

APPLICATION FORM

DO NOT WRITE IN THIS SPACE

Application No.(s): _____ Planning Board Review Planning Director Review
 Acceptance Date: _____ 70-day limit _____ Limit waived–New limit _____
 Posting Waived Posting Date: _____ No. of Signs Posted: _____ Agenda Date: _____
 Application Fee: _____ Posting Fee: _____ Case Reviewer: _____
 Subdivision Development Review Committee Date: _____
 Referral Mail-Out Date: _____ Referral Due Date: _____
 Date of Informational Mailing: _____ Date of Acceptance Mailing: _____

APPLICATION TYPE: SE Revision of Case # _____ Companion Cases: _____
 Payment option: Check (payable to M-NCPPC) Credit Card General Plan Growth Policy: Established Communities

PROJECT NAME: ACE Eastover Square

Complete address (if applicable) 5135 and 5141 Indian Head Hwy, Oxon Hill, MD 20745 Tax Account #: PT of 1231141
 Geographic Location (distance related to or near major intersection) Police District #: IV
 SE Quadrant of the intersection of Indian Head Hwy and Oxon Run Drive

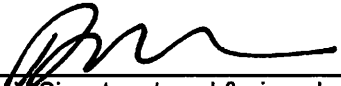
Total Acreage: <u>25.21 acres</u>	Aviation Policy Area: <u>N/A</u>	Election District: <u>12</u>
Tax Map/Grid: <u>95-F1/F2</u>	Current Zone(s): <u>C-S-C</u>	Council District: <u>8</u>
WSSC Grid: <u>207SE01</u>	Existing Lots/Blocks/Parcels: <u>Lot 1</u>	Dev. Review District: <u>N/A</u>
Planning Area: <u>76A</u>	In Municipal Boundary: <u>N/A</u>	Is development exempt from grading permit pursuant to 32-127(a)(6)(A): <input type="checkbox"/> Y <input checked="" type="checkbox"/> N

(2002) General Plan Tier: Developed Developing Rural Area of proposed LOD: _____

Proposed Use of Property and Request of Proposal: Special Exception for a Check Cashing business.	Please list and provide copies of resolutions of previously approved applications affecting the subject property: AC-96015-02, ACP-15023
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Applicant Name, Address & Phone: Populus Financial Group d/b/a ACE Cash Express 300 E. Carpenter Freeway, Ste. 900 Irving, TX 75062 (972) 550-5000 Owner Name, Address & Phone: (if same as applicant indicate same/corporation see Disclosure) Eastover Plaza Improvements LLC 565 Taxter Road, 4th Floor Elmsford, NY 10523	Consultant Name, Address & Phone: McNamee Hosea 6411 Ivy Lane, Ste 200 Greenbelt, Maryland 20770 Contact Name, Phone & E-mail: Daniel F. Lynch Tel. 301-441-2420 DLynch@mhlawyers.com
---	--

SIGNATURE (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)



 Owner's Signature typed & signed
 Adam I. Fishin, President

3/12/21

 Date

 Applicant's Signature typed & signed

 Date

 Contract Purchaser's Signature typed & signed

 Date

 Applicant's Signature typed & signed

 Date

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---	--

SIGNATURE (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

_____ Owner's Signature typed & signed	_____ Date	Janet Allen <small>Digitally signed by Janet Allen</small> Applicant's Signature typed & signed	3.16.2021 Date
_____ Contract Purchaser's Signature typed & signed	_____ Date	_____ Applicant's Signature typed & signed	_____ Date

SUBDIVISION CASES – PRELIMINARY PLAN/CONSERVATION SKETCH PLAN:

Type of Application (Check all that apply)

Conventional Comprehensive Design Conservation Sketch Plan Pre-Preliminary Plan

Variation, Variance or Alternative Compliance Request(s)
 Yes No

Applicable Zoning/Subdivision Regulation Section(s):

Total Number of Proposed:

Lots _____ Outlots _____ Parcels _____ Outparcels _____

Number of Dwelling Units:
 Attached _____ Detached _____ Multifamily _____

Gross Floor Area (Nonresidential portion only):

SUBDIVISION CASES – FINAL PLAT:

Water/Sewer: DER Health Dept.

Number of Plats:

CSP/DSP/SDP No.:

WSSC Authorization No.:

Preliminary Plan No.:

Approval Date of Preliminary Plan:

URBAN DESIGN AND ZONING CASES:

Details of Request:
 Special Exception for a Check Cashing business.

