



MAYOR AND CITY COUNCIL OF LAUREL

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

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May 1, 2025

AGENDA ITEM NO.3

TECHNICAL STAFF REPORT

TO: City of Laurel Planning Commission

FROM: Taylor Harvey, Planner II

CASE: **Special Exception NO.967**
338 Main Street,
Laurel, MD 20707

GENERAL INFORMATION

APPLICANT: Randolph Williams
338 Main Street
Laurel, MD 20707

OWNER: Randolph Williams
338 Main Street
Laurel, MD 20707

LOCATION: 338 Main St.
Laurel, MD 20707

ZONE: Commercial Village (C-V)

REQUESTED ACTION: Special Exception Approval to add live entertainment inside the restaurant as well as outdoor seating at the rear of the restaurant.

PREVIOUS ACTION: N/A

BACKGROUND INFORMATION:

The Applicant is seeking special exception approval to add live entertainment and outdoor seating in the rear of Caribe Express. The property is zoned Commercial Village (C-V). A restaurant use currently operates on the property.

THE PROPERTY IS SURROUNDED BY THE FOLLOWING ZONING CLASSIFICATIONS:

- North: C-V (Commercial Village)
- South: C-G (Commercial General)
- East: C-V (Commercial Village)
- West: C-V (Commercial Village)

DEPARTMENT/AGENCY RESPONSES:

The following Departments and Agencies were notified of the application and comments were requested. See below for responses:

Department of Agency	Comments Received
City of Laurel Department of Public Works	No issues with the request. (1/8/2025)
City of Laurel Police Chief	<ol style="list-style-type: none">1. There is a possible concern regarding the possible noise complaints.2. The applicant must adhere to Division 3 Section 9-85. - Noise level and noise disturbance violations. & Section 9-92. - Commercial establishments adjacent to residential property. (1/17/25)
City of Laurel Department of Parks and Recreation.	No issues with the request. (1/8/25)
City of Laurel Fire Marshal	<ol style="list-style-type: none">3. A sprinkler system will need to be installed with the installation of a dance floor. It is believed they have a fire alarm already. It would need to be tied into the existing system (1/17/25)4. The business cannot have any smoking in the back of the restaurant or dancing inside the restaurant without the addition of a sprinkler system. All current code violations will be corrected before the meeting. (4/18/25)
Washington Suburban Sanitary Commission (WSSC)	No issues with the request. (1/8/2025)

Prince George's County Health Department	No issues with the request. (1/9/2025)
Maryland State Highway Administration (SHA)	No comments received.
Maryland-National Park and Planning Commission (MNPPC)	No issues with the request. (1/8/2025)
Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)	No comments received.
Baltimore Gas and Electric (BGE)	No comments received.
Verizon	No issues with the request. (1/8/2025)
Prince George's County Public Schools Capital Programs	No comments received.

ANAYLSIS:

The applicant seeks special exception approval to add live entertainment inside the restaurant as well as outdoor seating in the rear of the restaurant of Caribe Express. During the hours of operation, Caribe Express will have a controlled environment, which includes an equipped alarm system that plays moderate music late at night and is prepared to hire a civilian security company and police officers to ensure the health, safety, and welfare of the Laurel residents as well as the employees. The occupancy load for the interior of the restaurant is 73 people. The occupancy load for the rear exterior is 20 people which brings the total occupancy load to 93 people.

The applicant intends to use the rear of the property for outdoor seating. The greenspace in this area has been renovated with artificial grass. The outdoor setup includes two gazebos and a designated cooking area. The cooking area has received approval from both the health department and the City's Fire Marshal, along with the necessary permits. The two gazebos measure 12 feet by 10 feet and 10 feet by 10 feet, while the outdoor cooking area measures 10 feet by 9 feet. The applicant understands the occupancy load for the rear outdoor seating area is less than 100 occupants. The applicant also understands that if approval is granted, both gazebos will require permits. Additionally, the applicant plans to install a fence at the rear of the property in phases to manage crowd overflow and minimize noise.

