

R E S O L U T I O N

WHEREAS, the Prince George=s County Planning Board has reviewed Personal Touch Beauty Salon, Lot 26, Block 6 of the Randolph Village Subdivision requesting construction of a Beauty Salon and Barbershop in accordance with Subtitle 27 of the Prince George=s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on July 14, 2005, the Prince George's County Planning Board finds:

1. **Request:** The subject application is for approval of a Beauty Salon and Barber Shop in the C-O Zone. This application is concurrently being reviewed with Detailed Site Plan DSP-05007 and Alternative Compliance AC-04025.

2. **Development Data Summary:**

| | EXISTING | PROPOSED |
|--------------------------------|-----------------|------------------------------|
| Zone | C-O | C-O |
| Use | Vacant | Beauty Salon and Barber Shop |
| Acreage | 0.316 | 0.316 |
| Number of lots | 1 | 1 |
| Gross Floor Area (square feet) | 1,135 | 1,706 |
| Building Height (feet) | 20 | 20 |

OTHER DEVELOPMENT DATA

| | Required | Provided |
|--------------------------|-----------------|-----------------|
| Total parking spaces | 12 | 12 |
| Of which standard spaces | NA | 7 |
| Compact | NA | 4 |
| Handicapped spaces | N1 | 1 |

3. **Location:** The site is located on the north side of Central Avenue (MD 214) approximately 475 feet east of Norair Avenue, in Planning Area 72, Council District 5.
4. **Surroundings and Use:** The subject property is bounded to the south by Central Avenue (MD 214) and to the east by a residential property in the C-O Zone; to the north by single-family homes in the R-R Zone; and to the west by a commercial property in the C-O Zone..
5. **Previous Approvals:** The subject property consists of one lot as single-family detached residence

and is currently vacant and partially wooded. The site also has a letter of exemption from the Prince George's County Woodland Conservation Ordinance and a Stormwater Management Concept Approval 11158-2003-00.

6. **Design Features:** The application proposes to renovate an existing one-story wood frame residential structure on the site and convert the residence into a beauty salon/barbershop. The beauty salon/barbershop is located on Lot 26 along the frontage of Central Avenue with the parking lot in the rear. The site is currently accessed from Central Avenue.

The renovated structure is a single-family residence with a gable-shingled roof, vinyl siding, vinyl shutters, and fabric awnings at the front windows and the rear entrance to the structure. The main elevation facing Central Avenue is designed in a traditional residential style with a wood ramp and stairs leading to a porch at the main entrance. The north, east and west elevations maintain the residential character with wood frame windows and vinyl shutters.

A freestanding sign has been proposed for the site. The detail sheet shows a 5-foot, 6 inch-high double-faced, internally illuminated sign mounted on brick pillars with a sign face area of 16 square feet.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-O Zone of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-461(b), which governs permitted uses in commercial zones. The beauty salon and barbershop are permitted uses.
 - b. The subject application is not in complete conformance with the requirements of Section 27-462, Regulations, regarding setbacks. The applicant has received a variance, V-102-03, of three feet to validate the existing structure side setback of nine feet. However, the variance is scheduled to expire in August 2005 if the applicant is unable to obtain a building permit and begin construction within a two-year period.
 - c. The subject application is not in conformance with the requirements of Section 27-560(b), which governs interior driveway widths. This is the subject of this application.

Departure from Design Standards (DDS 554)

Required Findings

8. The site is located on the north side of Central Avenue (MD 214) approximately 475 feet east of Norair Avenue, in Planning Area 72, Council District 5. The site is zoned C-O and encompasses 0.316 acre. The applicant is providing the required amount of parking and loading spaces. The requests of the applicant in Departure from Design Standards DDS-512 are as follows:
 - a. Reduction of width of the required driveway per Section 27-560(b) of the Zoning Ordinance in areas where no parking is permitted from ten feet in each lane of traffic to eight feet.