Zoning Ordinance Section(s):

27-341.01
 27-296
 27-454
 27-461

Total Number of Proposed:

Lots _____ Outlots _____ Parcels _____ Outparcels _____

Number of Dwelling Units:
 Attached _____ Detached _____ Multifamily _____

Gross Floor Area (Nonresidential portion only):

Variance Request
 Yes No

Applicable Zoning/Subdivision Regulation Section(s):

Departure Request
 Yes No

Application Filed
 Yes No

Alternative Compliance Request
 Yes No

Application Filed
 Yes No

APPLICATION FORM DISCLOSURE

List all persons having at least five percent (5%) interest in the subject property **ONLY** required for Special Exception and Zoning Map Amendment Applications.

Owner(s) Name - printed	Signature and Date	Residence Address
Eastover Plaza Improvements, LLC	 5/12/24	<small>600 OLC Management Corp 565 TAXTER ROAD 4TH FLOOR ELMSFORD, NY 10523</small>
	By: First Man Eastover Plaza Corp , Manager	

If the property is owned by a corporation, please fill in below.

Officers	Date Assumed Duties	Residence Address	Business Address

Board of Directors	Date Assumed Duties	Date Term Expires	Residence Address	Business Address

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 GOVERNOR ODEN BOWIE DRIVE
UPPER MARLBORO, MD 20772
DEVELOPMENT REVIEW DIVISION
301-952-3530

STATEMENT OF JUSTIFICATION
SE-4847

APPLICANT: Populus Financial Group
300 East John Carpenter Fwy. Ste. 900
Irving, TX 75062

CORRESPONDENT: Daniel F. Lynch
McNamee Hosea
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
301-441-2420 (P)
301-982-9450 (F)
dlynch@mhlawyers.com

REQUEST: Special Exception for check cashing business

I. **DESCRIPTION OF PROPERTY**

1. Address – 5135 and 5141 Indian Head Highway, Oxon Hill, Maryland 20745
2. Located in the SE quadrant of Indian Head Highway and Oxon Run Drive.
3. Use – Multi-family dwelling
4. Incorporated Area – N/A
5. Councilmanic District – 8
6. Lot – Lot 1
7. Total Area – 25.21 Acres
7. Tax Map –95, Grid F1 and F2
8. Zoned – C-S-C
9. Owner–Eastover Plaza Improvements, LLC

10. Zoning Map – 207SE01

II. APPLICANT'S PROPOSAL

The applicant is proposing to operate relocate its check cashing business from a freestanding pad site with an address of 5221 Indian Highway to an in-line location in the Eastover Shopping Center. The applicant is proposing to occupy a 3,900 square foot space as outlined in red on the special exception site plan submitted in conjunction with this application. As will be demonstrated below, the applicant's request complies with the general special exception criteria set for in Section 27-317 as well as the specific requirements for a check casing business set forth in Section 27-341.01 of the Zoning Ordinance.

III. COMMUNITY

The subject property is located on the west side of Indian Head Highway on the northern edge of the of the Town of Forest Heights.. The property is surrounded by the following uses:

- North: Oxon Run Drive and to the north of Oxon Run Drive is the District of Columbia..
- South: Aubrey Lane and to the south of Aubrey Lane is Forest Heights Elementary School in the R-55 Zone.
- East: Retail and Service Commercial uses in the C-S-C and C-M Zone.
- West: Oxon Run Park in the O-S Zone.

IV. APPLICATIONS FOR SPECIAL EXCEPTION

A. The proposed special exception for a check cashing business is subject to the findings set forth in Section 27-317 of the Zoning Ordinance. The applicant believes that its request to vary the bedroom percentage requirements complies with the criteria set forth in Section 27-317 as will be demonstrated below:

B. Criteria for Approval

Sec. 27-317 – Required findings.

(a) A Special Exception may be approved if:

- (1) **The proposed use and site plan are in harmony with the purposes of this Subtitle;**

COMMENT: The general purposes of the Zoning Ordinance are set forth in Section 27-102, which states:

- (a) **The purposes of the Zoning Ordinance are:**

- (1) **To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;**

COMMENT: This proposal complies with this requirement since the Applicant is proposing to operate a commercial use on the property that is located in the C-S-C Zone. In addition, the applicant is relocating and existing use from an older commercial structure into an inline space in and existing shopping center that will not only be renovated to accommodate the requirements of the use but also the requirements set forth in 27-341.01 of the Zoning Ordinance. This facility will be designed both in conformance with the requirements of the Prince George's County Code and modern retailing standards.

- (2) **To implement the General Plan, Area Master Plans, and Functional Master Plans;**

COMMENT: The proposed use will not substantially impair the integrity of the *Approved Sectional Map Amendment and Sector Plan for Eastover, Forest Heights and Glassmanor*. The subject property is located in the C-S-C Zone. The operation of a check cashing business is consistent with this zoning category.

