Section
VIA: Ruth Grover, Planner Coordinator, Urban Design Section
FROM: Jill Kosack, Senior Planner, Urban Design Section JK
SUBJECT: Departure from Parking and Loading Standards DPLS-410
Departure from Design Standards DDS-628
Philmatt-Afrik, Inc.

The Urban Design Section has reviewed the information provided on the Departure from Parking and Loading Standards (DPLS) and Departure from Design Standards (DDS) applications referenced above. The subject 0.38-acre property in the Commercial Shopping Center (C-S-C) Zone is currently developed with a 4,900-square-foot, one-story with basement building. The site, also known as 6690 Old Landover Road, Landover, Maryland, is located on the north side of Old Landover Road in between its intersections with Cooper Lane to the west and Warner Avenue to the east.

URBAN DESIGN REVIEW

The existing commercial building was originally built in approximately 1967 and has since contained various office and retail uses, including, most recently in 2007, a convenience store. At this time, the applicant intends to change the existing convenience store's name and use the entire building for the store, with no proposed site disturbance. The existing 18-space parking lot on-site does not provide sufficient parking spaces to meet the Zoning Ordinance requirements, resulting in the DPLS request for 14 of the 32 required parking spaces. The applicant asserts that the departure is justified because there is no space on-site to provide additional parking spaces. The Urban Design Section would suggest that the applicant is correct that the existing parking lot cannot be redesigned to provide the additional required parking spaces and suggests that the Zoning Section review the provided parking lot dimensions and space counts on the plan to verify their accuracy.

The subject 43-foot DDS, requested from Section 27-579(b), is to allow the vehicular access to the internal loading space to be located within 50 feet of the residentially-zoned property to the north. The property is unique in that it is small and surrounded on three sides by public rights-of-way and to the north by residentially-zoned property, which limits the options for appropriate locations of a loading

access drive and space. Additionally, the commercial building, loading space, and adjacent residential homes have all been in existence since at least 1967 and the loading space is internal to the building, behind a rolling, metal garage door. The Urban Design Section would suggest that there are no viable alternatives for relocating the loading space and access drive on-site. Otherwise, the Urban Design Section has no specific comments on the merits of the departure request in regards to the required findings for approval located in Section 27-239.01(b)(7) of the Zoning Ordinance.

ARCHITECTURAL REVIEW

No architectural review is being provided by the Urban Design Section for the subject project because architecture is not an issue for the subject departure applications.

LANDSCAPE MANUAL

The application is exempt from the 2010 *Prince George's Landscape Manual* pursuant to Section 1.1 (b) which states:

Existing conditions on developed sites not in conformance with the requirements of this manual that were otherwise lawful on December 13, 2010, and not the subject of any building or grading permit, may continue as a matter of right.

However, General Note 23 indicates that there are no outdoor trash areas on the site, but recent aerial imagery show outdoor dumpsters located in the southeast corner of the site. The Urban Design Section suggests that these dumpsters either be moved internal to the building or be properly screened per Section 4.4 of the Landscape Manual.

TREE CANOPY COVERAGE

The subject application is exempt from the requirements of the Tree Canopy Coverage Ordinance as it will not result in excess of 5,000 square feet of disturbance to the site.

RECOMMENDATION

Based on the above analyses, the Urban Design Section has the following recommendation:

1. All trash dumpsters should either be moved internal to the building or be properly screened per Section 4.4 of the Landscape Manual.

September 18, 2014

MEMORANDUM

TO: Ivy Thompson, Senior Planner, Zoning Section

FROM: Debbie Gallagher, Information and Permit Review Supervisor 

SUBJECT: Philmatt-Afrik, Inc. (DPLS-410 & DDS-628)

1. The site plan submitted does not match what is shown on an aerial photograph. The location of the dumpster must be demonstrated with required screening unless information is provided regarding where the trash will be stored. There are striped spaces that are on site that will have to be removed if they are not in conformance with zoning.
2. Dimension of the drive aisle must be provided on the site plan. It appears that the building was constructed in 1967, the applicant still has the option of using pre-1970 standards for parking and loading. Pre 1970 parking space size are 10 feet by 20 feet with a minimum of 18 foot drive aisle. New parking space size must be dimensioned at 9.5 by 19 feet in size. Compact parking spaces must also be dimensioned. Drive aisle widths for new parking must be shown on the site plan at 22 feet in size.
3. It appears that Cooper Lane is a proposed right of way that will affect the 7 parking spaces along Cooper. We can continue to allow the parking to be used however, if located within the right-of-way it can not be counted towards the number of parking provided. Therefore the parking departure needed may be greater than what has been requested.
4. The site plan shall be reviewed to demonstrate the right-of-way and centerline of all streets.
5. The height and number of stories must be provided on the site plan
6. Section 27-568(b) below allows for a reduction in the number of required parking spaces if interior green is added.

