

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 30, 2009, regarding Detailed Site Plan DSP-08019 for Ariel's Hair Salon, the Planning Board finds:

1. **Request:** The subject application requests the approval of a detailed site plan for a hair salon to be located in an existing 947-square-foot building, constructed originally as a single-family detached dwelling.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Single-family Dwelling	Hair Salon
Acreage	0.1148	0.1148
Lots	1	1
Square Footage/GFA	947	947

Parking Data

	MAXIMUM NUMBER REQUIRED	NUMBER PROVIDED
Requirement per the TDDP	2	6
Including Handicapped Spaces	1	1

3. **Location:** The subject property is located on the southern side of Jamestown Road approximately 100 feet east of its intersection with Ager Road.
4. **Surroundings and Use:** To the north of the subject property is Jamestown Road with a single-family detached dwelling and a gas station beyond; to the east of the subject property is Lot 12, improved with a single-family detached dwelling; to the south of the subject property is an alley with a Kentucky Fried Chicken restaurant, part of the Queens Chapel Town Center, beyond; and to the west of the subject property is Lot 14, improved with a single-family detached dwelling with Ager Road beyond.

5. **Previous Approvals:** The site is the subject of final plat BB 8 @ 77 and approved Stormwater Concept Plan No. 1941-2009-00 dated February 10, 2009.
6. **Design Features:** The site is developed with a one-story frame single-family detached house, with a concrete sidewalk along its front elevation, a concrete sidewalk leading out to the street and an existing concrete parking space. To the rear, a handicapped ramp is planned which would connect the house to a planned handicapped parking space. Four other parking spaces are located to the rear of the house and the parking is accessed from an alley that leads from Ager Road. The subject lot is landscaped at the front, to the right side and in the rear with shrubs and a combination of mulch and grassed areas for ground cover. Signage for the project includes a single wood, six and one-half-foot-long wall-mounted sign on the northern elevation. The sign is to be painted white, with the wooden letters painted red.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The Requirements of the Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the M-X-T Zone.
 - a. The subject application is in conformance with the requirements of Section 27-547, which governs permitted uses in mixed-use zones. The proposed hair salon is a permitted use in the M-X-T Zone.
 - b. **Section 27-546(d) states: In addition to the findings required for the Planning Board to approve a Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:**
 - (1) **The proposed development is in conformance with the purposes and other provisions of this Division;**

The proposed project is in accordance with the purposes of Division 2 specific mixed-use zones in that it makes a modest contribution to the creation of a compact mixed-use and walkable community, encourages an appropriate mix of uses, and permits a flexible response to the market to promote economic vitality and investment. The project is in accord with all other provisions of Division 2 specific mixed-use zones.

- (2) **For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

Since the *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* was approved June 1988, this requirement is inapplicable.

- (3) The proposed development has an outward orientation which is either physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The proposed hair salon is located in an existing single-family detached dwelling unit. It exhibits an outward orientation and is physically and visually integrated with the existing adjacent development because it is also single-family residential.

- (4) The proposed development is compatible with existing and proposed development in the vicinity;**

The proposed development is compatible with existing and proposed development in the vicinity of the site because the single-family dwelling on site will be retained and utilized by the hair salon, with the majority of parking accessed from an alley to its rear. The project fits in with the adjacent residential land-use context on both sides.

- (5) The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

This requirement is not applicable to the subject development because it involves a single use and only one building.

- (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

The subject project is not staged, so this requirement does not apply.

- (7) The pedestrian system is convenient and comprehensively designed to encourage pedestrian activity within the development;**

Though this is a small scale project, walkways connect the building to the street and across the front of the house to its eastern side.

- (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other**

amenities, such as types and textures of materials, landscaping and screening, street furniture, and lighting natural and artificial); and

The applicant is intending to provide landscaping. This requirement is otherwise inapplicable as there is no new construction involved except for the installation of the parking area to the rear of the house. Due to the modest scale of the project, the applicant intends to use traditional asphalt and concrete.