- (3) **To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;**

COMMENT: As indicated, the applicant is merely relocating an existing business to an inline space in the shopping center. The applicant is not proposing to create additional square footage and therefore not impact the public facilities servicing this commercial area of Prince George's County.

- (4) **To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;**

COMMENT: The subject proposal complies with this purpose since it calls for the relocation of a commercial use from a pad site to an inline space in an existing shopping center. The relocation

will be accompanied by interior and exterior renovations to the space to be occupied by the Applicant which will in turn improve the aesthetics of the shopping center. In addition, it is anticipated that once the Applicant relocates its business the pad site that it previously occupied will be redeveloped with another commercial use.

(5) To provide adequate light, air, and privacy;

COMMENT: This criteria is not applicable as the Applicant is not proposing any new construction as part of this application.

(6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;

COMMENT:

(7) To protect the County from fire, flood, panic, and other dangers;

COMMENT: This proposal complies with this requirement since the construction the multi-family building will be in accordance with current standards for fire protection and storm water management as well as all State and County building/grading codes.

(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;

COMMENT: This proposal complies with this requirement since the Applicant is proposing to relocate and existing business from an older commercial structure to an inline space in the shopping center that will be renovated to accommodate the requirements of the use but also the requirements set forth in 27-341.01 of the Zoning Ordinance. This facility will be designed both in conformance with the requirements of the Prince George's County Code and modern retailing standards.

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

COMMENT: This proposal complies with this purpose since the applicant is maintaining and existing business in the County rather than relocating it to another jurisdiction.

(10) To prevent the overcrowding of land;

COMMENT: The applicant is not proposing new construction with the application, but relocating to an in-line space in an existing shopping center. Therefore this application complies with this

criteria since the applicant will be utilizing an existing building and proposing any additional square footage in the shopping center.

- (11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;**

COMMENT: The proposal complies with this requirement since relocating this use to an in-line space will not generate any new vehicle trips. The applicant and its customers will be utilizing the existing parking lot and associated entrances onto Indian Head Highway and Aubrey Lane. These entrances have adequately and safely served this shopping center over the past 60 years and will continue to accommodate the proposed business.

- (12) To ensure the social and economic stability of all parts of the County;**

COMMENT: This proposal complies with this requirement since the applicant's financial investment in the subject property demonstrates its confidence in this community.

- (13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;**

COMMENT: The applicant is not proposing new construction with this request, but relocating a business from a pad site to an in-line space in the shopping center. The proposal will not generate noise or cause air or water pollution, and will not impact stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features.

- (14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and**

COMMENT: This purpose does not apply.

- (15) To protect and conserve the agricultural industry and natural resources.**

COMMENT: This purpose does not apply.

In addition to the purposes set forth in Section 27-102(a), Section 27-317 goes on to require that the applicant demonstrate the following:

- (2) The proposed use is in conformance with all applicable requirements and regulations of this subtitle;**

COMMENT: As demonstrated in the Special Exception site plan set submitted in conjunction with this application, the proposal is in compliance with all requirements and regulations set forth in Subtitle 27.

- (3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;**

COMMENT: As indicated earlier, the proposal complies with the recommendation contained in the *Approved Sectional Map Amendment and Sector Plan for Eastover, Forest Heights and Glassmanor*. The subject property was retained in the C-S-C Zone and the relocation of a commercial use from a pad site an inline space is consistent with the land use recommendation for the property as well as the redevelopment goals in that the relocation will allow the existing pad site to be redeveloped in brought into compliance with the Zoning Ordinance.

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

COMMENT: Although the area of the special exception only covers the in-line space in the shopping center, the applicant and note that the design of the parking area and drive aisles associated with the existing shopping center provide for the safe internal flow of pedestrians and vehicles on-site and for the safe ingress and egress of vehicles. Also, the location of this shopping center along Indian Head Highway will be convenient to customers living in the area and those travelling to the shopping center from outside the community and thus, this location helps protect the comfort and convenience of the current and future inhabitants of the County.

- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and**

COMMENT: The proposed relocation of the this use will not be detrimental to the use or development of adjacent properties or the general neighborhood in that the use is merely relocating from a pad site to an in-line space in the same shopping center. As part of this relocation, the store front of the space as well as the interior of that space will be renovaded and in turn improve the overall aesthetics of the shopping center.

- (6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan.**

COMMENT: The proposal is exempt from the Woodland Conservation Manual.

- (7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.**

COMMENT: There are no regulated environmental features on the subject property.

In addition to the criteria set forth in Section 27-317, a check casing business is subject to compliance with the criteria set forth in Section 27-341.01, which states:

- (a) A check cashing business may be permitted, subject to the following:**

- (1) Hours of operation shall be limited to the hours of 9:00 a.m. to 8:00 p.m.,**

COMMENT: Acknowledged.