9. **Section 27-239.01(b)(9) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:**

- a. **The purposes of this Subtitle will be equally well or better served by the applicants proposal.**

The purposes of the Zoning Ordinance are set forth in Section 27-102. They are varied in nature, but in general, are to protect the health, safety and welfare of the residents and workers in Prince George=s County. In this instance, the facts establish that granting the requested departure will in no way jeopardize these purposes. The subject property is located in an older area inside the Beltway that was developed before most of current zoning and development standards came into effect. The current condition of the immediate area can be described as an older residential community. While the residential structures along this corridor have been converted to commercial uses, the previous residential site constraints exist. The proposed application of the subject property will create an environment and related amenities that will enhance and revitalize the vacant residential structure, as well as provide a service to the residents who live in the area. Retention of the existing eight-foot width for the driveway lanes that are the subject of this departure will cause no inconvenience to customers or others as the number of cars using this drive daily is very small.

- b. **The departure is the minimum necessary, given the specific circumstances of the request.**

The departure is the minimum necessary because the applicant has provided a six-foot-high decorative brick privacy fence along the adjacent property as an alternative landscape compliance. Also, for the applicant to be required to conform with current standards, the required walkways and driveway proposed along the edge of the building would have to be eliminated, resulting in the applicant not being able to provide a pedestrian walkway from the rear parking area along side the driveway to the main entrance.

- c. **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.**

The departure is necessary to alleviate circumstances that are unique to the site. The subject application is part of a previous residential community that predates the current requirements of

the *Landscape Manual*.

d. The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.

The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. Staff believes that allowing the applicant to reduce the required landscaped yard from 30 feet to 0 feet, reduce plant materials from 124 plant units to 0 plant units with a six-foot-high brick wall, and provide 2 eight-foot-wide lanes for two-way traffic, will be a visual improvement for the vacant property. This reduction in plant materials will allow for a safe corridor between these two properties.

10. **CR-57-1993:** Council Resolution CR-57-1993 approved the 1993 Sectional Map Amendment for Landover and Vicinity that rezoned the Central Avenue frontage at Randolph Village including the subject property from the R-R Zone to the C-O Zone and specified the following requirement:

“To insure that development is served by shared access to Central Avenue, Detailed Site Plan approval shall be obtained by the District Council for all phases of development. Site plan review shall incorporate the following: 1) provision for combined access between groups of lots both now and in the future; 2) reciprocating ingress/egress easements for the block; and 3) provision for the closing of existing access points after combined access is implemented.”

Comment: A unified access concept plan was established for Block 6, in which the subject site is located, during the Planning Board’s review and approval of the site plan for Lot 25 (DSP-94017) in 1994. The plan shows a 22-foot-wide easement for two-way traffic through the rear of the lots in Block 6, with traffic entering the block off Central Avenue on or near Lot 22 and exiting at the future Eslin Street. (If access to Eslin Street were not feasible, access to Central Avenue would be considered on or near Lot 27.) Ultimately, all of the properties in the block would enter and exit from these two access points. This concept was subsequently used in the review and approval of the site plan for Lot 24 (DSP-97021) in 1997 and Lot 26 (DSP-98045) in 1998..

The unified access concept plan was conceived as a guide to show that the SMA requirement can be implemented. It was determined that if the owner of an individual lot wishes to change the location of the access easement on his/her property, such revision shall be considered in light of the criteria that easements must provide service to all adjoining properties, must line up with any existing easement on previously redeveloped properties, and must meet transportation safety standards.

The subject application includes Lots 26. The proposed beauty salon/barbershop is located on Lot 26 with a 22-foot-wide easement. The Urban Design Section believes that the proposed easement meets the intent of the unified access concept plan by providing the access and by aligning with the easements that have already been approved on Lots 22, 23, 24, and 25.

Finally, the access easements provided as part of this site plan are not considered private streets. Per the definition in the Zoning Ordinance, they are private easements created under Section 24-128(b)(9) to avoid the potentially hazardous traffic situation created by numerous driveways on Central Avenue and by the median break at Norair Avenue.