The number of parking spaces required by Section 27-568 (a) may be reduced by up to a maximum of fifteen (15) percent for the purpose of fulfilling the Parking Lot Interior Planting Requirement of Section 4.3c (2) (a) of the Landscape Manual in association with the following:

(1) Any permit for construction, alteration or use and occupancy applied for on a site within the Developed Tier, Corridor Node, or Center where existing impervious area exceeds forty (40) percent of the net lot area of the site, or

(2) Any permit for construction, alteration or use and occupancy applied for on a site within the Developing Tier where existing impervious area exceeds eighty (80) percent of the net lot area of the site.

7. The site plan must be revised to demonstrate a ramp or depressed curb for handicap purposes.
8. The parking schedule is unclear, depending on the total square footage and number of stories will determine the parking required. The building previously had multiple tenants in it. The parking schedule shall clearly identify the total square footage of the building. The parking and loading ratio must be provided on the parking schedule.
9. The parking area across the street should be removed from the site plan, it has not been reviewed and should not be included in this request.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

September 18, 2014

RESPONSE 7 OCT 2014
Mrs. Sunday Ojigbo, Consultant
Sun Arch, LLC

MEMORANDUM

TO: Ivy Thompson, Senior Planner, Zoning Section

FROM: Debbie Gallagher, Information and Permit Review Supervisor *DS*

SUBJECT: Philmatt-Afrik, Inc. (DPLS-410 & DDS-628)

1. The site plan submitted does not match what is shown on an aerial photograph. The location of the dumpster must be demonstrated with required screening unless information is provided regarding where the trash will be stored. There are striped spaces that are on site that will have to be removed if they are not in conformance with zoning. *(Dumpster (along w/ Bd-On Bd Fence) & Fence detail shown on plan)*
2. Dimension of the drive aisle must be provided on the site plan. It appears that the building was constructed in 1967, the applicant still has the option of using pre-1970 standards for parking and loading. Pre 1970 parking space size are 10 feet by 20 feet with a minimum of 18 foot drive aisle. New parking space size must be dimensioned at 9.5 by 19 feet in size. Compact parking spaces must also be dimensioned. Drive aisle widths for new parking must be shown on the site plan at 22 feet in size. *(Drive aisle widths & current parking dimensions shown on plan)*
3. It appears that Cooper Lane is a proposed right of way that will affect the 7 parking spaces along Cooper. We can continue to allow the parking to be used however, if located within the right-of-way it can not be counted towards the number of parking provided. Therefore the parking departure needed may be greater than what has been requested. *(All R.O.W. widths are shown. Cooper Lane R.O.W. shown & does not impact parking)*
4. The site plan shall be reviewed to demonstrate the right-of-way and centerline of all streets. *(R.O.W. & centerlines of adjacent streets shown on plan)*
5. The height and number of stories must be provided on the site plan. *(Height & Existing bldg stories shown on plan)*
6. Section 27-568(b) below allows for a reduction in the number of required parking spaces if interior green is added. *(No interior green proposed)*

The number of parking spaces required by Section 27-568 (a) may be reduced by up to a maximum of fifteen (15) percent for the purpose of fulfilling the Parking Lot Interior Planting Requirement of Section 4.3c (2) (a) of the Landscape Manual in association with the following:

(1) Any permit for construction, alteration or use and occupancy applied for on a site within the Developed Tier, Corridor Node, or Center where existing impervious area exceeds forty (40) percent of the net lot area of the site, or

(2) Any permit for construction, alteration or use and occupancy applied for on a site within the Developing Tier where existing impervious area exceeds eighty (80) percent of the net lot area of the site.

7. The site plan must be revised to demonstrate a ramp or depressed curb for handicap purposes (Ramp for H/C parking shown on plan)

8. The parking schedule is unclear, depending on the total square footage and number of stories will determine the parking required. The building previously had multiple tenants in it. The parking schedule shall clearly identify the total square footage of the building. The parking and loading ratio must be provided on the parking schedule (Bldg square footage shown in parking schedule. Parking ratio shown. Loading spaces shown)

9. The parking area across the street should be removed from the site plan, it has not been reviewed and should not be included in this request.