8. **Final Plat BB 8 @ 77:** The property was recorded in Plat Book BB 8 @ 77 on May 27, 1941 and contains no requirements. The property lines on the detailed site plan accurately reflect those recorded in Plat Book BB 8 @ 77.
9. **Prince George's County Landscape Manual:** The site is exempt from the requirements of the *Prince George's County Landscape Manual* as the project does not involve an increase in gross square footage.
10. **Woodland Conservation and Tree Preservation Ordinance:** The site is exempt from the requirements of the Woodland Conservation and Tree Preservation Ordinance. A standard letter of exemption has been issued and was submitted with the subject application. The letter will have to be submitted to the Permit Review Section prior to the issuance of a certificate of occupancy for the proposed use.
11. **Planning Board Analysis:**
 - a. **Historic Preservation:** The proposed detailed site plan for a hair salon in the M-X-T Zone will have no effect on identified Prince George's County historic sites, resources or districts.
 - b. **Archeology:** A Phase I archeological survey is not recommended on the subject property which contains a house (circa 1940.) A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicated that the probability of archeological sites within the subject property is low. Two archeological sites 18PR212 - a prehistoric lithic scatter, and 18PR434 – an early 20th century railroad bridge approach, are located within a one-mile radius of the subject property and one historic site, DC Boundary Marker NE 5 (68-075) located within one-mile of the subject property. Section 106 of the National Preservation Act may require an archeological survey for state or federal agencies as it requires Federal agencies to take into account the effects of their undertakings on historic properties, which includes archeological sites when state or federal monies, or federal permits are required for a project.
 - c. **Community Planning:** The subject application is not inconsistent with the 2002 *Prince George's County Approved General Plan Development Pattern* policies for the Developed Tier and center. The requested use in the subject application is permitted as a

retail commercial use by the requirements of the 2006 *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone*. The following planning issues are involved in the project:

- (1) Two lots on the east side of Ager Road fronting Jamestown Road were rezoned from C-S-C to M-X-T to allow assembly of these lots with the adjacent commercial shopping center and redeveloped with vertical mixed-use retail/office consistent with the vision for the Hamilton Square neighborhood. The vision for the Hamilton Square neighborhood is an active mix of residential, commercial and office space fronting on the Hamilton Town Square. The subject property is more interior to Jamestown Road but in combination with lot 14, which is located on the corner of Jamestown Road and Ager Road, punctuates commercial activity on Hamilton Street and reflects the commercial activity across Jamestown Road. Overall, the existing commercial development does not reinforce the urban development pattern recommended for the developed tier per the General Plan, and the 2006 *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone*. Until a redevelopment application is presented for the larger site, the urban and transit-oriented development pattern envisioned by the plan is unlikely given the current economic conditions. Thus, the existing building should retain the integrity of the single-family detached residential structure to also retain the integrity of the residential neighborhood as the houses on either side of the subject site are also used as single-family homes.
- (2) The requested hair salon is a permitted use in this location per the use table. Since parking is accessed via the alley on the rear of the lot, it is possible for the former residential unit to retain the look of a residence and provide the required parking. Also, since the Transit District Development Plan stipulates maximum parking ratios, the site plan needs to be revised to provide two parking spaces and one Americans with Disabilities Act van accessible space. The width of the Americans with Disabilities Act accessible space shown on the plan is half as wide as it needs to be.
- (3) The proposed signage is designed in accordance with the requirements of the *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* and will not undermine the integrity of residential nature of the street.

A condition of this approval requires revisions to the site plan to bring it into conformance with the applicable requirements.

- d. **Transportation:** The right-of-way along Jamestown and access are acceptable as existing and proposed and there are no other transportation-related objections to the proposed use.
- e. **Subdivision:** Subdivision-related comments on the subject property include:
- (1) The site is comprised of Lot 13, located on Tax Map 41 in Grid E-4 and measures 0.11 acres.
 - (2) The property was recorded in Plat Book BB 8 @ 77 on May 27, 1941.
 - (3) The general notes on the site plan indicate that the property is also comprised of Parcel A1, though Parcel A1 is not indicated on the site plan or the Plat Book.
 - (4) The general notes on the DSP-08019 and CSP-08002 need to be relabeled as “Lot 13”, not “Parcel A1” as indicated on the recorded plat.
 - (5) The site plan does not include the building restriction line indicated on the record plat.
 - (6) The plans must indicate whether or not the 4-foot structure violating the building restriction line is enclosed. If it is enclosed, the applicant needs to remove the structure or file a new record plat to adjust the building restriction line. Further research into the matter revealed that the structure is enclosed.