11. ***Landscape Manual:*** The subject application proposes to renovate an existing structure into a beauty salon/barber shop on the site and is subject to Section 4.2, Commercial and Industrial Landscaped Strip Requirements, Section 4.3(a), Parking Lot Landscape Strip Requirements; Section 4.3 (b), Parking Lot Perimeter Landscape Requirements; and Section 4.7, Buffering Incompatible Uses. The applicant filed for Alternative Compliance AC-04025 which was approved by the Planning Board in association with Detailed Site Plan DSP-05007.
12. **Woodland Conservation Ordinance:** This property is exempt from the requirements of the Prince George’s County Woodland Conservation Ordinance because the gross tract area of the subject property is less than 40,000 square feet and the site does not have a previously approved tree conservation plan. A tree conservation plan will not be required. A standard letter of exemption from the ordinance for the site was issued by the Environmental Planning Section on September 20, 2004.
13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. Major referral comments are summarized as follows:
 - a. The Community Planning Division, in a memorandum dated June 1, 2005, indicated that there are master plan issues associated with this application and has determined the following:

This application is not inconsistent with the 2002 General Plan Development Pattern policies for Corridors in the Developed Tier.

This application conforms to the land use recommendations of the 1993 approved Landover and Vicinity Master Plan for commercial office use.

The property is located along a General Plan designated Corridor (Central Avenue). It is also conveniently located within walking distance from the Morgan Boulevard Metro Station (a Regional Center). The General Plan’s vision for Corridors is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development.

The 2002 General Plan recommends high quality residential and commercial development along the Central Avenue Corridor. The applicant is encouraged to consider new facade treatment for the house, which is being converted into a commercial use. Single-family conversions, such as the one proposed, can create unattractive commercial development unless special design attention is paid to improving the façade and buffering adjacent uses.

- b. The Transportation Planning Section, in a memorandum dated April 25, 2005, noted the following:

At the time the subject property was rezoned under a sectional map amendment (CR-57-1993), the District Council specifically required that the site be subject to site plan review. Among the elements to be reviewed would be the provision of combined access between groups of lots, reciprocating ingress/egress easements, and provision for the closure of existing access points once combined access is provided. This was done in an effort to limit the number of access points along MD 214.

The subject site has been reviewed on no fewer than two occasions. Detailed Site Plans 97026 and 98045 should be referenced.

The site plan indicates that the existing driveway onto the lot would continue to be used and would be expanded with a wider apron. The site plan clearly shows a shared access area at the rear of the lot. However, the plan makes no provision for its closure at any time, and there is no connection between the circulation within the site and shared access area at the rear of the site. Wheel stops and landscaping prevent any access to the shared access area. The site plan does not present an overall access plan for Block 6.

As discussed with previous site plans within Block 6 of Randolph Village, the unified access concept plan shows a minimum 22-foot-wide easement, with 22 feet of paving, providing for two-way traffic through the rear of the lots, entering on Central Avenue on or near Lot 22, Block 6, and exiting at Eslin Street. (If access to Eslin Street is not feasible, access to Central Avenue would be considered on or near Lot 27.) Ultimately, all of the properties in this block would enter and exit from these two access points. The access point at Eslin Street would be two-way. The access point at Lot 22 would be one-way in, so as not to create a potential safety hazard from cars exiting the site at Lot 22 who may try to quickly crossover to the left lane of Central Avenue and make a U-turn at the median.

Two important issues of the Unified Access Concept Plan must be noted.

- a. In order to assure that shared access would be provided as soon as possible, without having to wait for the last property in the block to be redeveloped, the applicant for detailed site plan at Lot 25, Block 6, was required to provide a temporary 22-foot access easement on his existing driveway from Central Avenue that would provide access to the permanent 22-foot easement at the rear of his property. It was determined that this temporary access easement would remain in place and be used as an access drive for adjoining property owners as they redeveloped their properties to comply with the unified access concept

plan adopted with CR-57-1993. Once the remaining lots are developed and the ultimate access drives at Lots 22 and Eslin Street are implemented the temporary access easement at Lot 25 would then be removed and the driveway would be permanently closed.