- (2) A schedule of fees/charges shall be posted and immediately visible to persons upon entering the Check Cashing Business. A copy of the fee schedule shall also be made available to all persons upon entrance to the Check Cashing Business;**

COMMENT: Acknowledged.

- (3) No other business shall share floor space with the Check Cashing Business;**

COMMENT: There will be no other businesses operating within the area of the special exception.

- (4) Security lighting and cameras shall be provided on all open sides of the Check Cashing facility providing surveillance of the area within 100 feet from the exterior of the building;**

COMMENT: The applicant is proposing to install surveillance cameras in compliance with this requirement.

- (5) At least one (1) security employee (with no other duties) must be on the premises when the Check Cashing Business is open for business; and**

COMMENT: The applicant is proposing to employ at least one security employee (with no other duties) must be on the premises when the Check Cashing Business is open for business

(6) **Cashiers must work behind bullet resistant glass.**

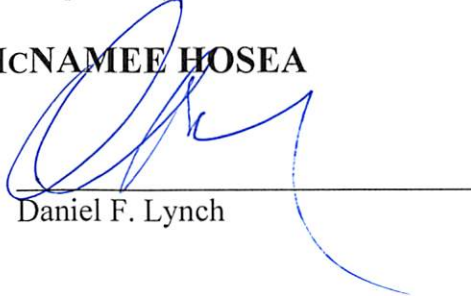
COMMENT: The applicant is proposing to install bullet resistant glass in front of the cashiers.

V. CONCLUSION

The applicant is proposing to relocate the existing check cashing business from a pad site to an in-line store in Eastover Shopping Center. The applicant believes that the application for Special Exception meets or exceeds each of the requirements set for the in the Zoning Ordinance, and therefore, the applicant requests the approval of these applications.

Respectfully submitted,

McNAMEE HOSEA

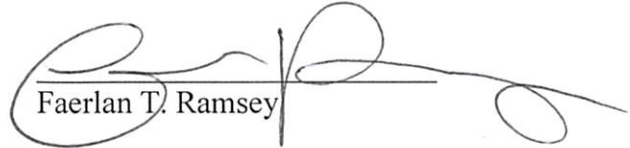


Daniel F. Lynch

AFFIDAVIT

The purpose of this affidavit is to certify that pursuant to The Process Guidelines for Development Review Applications, *Informational Mailing* letters regarding the application for SE-4847, ACE Eastover Square, were mailed to all adjoining property owners, registered associations, municipalities within one mile, and previous parties of record (if applicable) on March 31, 2021.

I, Faerlan T. Ramsey, solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information and belief.


Faerlan T. Ramsey

STATE OF MARYLAND *
COUNTY OF PRINCE GEORGE'S * To wit:

On this 31st day of March 2021, before me, the undersigned officer, personally appeared Faerlan T. Ramsey, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Instrument and acknowledged that she executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission Expires: 6/5/21

BRYAN SPELL
Notary Public-Maryland
Charles County
My Commission Expires
June 05, 2021


Notary Public

Barnaby Manor Citizens Assn. Inc.
P.O. Box 365
Temple Hills, MD 20748

Hillcrest-Marlow Heights Civic
Association
2001 Gaither Street
Temple Hills, MD 20748

Preserve at Piscataway
2800 St. Mary's View Road
Accokeek, MD 20607

Conservancy of Broad Creek
P.O. Box 44167
Fort Washington, MD 20744

Southlawn Citizens Association
P.O. Box 11
Oxon Hill, MD 20750

Prince George's County Civic
Federation, Inc.
P.O. Box 212
Cheltenham, MD 20623

Accokeek, Mattawoman, Piscataway
Creeks Community Council
P.O. Box 477
Accokeek, MD 20607

Fort Washington Estates Civic
Association (FWECA)
P.O. Box 441454
Fort Washington, MD 20749

Dupont Village Neighborhood Watch
2218 Wyngate Road
Suitland, MD 20746

Riverbend Estates Neighborhood
Association (RENA)
P.O. Box 441673
Fort Washington, MD 20749

Maxwells Grant Homeowners
Association, Inc.
P.O. Box 1215
Temple Hills, MD 20757

Brooke Manor Civic Association
212 Aragona Drive
Fort Washington, MD 20744

Tantallon Square Area Civic
Association
P.O. Box 44574
Fort Washington, MD 20749

Broadwater Estate Community
Association
519 Broad Creek Drive
Fort Washington, MD 20744

Silesia Citizens Foundation, Inc.
10710 Livingston Road
Fort Washington, MD 20744