(Parking area removed from plan)

as existing, even th
the total GFA is
than 10,000 sq. ft

Reason



**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
PERMIT REVIEW SECTION**

14741 Governor Oden Bowie Drive, Upper Marlboro Md. 20772

Permit Reviewer: Mary Hampton 2064-2014-U
Telephone Number: 301-952-5411 February 4, 2014
Fax Number: 301-952-4141
Permit Status: *www.mncppc.org*

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.

1. This permit is for a food and beverage store that occupies the entire street level/second level of the building. The entire lower level containing 4800 s.f. is vacant, previously occupied by a print shop and contractor. The second level in the past was occupied by a minimum of 2 uses, 2475 s.f. clothing store then grocery store requiring 18.3 spaces and a 630 s.f. TV repair shop requiring 1.26 spaces. A twenty percent reduction was applied along with the lower level that was low generation parking. However now that the grocery store occupies the entire second floor the total gross floor area is 3375 s.f. requiring 21.87 spaces. The vacant lower level of 4800 s.f. requires 9.6 spaces. A twenty percent reduction cannot be applied because the grocery store requires more than 20 spaces per Section 27-572 of the Zoning Ordinance. A total of 32 parking spaces are now required and only 23 are provided. In addition per the aerial photos 2 parking spaces on the site plan along the west side of the building do not exist due to the slope and existing walk way, therefore only 21 spaces are provided. It appears a departure will be required. The applicant must contact Edward Holley at 301-952-3215 for information and instructions regarding this process. The only other option is for the property owner to obtain off-site parking in accordance with Section 27-573 of the Zoning Ordinance. The off-site parking lot must be within 500 feet of the subject property, the number of off-site spaces must be over and above the required parking for the off-site use that the parking lot serves, and a legal arrangement must be recorded in Land Records for permanent availability of the parking spaces for the life time of the use. *5/7/14 – See revised comments generated below after the review of revised plans.*

I emailed the comments to Solomon Akaragwe at service@insidetrackpermits.com.

2/5/14 - Solomon Akaragwe called and we discussed the permit comments.

5/7/14 – These comments were generated after the review of revised plans:

1. Per revised plans the parking schedule has excluded the basement/lower lever from the gross floor area of the building and therefore has not calculated required parking for this area. Per the definition of "gross floor area" you can only exclude those portions of a basement used exclusively for storage or other areas used exclusively for the mechanical elements of a building. The lower level of the building does meet the definition of a basement which is the portion of a building below the first floor joists (other than a "crawl space"), having more than one-half (1/2) of its clear ceiling height below the building grade on all sides; a "Cellar." Therefore the only portion of the building that can be excluded from the gross floor area is the interior loading space and any areas used exclusively for the mechanical elements of the building. The parking schedule and gross floor area of the building must be revised. It still appears that a departure (DPLS) will be required.



**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
PERMIT REVIEW SECTION**

14741 Governor Oden Bowie Drive, Upper Marlboro Md. 20772

2. The required parking for the proposed grocery store should be calculated at one space per 150 s.f. for the first 3, 000 s.f. of gfa, then one space per 200 s.f. gfa for the remainder.

3. The site plan has included the property across the street from the subject property (Parcel F) which is under the same ownership. The building on Parcel F is vacant but previously used as a grocery store/restaurant. Parking is still required for this vacant building. Only the number of parking spaces over and above the required parking for this building could be used by the subject property with a recorded agreement in land records in accordance with Section 27-573 of the Zoning Ordinance. The parking schedule has not included these offsite parking spaces at this time.

4. The original portion of the building was constructed pursuant to building permit 7426-C which was issued 3/3/67. The rear addition portion was added shortly after. Site Note 8 should be revised accordingly.

5. The building predates October 1970 and parking and loading spaces sizes were “grandfathered” and shown at the old pre 1970 dimensions on prior approved site plans. This new plan is showing the parking and loading at current dimensions per Part 11 of the Zoning Ordinance. This is ok for the parking spaces because adequate drive isles are provided. However a current loading space size of 12’ x 33’ has been provided interior to the building. This loading space is within 50 feet of the residentially zoned property to the north and the minimum 22 feet is not provided to the loading space. A grandfathered loading space size should be provided otherwise a departure (DDS) will be required.