- b. This scheme calls for Eslin Street to be paved to DPW&T commercial roadway standards. The obligation for that construction will fall on Lot 27 and Lot 22. If at the time of detailed site plan for Lot 27 or Lot 22, it is determined that it is not desirable to provide access from Eslin Street, alternative access may be provided on or near Lot 27.

While it is understood that it may be more convenient for the site to keep its access permanently, the District Council's desire in approving CR-57-1993 with commercial zoning for the strip of properties along MD 214 was clear; to eliminate individual driveways and provide shared access.

Transportation planning would offer no comment on DDS-554 given the limited trip generation potential of the site.

In conclusion, the transportation staff finds that the subject plan must be modified to more fully recognize the prospect of joint access easements within Block 6 of Randolph Village. The following modifications are recommended:

1. Demonstration of access between the shared access easement at the rear of the property and the on-site circulation to parking.
2. The plan must include a note stating that at such time that two-way access is gained across Lot 27, Block 6 to either MD 214 directly or to a constructed Eslin Street, the driveway into the subject property will be permanently closed.

In a separate memorandum from the Transportation Planning Section dated May 6, 2005, on detailed site plan review for master plan trail compliance, the trails planner noted that:

“The adopted and approved Morgan Boulevard and Largo Town Center Metro Areas Sector Plan recommends continuous standard or wide sidewalks along MD 214 west of the Beltway. There is an existing four-foot-wide sidewalk along the subject site's frontage of MD 214. The sector plan also recommends that wide outside curb lanes or designated bike lanes be provided at the time of road re-striping or improvement. Due to the small size of the subject application and the nature of the proposal (modification to an existing unit), there are no trails recommended.

- c. The Subdivision Section, in a memorandum dated April 29, 2005, indicated that Lot-26, Randolph Village, is acceptable for the existing structure and up to 5,000 square feet of additional structure. The application complies with these limitations.
- d. The Permit Review Section, in a memorandum dated April 14, 2005, provided 16 comments on the application's compliance with both the Zoning Ordinance and the *Landscape Manual*. The applicant has revised the site plan to address most of the concerns raised by the permit reviewer. The unresolved signage and landscaping issues will be addressed by the conditions of approval prior to certification.
- e. The Environmental Planning Section, in a memorandum dated April 18, 2005, recommended approval of Detailed Site Plan DSP-05007.
- f. The State Highway Administration, in a memorandum dated April 11, 2005, recommended approval of the application subject to one condition, which has been incorporated into the recommendation section of this report.
- g. The subject application was also referred to the Department of Environmental Resources/Concept. In a memorandum dated April 29, 2005, the staff noted that the site plan is consistent with approved stormwater concept approval 11158-2003.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George=s County Code, the Prince George=s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Departure from Design Standards, DDS-554, subject to the following conditions:

- 1. Prior to certificate approval of the Departure from Design Standard Plan, the applicant shall:
 - a. Graphically revise the area of the freestanding sign on the plan and detail pursuant to Section 27-614 and provide the calculation of the sign face area.
 - b. Include a note on the plan stating that at such time that two-way access is gained across Lot 27, Block 6 to either MD 214 directly or to a constructed Eslin Street, the driveway into the subject property will be permanently closed.
 - c. Submit revised architectural building elevations illustrating the revised floor plan of the addition.
- 2. Prior to issuance of any building permits, the applicant, his heirs, successors and/or assignees shall:
 - a. Obtain a permit from the State Highway Administration for improvements, if any, required within the right-of-way of Central Avenue.
 - b. Provide evidence that a permanent 22-foot-wide access easement has been recorded over

the access drive at the rear of the property.

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

* * * * *

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 Eley, seconded by Commissioner Vaughn, with Commissioners Eley, Vaughn, and Hewlett voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, July 14, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of September 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:EE:rmk

(Revised 8/9/01)