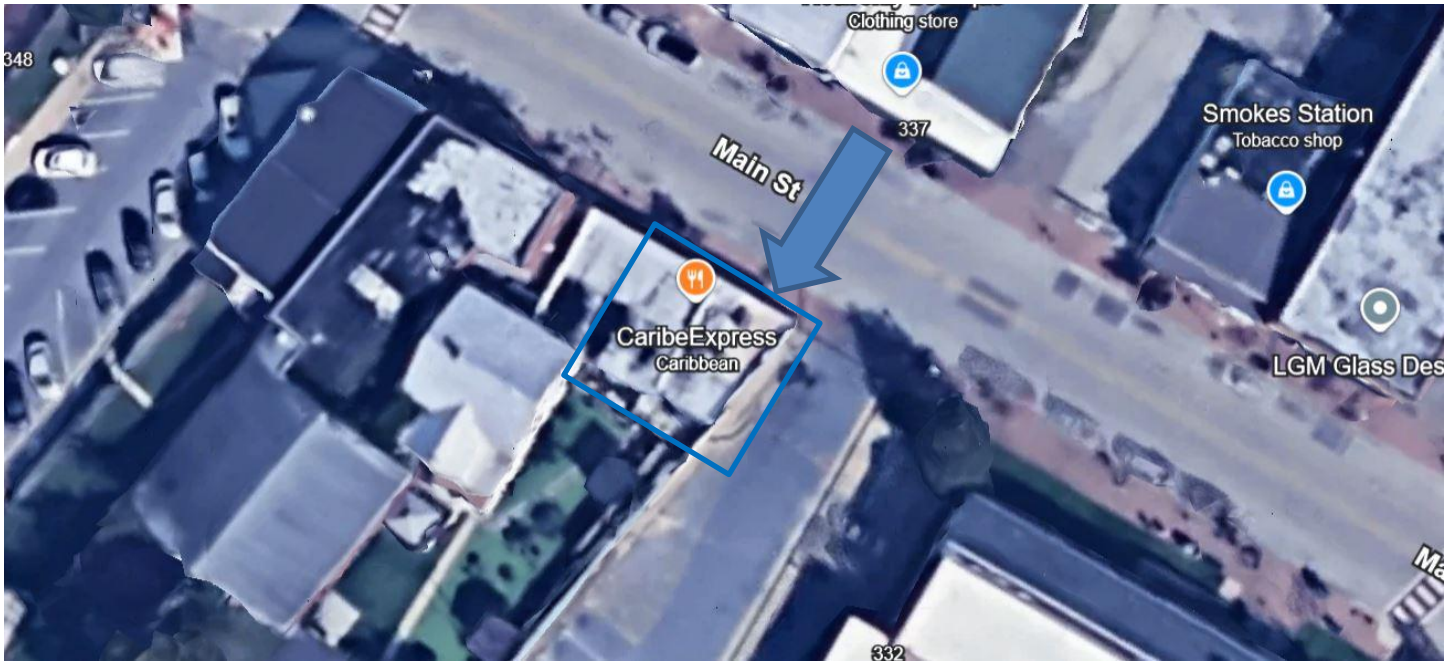
The Applicant (Caribe Express) is looking to have live entertainment, a live DJ and band to the following times:

- Monday: 5:00 PM – 12:00 AM
- Tuesday: 5 PM – 12:00 AM
- Wednesday: 5:00 PM – 12:00 AM
- Thursday: 5:00 PM – 12:00 AM
- Friday: 5:00 PM – 2:00 AM
- Saturday: 5:00 PM – 2:00 AM

- Sunday: 11:00 AM – 3:00 PM

Civilian security will monitor the interior and the exterior of the restaurant. Caribe Express is located along Main Street that provides lighting at night, and multiple cameras are located within and along the exterior of the restaurant. The applicant meets supplemental criteria set forth in the Unified Land Development Code (ULDC) Section 20-22.60 – Restaurant, standard, permitted dancing, live, and recorded entertainment.

The below photograph illustrates the building and location of the restaurant, Caribe Express.



