

R E S O L U T I O N

WHEREAS, Oasis Greenbelt, LLC is the owner of a 1.38-acre parcel of land known as Parcel 59, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned Residential-Rural (R-R); and

WHEREAS, on September 27, 2018, 1 Salon Studios, LLC filed an application for approval of a Preliminary Subdivision Plan for one lot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-17015 for 1 Salon Studios was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on December 6, 2018, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on December 6, 2018, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plan of Subdivision 4-17015, including a Variation from Section 24-121(a)(3), for one lot with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to make the following technical corrections:
 - a. Label the existing parcel as "Existing Parcel 59".
 - b. Label the disposition of the existing asphalt and gravel drive and the existing concrete pad.
 - c. Edit General Note 32 to reflect the University Boulevard Corridor.
 - d. Label the parcel as "Proposed Parcel 1."
 - e. Show existing and proposed water and sewer lines.
2. Total development shall be limited to uses that would generate no more than 13 AM and 15 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein

shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

3. A substantial change to the uses or site layout on the subject property that affects Subtitle 24 of the Prince George's County Code adequacy findings shall require the approval of a new preliminary plan of subdivision prior to the approval any building permits.
4. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan 52828-2017-00 and any subsequent revisions. The final plat shall note the stormwater management concept plan number and approval date.
5. Prior to the approval of the final plat, the applicant shall submit an executed deed of conveyance (signed by all parties) of Outlot A to the property owner of Parcel 421 and shall submit a recorded deed of the conveyance prior to the approval of a grading permit. If the applicant is unable to submit a copy of the executed deed to conveyance of Outlot A to the property owner of Parcel 421, Outlot A shall be incorporated into Parcel 1.
6. In conformance with the Approved 2010 *Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment* and the 2009 *Approved Countywide Master Plan of Transportation*, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:
 - a. Standard sidewalks along the subject site's entire frontage of MD 193, unless modified by the Maryland State Highway Administration.
 - b. Bicycle parking at a location convenient to the building entrance, with the amount and type of bicycle parking determined at the time of detailed site plan.
 - c. One pedestrian route from MD 193 to the building entrance. The alignment and design of the connection will be determined at the time of detailed site plan.
7. Prior to the approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below, in accordance with Section 24-124.01 of the Subdivision Regulations, (a) have full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. Construct the sidewalk within the public right-of-way of MD 193 across the frontage of Parcel 422 as shown on Applicant's Exhibit A.
8. Prior to approval of a detailed site plan:
 - a. Provide an exhibit that illustrates the location, limits and details of the off-site bicycle

and pedestrian impact statement improvements along MD 193, consistent with Section 24-124.01(f) of the Subdivision Regulations.

- b. Demonstrate the use of green building techniques and energy conservation techniques to the extent practicable.
 - c. Demonstrate the use of alternative lighting technologies, the limiting of total light output and the use of full cut-off optic light fixtures.
9. At the time of final plat, the applicant and the applicant's heirs, successors and/or assignees, shall grant a ten-foot-wide public utility easement along MD 193.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 36 in Grid A-2 and is known as Parcel 59, a deed parcel recorded in the Prince George's County Land Records in Liber 38302 folio 530. The property is 59,716 square feet in size located in the Residential-Rural (R-R) Zone and subject to the 2010 *Approved Glen Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment* (Glen Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA).

The site is the subject of a previous Preliminary Plan of Subdivision (PPS) 4-08063, which was approved but never platted, for one lot for the development of a Church with 6,500 square feet of gross floor area (GFA). Prince George's County Council Bill CB-71-2016 amended the use table in Section 27-441(b) of the Prince George's County Zoning Ordinance, to permit an eating or drinking establishment (excluding drive-through service) in combination with a beauty shop in the R-R Zone. Pursuant to this section of the Zoning Ordinance, this application includes one lot for the development of an eating and drinking establishment in combination with beauty shop totaling 10,400 square feet of GFA as well as one 255-square-foot outlot (Outlot A), which is intended to be conveyed to the owners of Parcel 421, which abuts the subject site to the south.