Pine Plains Civic Association
3600 Farness Court
Temple Hills, MD 20748

Brandywine/TB, Southern Region
Neighborhood Coalition
8787 Branch Ave. Suite 17
Clinton, MD 20735

Livingston Woods HOA (LWFOA)
P.O. Box 775
Oxon Hill, MD 20745

Summit Creek Community Association
C/O Brenelle McCoy
4518 Beech Road, Suite 100
Temple Hills, MD 20748

South County Coalition Against Crime
12219 Riverview Road
Fort Washington, MD 20744

Ashford Community Association
4209 Farmer Place
Fort Washington, MD 20744

Indian Head Highway Area Action
Council (IHHAACC)
P.O. Box 44013
Fort Washington, MD 20749

Tantallon Citizens Association, Inc.
P.O. Box 44069
Fort Washington, MD 20749

Broad Creek Historic District LAC
1009 Colleen Court
Fort Washington, MD 20744

Apple Grove/Squires Wood Citizens
Association
7611 Jaywick Avenue
Fort Washington, MD 20744

Oak Orchard Community Assn.
9306 Pine View Lane
Clinton, MD 20735

Fleischman's Village Citizens
Association
3408 Weltham Street
Suitland, MD 20746

Riverbend Citizens Homeowners
Association
601 River Bend Road
Fort Washington, MD 20744

Piscataway Hills Citizens Association
13809 Piscataway Drive
Fort Washington, MD 20744

Citizens Encouraging Community
Revitalization
4612 Cedell Place
Temple Hills, MD 20748

Greater Accokeek Civic Association
P.O. Box 176
Accokeek, MD 20607

Camp Springs Civic Association
P.O. Box 1071
Temple Hills, MD 20757

Hae K Lee
4950 Indian Head Highway
Oxon Hill, MD 20745

NHI, LLC
15683 Sedgefield Oaks Court
Gainesville, VA 20155

Prince George's County
Rm 3020 CAB
Upper Marlboro, MD 20772

Branch Banking and Trust
c/o Trust BNK PROP Tax Compl
P.O. Box 167
Winston Salem, NC 27102

Board of Education
6700 Bock Road
Upper Marlboro, MD 20772

Greater South County for Absolute
Progress
212 Aragona Drive
Fort Washington, MD 20744

MNCPPC
Chief PK&P DIVPKS &
Rec-Room 303
6600 Kenilworth Ave.
Riverdale, MD 20737

3700 Donnell LLC
7309 Helmsdale Road
Bethesda, MD 20817

Hoang V. Do & Minh Le et al
13002 Innisbrook Drive
Beltsville, MD 20705

Joaquim F. & Matilde A. Nazario
11601 Spruce Ave.
Beltsville, MD 20705

Board of Education
14201 School Lane
Upper Marlboro, MD 20772

Prince George's Chamber of Commerce
David Harrington, President and CEO
4640 Forbes Blvd., Suite 130
Lanham, MD 20706

Birdlawn Homeowners Association
C/O Chambers Management, Inc.
8806 Nancy Lane
Fort Washington, MD 20744

Meads Corner Properties, LLC
8502 Calverts Mill Way
Gainesville, VA 20155

Eastover Plaza Improvements LLC
c/o DLC Management Corp
580 White Plans Road, 3rd Floor
Tarrytown, NY 10591

Public Storage Institutional FU
c/o PT MD 26424
P.O. Box 25025
Glendale, CA 91221

Forest Heights Town Of
c/o Office of the Mayor
5508 Arapahoe Dr.
Forest Heights, MD 20745

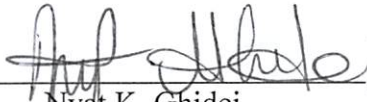
Mayor Muhammad Habeeb-Ullah
5508 Arapahoe Drive
Forest Heights, MC 20745

Greater Prince George's Business Roundtable
M.H. Jim Estepp, President and CEO
10201 Martin Luther King, Jr. Hwy, Suite 220
Bowie, MD 20720

AFFIDAVIT

The purpose of this affidavit is to certify that pursuant to the Process Guidelines for Development Review Applications, Formal Acceptance Letters, regarding the application for SE-4847, ACE Eastover Square, were mailed on May 25, 2021.

I, Nyat K. Ghidei, hereby swear and affirm that the attached letter was sent regular mail to the adjoining property owners, parties of record, municipalities within a mile, registered associations, and previous parties of record (if applicable) on the attached list.