PARKING:

The subject property is located in the Parking Modification Zone. On September 26, 2016, Ordinance 1877 (Text Amendment No. 242) was passed, which modified parking requirements for properties located in the Parking Modification Zone. Parking reductions for restaurant uses were set at 100%. Therefore, on-site parking spaces are not required for the subject property. Patrons of Caribe Express will have parking available along Main Street or in the public parking area on C Street.

LANDSCAPING:

The Applicant is not proposing any major changes to the surrounding landscaping of the property.

Sec. 20-21.01 of the Unified Land Development Code lists five criteria for special exceptions generally, which include:

- (1) **The proposed use is in harmony with the purpose and intent of the comprehensive master plan, as embodied in this chapter and in any master plan or portion thereof adopted or proposed as part of such comprehensive master plan.**

Caribe Express will preserve the historic exterior structure of the property as a link to the city's past while maintaining its structural integrity, as agreed upon with the Commission and outlined in the Comprehensive Master Plan. Caribe Express will contribute to the revitalization of Main Street, energizing the community by injecting life, new experiences, and customers.

Parking: There is no onsite parking available. However, Caribe Express has public street parking on Main Street.

- (2) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;**

The proposed use of Caribe Express will not have a detrimental impact on the health, safety, or welfare of residents or workers in the vicinity. Caribe Express will maintain a controlled environment that includes security personnel, an alarm system, and moderate music. All patron entrances and exits will be well-lit and readily visible to patrons from the streets and adjacent parking lots.

- (3) Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity;**

The controlled environment of Caribe Express will include moderate music which would not be detrimental to the peaceful enjoyment, economic value and development of the surrounding properties or the general neighborhood. The subject property is surrounded by other commercial uses in the C-V zone.

- (4) Will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public improvements; and**

Caribe Express will refrain from conducting any activities that would disrupt or exceed the capacity of current public services and facilities, or that would be detrimental to the economic value, growth, or general ambiance of the surrounding area.

- (5) The proposed use meets the definition and specific standards set forth elsewhere in this article for such particular use.**

The proposed use meets the definition and specific standards set forth elsewhere in this article.

Sec. 20-22.38 – Entertainment uses.

- (a) Within the C-G—Commercial General, S-SH—Commercial Shopping Center, C-V—Commercial Village, I-CS—Industrial-Commercial Services, and as required, within an M-X-T—Mixed Use-Transportation Oriented Zone, and specified Revitalization Overlay Areas.**

- (b) Access:**

- 1. If freestanding, buffering by a wall and/or landscaping will be provided in a manner, which physically separates and restricts access from the establishment, and it is required parking area to nearby Residential Zones or areas.**

The property is an existing freestanding building buffered by a wall and by landscaping which physically separates and restricts access from the establishment, and there is no required parking as there are no nearby Residential Zones.

2. **All patron entrances will be well lit and clearly visible to patrons from the parking lot or a public street.**

The patron entrance is currently well lit and clearly visible to patrons from the neighboring parking lot or a public street.

- (c) **The applicant has provided written evidence that all sound resulting from business activities will be contained within the building.**

The Applicant states in their statement of justification that all sound resulting from the business operations will be contained to the interior of the building.

- (d) **The applicant shall provide hours of operation for the establishment and shall notify the City if the operating hours are changed.**

- The current hours of operation are as follows:

- Monday: 10 am – 12 am
- Tuesday: 10 am – 12 am
- Wednesday: 10 am – 12 am
- Thursday: 10 am – 12 am
- Friday: 10 am – 2am
- Saturday: 10 am– 2am
- Sunday: 8 am – 4 pm

- (e) **The applicant has provided written public safety plan which the City Police Department and the City Fire Marshal have recommended and submitted as part of the application, as well as hours of operation.**

Safety and Security is one of our highest priorities. Civilian security personal will be hired to ensure the safety and security of our guests and community residents alike. The duties of the security will include:

- 100% ID checks
- Monitoring 29 video surveillance cameras
- Greeting guests
- Patrolling on foot and vehicle
- Maintaining the ethics and policy of Caribe Express and reporting any incidents to the appropriate personnel. Entrance and Exits are clearly defined and in compliance to the City of Laurel's Municipal Code.