Access to the site is approved via MD 193 (Greenbelt Road), a master planned arterial right-of-way which abuts the subject site to the north. Section 24-121(a)(3) of the Subdivision Regulations requires that when lots or parcels are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. Direct vehicular access onto MD 193 requires the approval of a variation by the Planning Board as discussed further in the Variation finding of this resolution.

3. **Setting**—The property is located on the south side of MD 193, approximately 2,000 feet west of its intersection with MD 564 (Lanham-Severn Road). 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.

4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	APPROVED
Zone	R-R	R-R
Use(s)	Vacant	Eating and Drinking Establishment (excluding drive-through service) in Combination with a Beauty Shop (10,400 sq. ft.)
Acreage	1.37	1.37
Lots	0	0
Outlots	0	1 (.0059 acres)
Parcels	1	1
Variation	No	Yes 24-121(a)(3)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on October 19, 2018. The variation request was accepted on September 27, 2018 and heard at the SDRC meeting on October 19, 2018 as required by Section 24-113(b) of the Subdivision Regulations.

5. **Previous Approvals**—On April 23, 2009, The Prince George’s County Planning Board approved PPS 4-08063 for one 1.38-acre parcel for the development of a 6,300-square-foot church and a 0.0058-acre outlot, subject to six conditions. The subject application supersedes the approval of PPS 4-08063.
6. **Community Planning**—This application is located in the Established Communities Growth Policy Area of the *Plan 2035 Prince George’s Approved General Plan* (Plan 2035). The vision for this community is context-sensitive infill and low to medium- density development and maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of residents are met.

Master Plan/Sector Plan and Sectional Map Amendment/Zoning

The Glen Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA retained the subject property in the R-R Zone and recommends residential low-land use designation for the subject property.

However, the Prince George’s County District Council approved Council Bill CB-71-2016, permitting eating or drinking establishments (excluding drive-through service) in combination

with a beauty shop use in the R-R Zone, under certain circumstances, which rendered the sector plan future land use recommendations for low-density residential development no longer relevant.

Pursuant to Section 24-121(a)(5), this application is not required to conform to the land use recommendations of the Glen Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA because the District Council approved CB-71-2016, which permits the proposed use in the R-R Zone, rendering the Sector Plan's future land use recommendations no longer appropriate.

7. **Stormwater Management**—In accordance with Section 24-130 of the Subdivision Regulations, a Stormwater Management (SWM) Concept Plan and Letter (No. 52828-2017-00) approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), were submitted with the subject application, which expire on May 1, 2021. The plan shows the use of two Micro-bioretenion facilities located at the northern edge of the site and bio-swales located along the east and west boundaries of the site. Development must conform to the approved SWM concept plan, or subsequent revisions, to ensure that on-site or downstream flooding do not occur.
8. **Parks and Recreation**—Pursuant to 24-134 of the Subdivision Regulations, mandatory dedication of parkland is not required because this application is not a residential subdivision.
9. **Trails**—This PPS has been reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment* (area sector plan), in order to implement planned trails, bikeways, and pedestrian improvements. Because of the subdivision's location within the University Boulevard Corridor, it is subject to Section 24-124.01 and the Transportation Review Guidelines – Part 2 at the time of PPS.

The MPOT includes the following text regarding the trail and bikeway recommendations along MD 193:

MD 193 Shared-Use Side Path and Designated Bike Lanes: Provide continuous pedestrian and bicycle accommodations along MD 193 with either a wide sidewalk or side path for pedestrians and recreational cyclists, and wide curb lanes, bike lanes, or shoulders for on-road bicyclists. MD 193 is a major east/west corridor in northern Prince George's County and provides access to many schools, parks, and commercial areas. Pedestrian safety along the corridor is a concern and the provision of facilities to safely accommodate pedestrians and bicyclists is a priority (MPOT, page 26).

Improvements implemented by State Highway Administration (SHA) along MD 193 have consisted of on-road bicycle facilities (designated bicycle lanes, paved shoulders and bikeway signage) and standard sidewalks. A standard sidewalk exists to the east of the site leading to the shopping center and standard sidewalks have also been constructed to the west of the site.