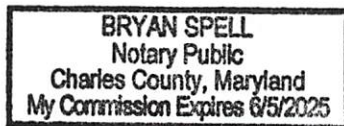
Nyat K. Ghidei

STATE OF MARYLAND *
COUNTY OF PRINCE GEORGE'S * To wit:

On this 25th day of May, 2021, before me, the undersigned officer, personally appeared Nyat K. Ghidei, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Instrument and acknowledged that she executed the same for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission Expires: 6/5/25





Notary Public

1937
MAY 1937
MAY 1937
MAY 1937

Barnaby Manor Citizens Assn. Inc.
P.O. Box 365
Temple Hills, MD 20748

Hillcrest-Marlow Heights Civic
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2001 Gaither Street
Temple Hills, MD 20748

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P.O. Box 44167
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Temple Hills, MD 20748

Brandywine/TB, Southern Region
Neighborhood Coalition
8787 Branch Ave. Suite 17
Clinton, MD 20735

Livingston Woods HOA (LWFOA)
P.O. Box 775
Oxon Hill, MD 20745

Summit Creek Community Association
C/O Brenelle McCoy
4518 Beech Road, Suite 100
Temple Hills, MD 20748

South County Coalition Against Crime
12219 Riverview Road
Fort Washington, MD 20744

Ashford Community Association
4209 Farmer Place
Fort Washington, MD 20744

Indian Head Highway Area Action
Council (IHHAACC)
P.O. Box 44013
Fort Washington, MD 20749

Tantallon Citizens Association, Inc.
P.O. Box 44069
Fort Washington, MD 20749

Broad Creek Historic District LAC
1009 Colleen Court
Fort Washington, MD 20744

Apple Grove/Squires Wood Citizens
Association
7611 Jaywick Avenue
Fort Washington, MD 20744

Oak Orchard Community Assn.
9306 Pine View Lane
Clinton, MD 20735

Fleischman's Village Citizens
Association
3408 Weltham Street
Suitland, MD 20746

Riverbend Citizens Homeowners
Association
601 River Bend Road
Fort Washington, MD 20744

Piscataway Hills Citizens Association
13809 Piscataway Drive
Fort Washington, MD 20744

Citizens Encouraging Community
Revitalization
4612 Cedell Place
Temple Hills, MD 20748

Greater Accokeek Civic Association
P.O. Box 176
Accokeek, MD 20607

Camp Springs Civic Association
P.O. Box 1071
Temple Hills, MD 20757

Hae K Lee
4950 Indian Head Highway
Oxon Hill, MD 20745

NHI, LLC
15683 Sedgefield Oaks Court
Gainesville, VA 20155

Prince George's County
Rm 3020 CAB
Upper Marlboro, MD 20772

Branch Banking and Trust
c/o Trust BNK PROP Tax Compl
P.O. Box 167
Winston Salem, NC 27102

Board of Education
6700 Bock Road
Upper Marlboro, MD 20772

Greater South County for Absolute
Progress
212 Aragona Drive
Fort Washington, MD 20744

MNCPPC
Chief PK&P DIVPKS &
Rec-Room 303
6600 Kenilworth Ave.
Riverdale, MD 20737

3700 Donnell LLC
7309 Helmsdale Road
Bethesda, MD 20817

Hoang V. Do & Minh Le et al
13002 Innisbrook Drive
Beltsville, MD 20705

Joaquim F. & Matilde A. Nazario
11601 Spruce Ave.
Beltsville, MD 20705

Board of Education
14201 School Lane
Upper Marlboro, MD 20772

Prince George's Chamber of Commerce
David Harrington, President and CEO
4640 Forbes Blvd., Suite 130
Lanham, MD 20706

Birdlawn Homeowners Association
C/O Chambers Management, Inc.
8806 Nancy Lane
Fort Washington, MD 20744

Meads Corner Properties, LLC
8502 Calverts Mill Way
Gainesville, VA 20155

Eastover Plaza Improvements LLC
c/o DLC Management Corp
580 White Plans Road, 3rd Floor
Tarrytown, NY 10591

Public Storage Institutional FU
c/o PT MD 26424
P.O. Box 25025
Glendale, CA 91221

Forest Heights Town Of
c/o Office of the Mayor
5508 Arapahoe Dr.
Forest Heights, MD 20745

Mayor Muhammad Habeeb-Ullah
5508 Arapahoe Drive
Forest Heights, MC 20745

Greater Prince George's Business Roundtable
M.H. Jim Estepp, President and CEO
10201 Martin Luther King, Jr. Hwy, Suite 220
Bowie, MD 20720

May 25, 2021

Via First Class Mail

TO: Adjoining Property Owners, Municipalities within One Mile, Persons of Record, and/or Registered Associations

FROM: Daniel F. Lynch, Esq.