- (f) **The applicant has provided a written lighting plan, which addresses exterior lighting on and surrounding the property.**

The building is well illuminated, with lighting on the front, rear, and side of the building towards the post office. Street lighting and other storefronts also provide plenty of lighting, making it easy for visibility.

- (g) **The applicant shall provide written exterior refuse control plan, which must be approved by the Department of Economic and Community Development and the Department of Public Works.**

Cleanliness is essential to Caribe Express; as such, refuse is picked up 3 times per week at the cost of Caribe Express by the City of Laurel for five years. Caribe Express will continue with this plan. In

addition, the establishment will ensure that areas are always kept clean and debris-free by instructing custodial staff to ensure special attention to the exterior; specifically, on event days.

- (h) The applicant has provided a floor plan, which identifies the areas for the primary use and for ancillary functions, which include but are not limited to patron dancing areas and/or stages for performances.**

Please see submitted and attached floor plan with designated areas. The entertainment details will include a live DJ, small band, poetry, and spoken word.

- (i) The plan shall demonstrate to the satisfaction of the Director of the Department of Economic and Community Development and the Director of the Department of Public Works, that the level of service on all streets accessed by the use shall be acceptable and not cause a reduction in the levels of service (LOS) identified within the required traffic study submitted in conjunction with the special exception application.**

The plan will not result in a reduction in the levels of service identified within the required traffic study submitted in conjunction with the special exception application, nor will it negatively impact the level of service on all streets accessed by the use.

- (j) If the Director of the Department of Economic and Community Development determine that additional parking analysis is necessary the applicant shall provide a detailed parking needs study based on comparable establishments.**

Caribe Express understands this requirement.

- (k) The applicant has provided any additional information required by City staff in order to evaluate the impacts of the proposed use upon the area.**

Caribe Express has provided all necessary information.

- (l) The following operational standards must be met by the use throughout its operations:**

- (1) All external doors shall be closed but not locked during business hours.**
- (2) No external speakers will be permitted on the premises of a use permitted under this section.**
- (3) The applicant/operator shall comply with all plans approved as provided herein.**
- (4) Nonconformance with the provisions of the granting of the special exception shall be grounds for review by the City staff and recommended for hearing to the Board of Appeals for revocation.**
- (5) The applicant must comply with all other applicable laws and ordinances of the City, or other agency having jurisdiction.**

Caribe Express understands and agrees to these requirements

The Applicant understands the operational standards that come with the Special Exception approval process. The Applicant has sufficiently addressed the criterion for granting a Special Exception of the proposed use. According to Section 20-21.1 and Section 20-22.38 of the *Unified Land Development Code*, the proposed use would meet the requirements for Special Exception approval.

RECOMMENDATION:

It is recommended that the Planning Commission **RECOMMEND APPROVAL** of Special Exception Application No. 967, to the City of Laurel Board of Appeals, with the following conditions:

1. All external doors shall be closed but not locked during business hours.
2. No external speakers will be permitted on the premises of a use permitted under this section.
3. No live entertainment will be permitted on the rear of the premises.
4. The applicant/operator shall comply with all plans approved as provided herein.
5. The Applicant shall have the subject property equipped with sprinklers.
6. Nonconformance with the provisions of the granting of the special exception shall be grounds for review by the City staff and recommended for hearing to the Board of Appeals for revocation.
7. The applicant must comply with all the other applicable laws and ordinances of the City, or other agency having jurisdiction.
8. The Applicant shall adhere to the regulations set forth by the City of Laurel Noise Ordinance at all times of operation.
9. The Applicant shall obtain Historic District Commission approval prior to obtaining City of Laurel permits for all exterior right of way renovations.

ATTACHMENTS:

1. Floor Plan
2. Site Plan
3. Security Plan
4. Application
5. Description Narrative

REVIEWED

Monta Burrough, Director