However, there is no sidewalk along the site's frontage. In the vicinity of the subject site, the MPOT recommendation has been implemented with standard sidewalks and on-road bike facilities (paved shoulder, wide outside curb lane or designated bike lanes). The sidewalk included with this application along the sites' frontage is acceptable and will greatly improve the safety of pedestrians walking from the site to the shopping center.

Review of the Bicycle and Pedestrian Impact Statement (BPIS) and Proposed Off-Site Improvements:

Due to location of the subject site within the University Boulevard Corridor, the application is subject to Council Bill CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Based on the 10,400-square-foot building proposed the cost cap for the subject application is \$3,640 per Section 24-124.01(c) of the Subdivision Regulations.

A scoping meeting was held with the applicant on April 26, 2018. At that time, it was determined that the priority for off-site improvements should focus on providing pedestrian access to the Eastgate Shopping Center to the east of the subject site. The applicant's submitted bicycle and pedestrian impact statements (BPIS) exhibit (Applicant's Exhibit A) includes sidewalk construction along MD 193 between the subject site and the shopping center. In conjunction with sidewalk construction along the frontage of the subject site, the off-site sidewalk will provide a complete connection between the proposed use and the existing Eastgate Shopping Center.

Demonstrated Nexus Finding: Section 24-124.01(c) of the Subdivision Regulations requires that a demonstrated nexus be found with the subject application in order for the Planning Board to require the construction of off-site pedestrian and bikeway facilities.

The off-site sidewalk along MD 193 proffered by the applicant will directly benefit future patrons and employees of the subject application by providing a complete pedestrian connection between the site and the existing Eastgate Shopping Center. The sidewalk will also accommodate pedestrian access to the site from the surrounding community and from bus stops in the immediate vicinity.

Finding of Adequate Bicycle and Pedestrian Facilities: Based on the requirements and criteria contained in Section 24-124.01 of the Subdivision Regulations and the sidewalks proposed by the applicant on- and off-site, the Planning Board finds the bicycle and pedestrian facilities are adequate to serve the subject property. The sidewalk proffered by the applicant will accommodate safe pedestrian access along MD 193 consistent with recommendations of the sector plan and MPOT and will improve the environment for pedestrians between the subject site and the existing shopping center. The off-site improvement proffered is within the specified cost cap in Section 24-124.01(c) of the Subdivision Regulations and improves the sidewalk network consistent with guidance of Section 24-124.01(d) of the Subdivision Regulations. Furthermore, the sidewalk will improve pedestrian safety in an area with a history of pedestrian accidents and fatalities.

10. **Transportation**—The subject property is located within Transportation Service Area (TSA) 2, as defined in the Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds; (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. Once the CLV exceeds 1,150, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Based on the Institute of Transportation Engineers (ITE) land use code 918 (Salon), the site will generate 13 AM and 15 PM trips. The traffic generated by the proposed Preliminary Plan would impact the following intersection in the transportation system:

- MD 193 and Mission Drive (signalized)

This application is supported by traffic counts dated February 2018. The findings and conclusions outlined below are based upon a review of these materials and analyses conducted consistent with the “Transportation Review Guidelines – Part 1, 2012.”

The following critical intersection, identified above, when analyzed with existing traffic using counts taken in February 2018 and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 193 and Mission Drive	1318	1238	D	C

Background Traffic:

Background traffic has been developed for the study area using four approved but unbuilt developments within the study area. The unbuilt residential developments are located in Glenn Dale Commons Phase 1, 3 and 4 and residential and commercial at the Wood Glen developments. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 193 and Mission Drive	1362	1291	D	C

Total Traffic:

The following critical intersection identified above, when analyzed with the programmed improvements and total future traffic as developed using the “Transportation Review Guidelines,” including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
MD 193 and Mission Drive	1367	1302	D	D

It has been determined that the above critical intersection operates acceptably under total traffic in both peak hours. A trip cap consistent with the trip generation assumed for the proposed site, 13 AM and 15 PM peak-hour vehicle trips, is approved.

Site Access Evaluation

Access to the site is from MD 193 an arterial right-of-way. The applicant submitted a variation request to allow access to the site from MD 193 which is discussed further in the Variation finding below. On-site circulation and access are acceptable.