RE: SE-4847; ACE Eastover Square

Dear Party of Record, Adjoining Property Owners, and Registered Associations & Municipalities:

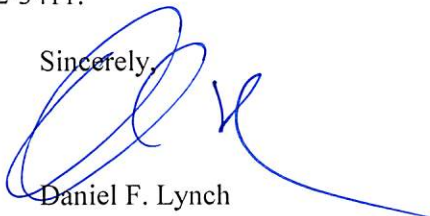
This letter is to inform you that the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) is ready to accept the subject application. The address of the subject property is 5135 – 5141 Indian Head Highway, Oxon Hill, MD 20745, which is located at the southeast quadrant of the intersection of Indian Head Highway and Oxon Run Drive. The nature of the review is for a special exception for a Check Cashing business. Once the application is formally accepted, it will be scheduled for a future Planning Board hearing. If you have not already registered to become a person of record, you are encouraged to do so at this time. As a person of record, you will receive a notice of the Planning Board hearing date, the technical staff report, and the Planning Board resolution. You may register online at <http://www.pgplanning.org/1586/Become-a-Person-of-Record> or you may submit your name, address and the above-referenced application number and name by mailing a written request to:

The Maryland-National Capital Park and Planning Commission
Development Review Division
14741 Governor Oden Bowie Drive
County Administration Building, 4th Floor
Upper Marlboro, MD 20772

If you have already registered to become a person of record from an earlier mailing for this application SE-4847, you do not have to register again. Being a person of record on a separate application on the same property does not make you a person of record for the subject application. You must request to become a person of record for each separate application (separate applications have different application numbers).

If you have any questions about this application, you may contact me at 301-441-2420 or the M-NCPPC case reviewer, Sam Braden, IV, at 301-952-3411.

Sincerely,



Daniel F. Lynch

March 31, 2021

Via First Class Mail

TO: Adjoining Property Owners, Municipalities within One Mile, Persons of Record, and Registered Associations

FROM: Daniel F. Lynch, Esq.

RE: SE-4847, ACE Eastover Square

Dear Parties of Record, Adjoining Property Owners, and Registered Associations & Municipalities:

A special exception for the above-referenced project will be submitted for review to the Development Review Division of the Maryland-National Capital Park and Planning Commission (“M-NCPPC”).

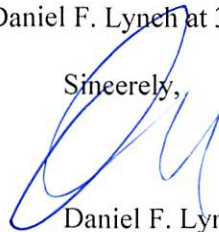
The address of the subject property is 5135 – 5141 Indian Head Highway, Oxon Hill, MD 20745, which is located at the southeast quadrant of the intersection of Indian Head Highway and Oxon Run Drive. The nature of the review is for a special exception for a Check Cashing business.

If you wish to become a Person of Record to this application, you may submit your request online at <http://www.pgplanning.org/1586/Become-a-Person-of-Record> or by written request to the Development Review Division of the M-NCPPC, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Please reference the Pre-Application Number and the Name of Project in your request. At this time no government agency has reviewed the application. **After** the application has been filed, you may contact the M-NCPPC at 301-952-3530.

IMPORTANT: This notice is your opportunity to interact with the applicant prior to the acceptance of the subject application. Once an application is accepted, it may be subject to mandatory action time frames that are established by law. Contacting the applicant as soon as possible after receiving this notice will help facilitate your ability to receive information and/or establish a time when the applicant may meet with you or your civic group to provide information and answer questions about the development proposed. Any concerns regarding an applicant’s failure to provide information or engage in dialogue about the proposed development should be directed in writing to the same mailing address listed for becoming a party of record. Please be sure to include the application number with any such correspondence.

If you are interested in receiving more information about this application, reviewing a copy of a site plan, or meeting to discuss the project, you may contact Daniel F. Lynch at 301-441-2420.

Sincerely,



Daniel F. Lynch



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Prince George's County Planning Department (301) 952-3530
Development Review Division
14741 Governor Oden Bowie Drive www.mncppc.org
Upper Marlboro, MD 20772

Date: 2/24/21

MAILING LIST - RECEIPT

- DRD application SE-4847
 County application

This receipt is to acknowledge that Bryan Spell of (name
of company, if applicable) McNamee Hosea
received the following lists as described by the categories below:

- | | | |
|--|------------------|-----------|
| <input checked="" type="checkbox"/> Registered community organization list | Total Record(s): | <u>34</u> |
| <input checked="" type="checkbox"/> Adjoining property owners list | Total Record(s): | <u>35</u> |
| <input checked="" type="checkbox"/> Municipalities within one mile list | Total Record(s): | <u>1</u> |

This list is valid for 180 days from the date referenced above. Applicants shall obtain an updated mailing list if notifications are not sent within 180 days.

This property is located on WSSC Grid: 207SE01

Helen Smith

Development Review Division Staff

NOTE: Copy of this form must be included with Application submittal package.