6. A ramp or depressed curb must be provided for the parking spaces for the physically handicapped.

5/7/14 – I faxed the comments to Ed Vevers at W.L. Meekins. I emailed the comments to Sunday Ojigbo at sunyarchy@yahoo.com .

DATE RECD: 01/24/2014

PERMIT #: 2064-2014-U-00

PROJECT: Philmatt Afrik Inc / Landover Park / Parcel A

USE: CONVIENCE STORE & DELI; INTERIOR W/ USE

COMMENTS: 6688, 6690, 6692 Old Landover Road

Developed Tier
Rev Plans 5/5/2014 JLB
Rev Plans 10/9/14 MEM

Scanned ✓

DIVISION	COMMENTS	ACTION
SUBDIVISION Prelim# 4- _____ DATE: _____ PSS Yes <input type="checkbox"/> No <input type="checkbox"/>	7426-C 1360-94-U convenience store 3437-2007-CUW - convenience store 4382-99-U - church 28408-2003-U clothing 5674-2004-U beauty service 2476-87-U office for janatorial service	DATE: _____ NAME: _____ Plat Date: _____
TRANSPORTATION	316-77-U - retail sale and service of freezer equipment 680849-U office and storage for commercial laundry equip co.	DATE: _____ NAME: _____
URBAN DESIGN SP# _____ DSP# _____		DATE: _____ NAME: _____
SHA		DATE: _____ NAME: _____
ENVIRONMENTAL PLANNING		DATE: _____ NAME: _____
PROPERTY ADDRESS		DATE: _____ NAME: _____
TRAILS		DATE: _____ NAME: _____
HISTORIC		DATE: _____ NAME: _____
CWP		DATE: _____ NAME: _____
ZONING		DATE: _____ NAME: _____
PARKS		DATE: _____ NAME: _____
COMM.PLAN.-NORTH		DATE: _____ NAME: _____
COMM.PLAN.-SOUTH		DATE: _____ NAME: _____
PERMITS Mary 10/22	X X Hold 2/3/14 Hold 5/7/14 X	DATE: _____ NAME: _____



**** REFERRAL REQUEST ****

Date: 9/3/2014
 To: DEBBIE GALLAGHER, PERMITS
 From: IVY THOMPSON, SENIOR PLANNER, ZONING SECTION
 Subject: PHILMATT-AFRIK, INC. (DPLS-410 & DDS-628)

IDENTIFICATION OF MAJOR ISSUES DUE DATE*: 9/18/2014
 *Note: E-mail any major issues/problems to the reviewer by the above date.

S D R C DATE: N/A

REFERRAL DUE DATE: 10/3/2014

<input checked="" type="checkbox"/> Full Review of New Plan	<input type="checkbox"/> Revision of Previously Approved Plan
<input type="checkbox"/> Limited or Special Review	<input type="checkbox"/> Plans/Documents Returned for Second Review Following Revision by Applicant

NOTE: This case is being reviewed at: Planning Board level OR Planning Director level

COMMENTS: Please email major issues to Ivy Thompson at Ivy.Thompson@ppd.mnccppc.org

*5588-1987-U aban - 3437-07-cuw - 2064-14-U
 denied*

Related Cases: _____

REFERRAL REPLY COMMENTS:

NOTE: IF YOU HAVE NO COMMENTS, PLEASE INDICATE ABOVE AND FORWARD OR FAX TO THE REVIEWER'S ATTENTION.

DPLS-410

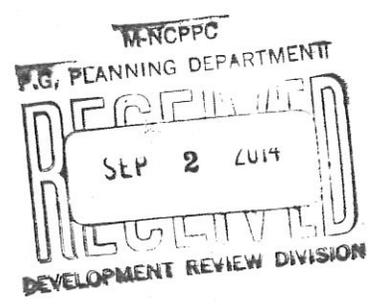
DDS628



SARCH
SUNARCH, LLC

**JUSTIFICATION STATEMENT
For Departure from Parking & Loading Space
& Departure from Design Standards**

**Associated With
DPLS-410
DDS-628
On behalf of
Philmatt-Afrik, Inc.
August 14, 2014**



Description of Proposed Use/Request

Project concerns a request for Use and Occupancy for a proposed Retail Food Market. The proposed market's location is 6690 Old Landover Road in Landover, Maryland 20785. We request a Departure from Parking and Loading Standards of 14 parking spaces from the requirement of providing 32 parking spaces and a Departure from Design Standards of providing less than 50' distance between the existing loading space and residentially zoned property.