Master Plan Roads

Greenbelt Road is a Master Plan arterial roadway with a proposed right-of-way width of 120 to 200 feet with four to six lanes. The necessary right-of-way was previously dedicated; therefore, no further dedication is required.

Based on the preceding findings, adequate transportation facilities will exist to serve the subdivision, as required in accordance with Section 24-124 of the Subdivision Regulations.

11. **Variation Request**—The subject application will be accessed directly from MD 193, which is a designated arterial roadway. Pursuant to 24-121(a)(3) of the Subdivision Regulations, when a lot fronts on an arterial or higher classification roadway, they shall be designed to front on either an interior street or a service road. The subject parcel does not front on any other roadways.

Therefore, the applicant requested a variation from this requirement.

Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of a variation.

Section 24-113. - Variations.

(a) Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

(1) The granting of the variation request would not be detrimental to public safety, health or welfare, or injurious to other property;

MD 193 (Greenbelt Road) is a divided road in front of the subject site with only eastbound travel lanes and accommodates a right-in and right-out movement to access the property. A median break is located at a point approximately 288 feet to the east of the easternmost corner of the property with the access drive from this site being located in the center of property. This offset is intended to allow traffic ample opportunity to safely move into the turn lane at the median break to continue eastbound on Greenbelt Road without conflict with existing traffic in order to protect the safety, health and welfare of other properties. In addition, the construction and design of the driveway will require the approval of the operating road agency.

(2) The conditions on which the variations are based are unique to the property for which the variation is sought and are not applicable generally to other properties;

The subject property and conditions on which the variation is based are unique since MD 193 is the only access roadway available to serve the subject site. The subject site has direct frontage on MD 193 and is surrounded on all sides by existing privately owned parcels of land. There are no internal streets or service roads existing or accessible in the area. Without access to MD 193, the site would be undevelopable.

(3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation.

The variation from Section 24-121(a)(3) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. The approval of this variation request will

not constitute a violation of other applicable laws. In addition, the proposed driveway will be designed in direct coordination with the SHA, who has jurisdiction over existing and proposed right-of-way of MD 193 in order to meet all requisite requirements and design standards. The approval of the variation request does not violate any other applicable law, ordinance, or regulation.

- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

Due to the particular physical surroundings, with the adjacent properties improved with development and lack of alternate access or the existence of service roads, the denial of this variation request would result in a hardship to the property owner as opposed to a mere inconvenience because it would prevent development of the property.

- (5) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a) , above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

This subpart is not applicable because the property is located in the R-R Zone.

The Planning Board finds the required findings are demonstrated and approves the variation from Section 24-121(a)(3) for one direct vehicular access to MD 193 for the subject property.

12. **Public Facilities**—Adequate public facilities for water and sewerage, police, fire and rescue are adequate to serve the proposed subdivision in accordance with Section 24-122.01 of the Subdivision Regulations, which are further outlined in memorandums dated September 28, 2018 (Branch to Onyebuchi) and October 2, 2018 (Mangalvedhe to Onyebuchi), incorporated by reference herein. In accordance with Section 24-122.02 of the Subdivision Regulations, this proposal will have no affect on public schools as it is a nonresidential use.
13. **Use Conversion**—The total development included in this PPS is 10,400 square feet commercial development. If a revision to the mix of uses or the site layout on the subject property is proposed that affects Subtitle 24 adequacy findings as set forth in the resolution of approval, that revision shall require approval of a new PPS prior to approval of any building permits.
14. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for PUEs is ten-foot-wide along both sides of all public rights-of-way. The PPS delineates a ten-foot-wide public utility easement along MD 193, which is a public right-of-way. All PUEs are also required to be reflected on the final plat prior to approval with the required statement in the owner’s dedication.

15. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources or known archeological sites. A Phase I archeology survey is not required.
16. **Environmental**—This PPS has been reviewed for conformance with the Glen Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and SMA and the 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George’s Resource Conservation Plan*.