The site is exempt from the requirement of preliminary plan of subdivision approval because the final plat for the property was approved prior to October 27, 1970 and the total gross floor area of development does not exceed 5,000 square feet.

Conditions of this approval require the above needed revisions.

- f. **Trails:** There are no trails issues affecting the subject application and that pedestrian accessibility on the site is provided in part by an existing sidewalk that runs along the site’s frontage.
- g. **Permits:** Permit Review comments have been addressed as necessary either by revisions to the plans or in the conditions of this approval.
- h. **Environmental Planning:** The site is exempt from the requirements of the Woodland Conservation and Tree Preservation Ordinance a standard Letter of Exemption has been issued and must be submitted as part of the building permit/certificate of occupancy application.

- i. **Fire Department:** Comments were not received from the Prince George's County Fire Department and therefore were not incorporated into the subject approval.
 - j. **Department of Public Works and Transportation (DPW&T):** In a memorandum dated July 13, 2009, the DPW&T stated that Hyattsville has jurisdiction over the roadways adjacent to the subject site, and that the proposed detailed site plan is consistent with the approved DPW&T Stormwater Management Concept Plan 1941-2009-00 dated February 10, 2009.
 - k. **Maryland State Highway Administration (SHA):** In an email dated July 2, 2009, SHA stated that they had no comments on CSP-08002 and DSP-08019.
 - l. **Washington Suburban Sanitary Commission (WSSC):** Comments were not received from WSSC and therefore were not incorporated into the subject approval.
 - m. **Verizon:** In an e-mail received June 15, 2009, Verizon stated a public utility easement (PUE) should be indicated across the frontage of the property.
 - n. **Potomac Electric Power Company (PEPCO):** In an e-mail dated June 9, 2009, PEPCO offered technical comments regarding the applicant's institution of electrical service to the premises for use in the hair salon that have been shared with the applicant. The details of that connection are outside the scope of the subject application.
 - o. **City of Hyattsville:** In an e-mail dated June 22, 2009, the City of Hyattsville stated that provided there is no change in zoning, and the project meets the design standards and is allowable in the West Hyattsville Transit District Overlay Zone (TDOZ), they did not have any comments on the project.
 - p. **City of Mount Rainier:** In a telephone conversation on July 17, 2009, a representative of the City of Mount Rainier stated that they would not be commenting on the subject property.
 - q. **Town of Brentwood:** In a telephone conversation on July 17, 2009, a representative of the Town of Brentwood indicated that they would not be commenting on the subject property.
 - r. **Town of North Brentwood:** In notes dated July 10, 2009 the Town of North Brentwood indicated that they will not be offering comment on the subject application.
12. As required by Section 27-285 (b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-08019, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall revise the plans, provide the following documentation, and/or complete the indicated process:
 - a. Correct the property reference to "Parcel A1" in the general notes on DSP-08019 to "Lot 13."
 - b. Indicate the platted building restriction line on the detailed site plan.
 - c. Indicate on the detailed site plan that the enclosed four-foot structure violating the building restriction line is to be removed from the site.
 - d. Revise the parking spaces to include two standard spaces and one Americans with Disabilities Act (ADA) van accessible space, 16 feet in width, and provide a parking schedule on the plans including the maximum parking ratios as per page 118 of the *Approved West Hyattsville Transit District Development Plan and Proposed Sectional Map Amendment for the Transit District Overlay Zone*.
 - e. The general notes shall be revised to note that the property is located within the Hamilton Square neighborhood of the *Approved West Hyattsville Transit District Development Plan and Proposed Sectional Map Amendment for the Transit District Overlay Zone*.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Cavitt, with Commissioners Squire, Cavitt, Clark, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, July 30, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of September 2009.

Oscar S. Rodriguez
Executive Director

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Planning Board Administrator

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