Description and Location of The Subject Property

The site is 0.381 acres, zoned C-S-C and is located at the northwest of intersection Old Landover Road and Cooper Lane within the Landover Park subdivision is. Single family-detached housing exists to the immediate north. The property is bounded by Old Landover Road on the south, Cooper Lane on the west, and Warner Avenue on the east.

Required off-street parking per Prince George's County Zoning Ordinance (27-568) for a commercial retail food market is one parking space per 150 square feet, excluding any basement storage area. The total area of the building calculated for the proposed use is 4,900 square feet. The required parking spaces are 32. There site plan proposes 18 parking spaces and a loading space. We do not meet the required parking criteria as we are deficient 14 parking spaces, excluding the loading space.

We request a departure from the required 32 parking spaces to provide 18 parking spaces for referenced commercial retail food market use. The food market exists and has existed for a number of years, serving the community. It is the owner's desire to change the proposed name from PCE, LLC to Philmatt-Afrik, Inc. There is no proposed disturbance on the site. The existing use has been in existence for a number of years and this application is required due to a name change in the business. Property is also owned across Old Landover Road to the south and west, but those existing parking spaces cannot be counted. Also, there is no available street-parking available, by code. The site does not afford expansion to provide the deficient 14 spaces.

Philmatt-Afrik, Inc.

DPLS-410

DDS-628

August 14, 2014

Page 2

Our request for Approval of a Departure from Parking for DPLS-410 per Zoning ordinance Section 25-588(b)(7) and request for Departure from Design Standards for providing less than 50' distance of the existing Loading Space from residentially zoned property and the associated findings per Zoning ordinance Section 27-579 is as follows:

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

The Approval of this DPLS and DDS will serve the applicant's request as it will allow the existing food market to obtain a Use & Occupancy permit under the proposed new name, in its current operating condition, and allow the existing loading space to be used.

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

The minimum number of parking spaces required for the existing 4900 square feet commercial food retail store is 32. We propose to provide 18 vehicular spaces, and a loading space. This request is concurrently for approval of a Departure from Parking Standards for 14 additional spaces required for vehicular parking for the food market and approval for a Departure from Design Standards for providing less than 50' distance between the existing loading space and residentially-zoned property.

- (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 site has been used as a food market since 2006. The owner wishes to change the name from PCE, LLC to Philmatt-Afrik, Inc. to plan for future succession of the business. The current parking has served the use since the inception of the business. The departure approval is necessary as the parking space requirements apply to the property, even though the owner plans no current expansion, but is required, in order to obtain a Use & Occupancy permit under the new name. The special circumstances are that the current site on which the food market is located cannot be expanded to provide the 32 parking spaces required. There are no adjacent properties which can be used to provide the required number of spaces in conjunction with the site. The loading space is within the existing structure and is not seen.

- (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*

We have interpreted the Zoning Ordinance in the strictest terms: namely, 1 space per 150 square feet of commercial retail food market or similar use.

Philmatt-Afrik, Inc.

DPLS-410

DDS-628

August 14, 2014

Page 3

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

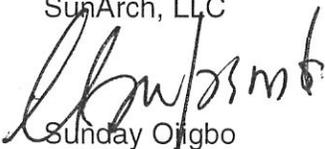
It is not Philmatt-Afrik, Inc.'s intent to burden the neighborhood with parking from its food store operations. The existing market serves the neighborhood, as it has done so for over the last 8 years. Since it is a neighborhood grocer, the majority of patrons walk to the store and it does fulfill a local need without the need to drive to stores farther away.

(vi) 27-579(b) *No portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone*

The loading space's location will not negatively impact adjoining residential uses as it is located under a covered roof and cannot be seen, and is not a surface loading space. The existing loading space is approximately 7' from the northern property line. Considering that the space is within the existing structure and a vehicle in the loading space cannot be seen casually, we hope the Planning Board is favorable in our request to seek approval for the Departure from Design Standards with respect to the Loading Space distance.

We do hope the Planning Board decides favorably with respect to our application for a DPLS and DDS. Philmatt-Afrik, Inc. seeks to continue to serve the community in which it is located, which allows the residents to patronize a food store located in their respective neighborhood.

SunArch, LLC



Sunday Ofigbo

Consultant for Philmatt-Afrik, Inc.

SunArch, LLC

2409 Oxon Run Drive

Temple Hills, MD 20744

240.216-8522