Background

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-061-08	N/A	Staff	Approved	2008	N/A
DSP-09029	N/A	Planning Board	Approved	3/3/2011	11-21
4-17015	N/A	Planning Board	Pending	Pending	Pending
NRI-061-08-01	N/A	Staff	Approved	10/25/2017	N/A
4-08063	N/A	Planning Board	Approved	4/23/2009	09-65
E-050-2017	N/A	Staff	Approved	10/25/2017	N/A

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27, which came into effect on September 1, 2010 because the application is for a new PPS.

Master Plan Conformance

The plan has been found to conform with all the applicable goals, policies, and strategies of the Sector Plan which is further outlined in the Environmental Planning memorandum dated November 2, 2018 (Claybourne to Onyebuchi), incorporated by reference herein. The following goal requires additional discussion as follows:

Goal 5: Address issues of energy conservation, light pollution, air pollution, and noise impacts within the sector plan area.

Policy 1: Increase opportunities for utilizing green building opportunities in the sector plan area.

The use of green building techniques and energy conservation techniques shall be used as appropriate and evaluated at the time detailed site plan review.

Policy 2: Reduce light pollution and intrusion into residential communities and environmentally sensitive areas.

The use of alternative lighting technologies and the limiting of total light output shall be demonstrated. Full cut-off optic light fixtures shall be used and lighting evaluated at the time of detailed site plan review.

The site is not located within the designated network of the *Countywide Green Infrastructure Plan of the Approved Prince George's Resource Conservation Plan* (May 2017).

An approved Natural Resources Inventory Equivalency Letter, NRI/061/08/01, was submitted with the application. The NRI indicates there are no streams, wetlands, 100-year floodplain, or woodlands on the subject property. The PPS is in conformance with the NRI. No revisions are required for conformance to the NRI.

The property qualifies for a Standard Exemption from the Woodland Conservation Ordinance because it contains less than 10,000 square feet of woodlands. A Numbered Letter of Exemption, E-050-2017, was issued for the project and submitted with the subject application. No further information pertaining to woodland conservation is required.

17. **Urban Design**—The development is subject to the requirements of Sections 27-441(b) Uses Permitted, of the Zoning Ordinance. The beauty shop in combination with an eating or drinking establishment excluding drive-through service, is permitted in the R-R Zone, under certain circumstances, as approved with Prince George's County Council Bill CB-71-2016.

Footnote 113 of Section 27-441(b) of the Zoning Ordinance states that development of the eating and drinking establishment, excluding drive-through service, is permitted provided that the use is within a building being used as a beauty shop pursuant to Footnote 114.

Footnote 114 of Section 27-441(b) states that a beauty shop use shall be permitted without the requirement of a special exception, provided it meets the following criteria:

- (a) **The use is on a parcel or lot having a gross tract area of no more than three (3) acres;**
- (b) **The use is in a building that includes more than five (5) chairs and is not included within a single-family residential dwelling;**
- (c) **The site has frontage on a street shown on the applicable Master Plan as an arterial**

or higher classification;

- (d) The majority of parking provided for the building shall be beside or behind the building; and**
- (e) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. Regulations concerning the net lot area, lot coverage and green area, lot/width, frontage, yards, building height, density, minimum area for development, any dimensional (bulk) requirements, and other requirements of the R-R Zone shall not apply. If not specified within Transit District Standards or Development District Standards applicable to a property, the foregoing requirements shall be established and shown on the Detailed Site Plan.**

The subject application meets these requirements, and conformance to requirements (b), (d), and (e) will be further evaluated at the time of the required Detailed Site Plan review.

2010 Prince George's County Landscape Manual

The proposal is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Specifically, the proposal is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6 Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Conformance with these requirements will be evaluated at the time of Detailed Site Plan review.

Tree Canopy Coverage Ordinance

The proposed development is subject to the Tree Canopy Coverage (TCC) Ordinance because it will require a building and/or grading permit that proposes more than 5,000 square feet of disturbance. This ordinance requires 15 percent tree canopy coverage for properties zoned R-R. This requirement can be met either through woodland conservation, proposed on-site landscaping, or a combination, and will be evaluated at the time of Detailed Site Plan review.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

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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 Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, and Bailey voting in favor of the motion, and with Commissioners Geraldo and Hewlett absent at its regular meeting held on Thursday, December 6, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of January 2019.

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Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

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