The Maryland-National Capital Park & Planning Commission Results

Prince George's County Planning Department

Date: 2/24/2021

Time: 3:54:16 PM

=====
 Total Record(s): 34
 =====

Layer_Name	ARCDBA.Rc	ARCDBA.Rc	ARCDBA.Rc	ARCDBA.Cf	ARCDBA.Cf
Registered Association	1594	769	Polygon	157	769
Registered Association	1611	772	Polygon	101	772
Registered Association	573	756	Polygon	85	756
Registered Association	517	202	Polygon	99	202
Registered Association	509	58	Polygon	26	58
Registered Association	441	390	Polygon	33	390
Registered Association	496	222	Polygon	100	222
Registered Association	490	702	Polygon	106	702
Registered Association	523	394	Polygon	15	394
Registered Association	506	716	Polygon	150	716
Registered Association	493	55	Polygon	55	55
Registered Association	488	727	Polygon	132	727
Registered Association	467	739	Polygon	146	739
Registered Association	460	527	Polygon	78	527
Registered Association	463	738	Polygon	161	738
Registered Association	492	514	Polygon	72	514
Registered Association	489	594	Polygon	67	594
Registered Association	425	713	Polygon	149	713
Registered Association	464	671	Polygon	19	671
Registered Association	426	487	Polygon	37	487
Registered Association	440	647	Polygon	83	647
Registered Association	491	446	Polygon	58	446
Registered Association	512	734	Polygon	140	734
Registered Association	462	712	Polygon	136	712
Registered Association	586	760	Polygon	4	760
Registered Association	585	759	Polygon	16	759
Registered Association	616	176	Polygon	96	176
Registered Association	618	341	Polygon	49	341
Registered Association	621	462	Polygon	97	462
Registered Association	937	742	Polygon	45	742
Registered Association	939	765	Polygon	110	765
Registered Association	1625	774	Polygon	162	774
Registered Association	1992	64	Polygon	59	64
Registered Association	2060	342	Polygon	14	342

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BARNABY MANOR CITIZENS ASSN. INC.	<null>	<null>
MAXWELLS GRANT HOMEOWNERS ASSOCIATION, INC.	<null>	<null>
ASHFORD COMMUNITY ASSOCIATION	<null>	4209
HILLCREST-MARLOW HEIGHTS CIVIC ASSOCIATION	<null>	2001
BROOKE MANOR CIVIC ASSOCIATION	<null>	212
TANTALLON CITIZENS ASSOCIATION, INC.	<null>	<null>
INDIAN HEAD HIGHWAY AREA ACTION COUNCIL (IHHAAC)	<null>	<null>
PRESERVE AT PISCATAWAY	<null>	2800
TANTALLON SQUARE AREA CIVIC ASSOCIATION	<null>	<null>
CONSERVANCY OF BROAD CREEK	<null>	<null>
BROAD CREEK HISTORIC DISTRICT LAC	<null>	1009
BROADWATER ESTATE COMMUNITY ASSOCIATION	<null>	519
SOUTHLAWN CITIZENS ASSOCIATION	<null>	<null>
SILESIA CITIZENS FOUNDATION, INC.	<null>	10710
PRINCE GEORGE'S COUNTY CIVIC FEDERATION, INC.	<null>	<null>
OAK ORCHARD COMMUNITY ASSN	<null>	9306
ACCOKEEK, MATTAWOMAN, PISCATAWAY CREEKS COMMUNITY COUNCIL	<null>	<null>
APPLE GROVE/SQUIRES WOOD CITIZENS ASSOCIATION	<null>	7611
BRANDYWINE/TB, SOUTHERN REGION NEIGHBORHOOD COALITION	<null>	8787
PINE PLAINS CIVIC ASSOCIATION	<null>	3600
SUMMIT CREEK COMMUNITY ASSOCIATION	<null>	4518
SOUTH COUNTY COALITION AGAINST CRIME	<null>	12219
FLEISCHMAN'S VILLAGE CITIZENS ASSOCIATION	<null>	3408
CITIZENS ENCOURAGING COMMUNITY REVITALIZATION	<null>	4612
FORT WASHINGTON ESTATES CIVIC ASSOCIATION (FWECA)	<null>	<null>
LIVINGSTON WOODS HOA (LWHOA)	<null>	<null>
GREATER ACCOKEEK CIVIC ASSOCIATION	<null>	<null>
RIVERBEND CITIZENS HOMEOWNERS ASSOCIATION	<null>	601
GREATER SOUTH COUNTY COALITION FOR ABSOLUTE PROGRESS	<null>	212
DUPOINT VILLAGE NEIGHBORHOOD WATCH	<null>	2218
BIRDLAWN HOMEOWNERS ASSOCIATION	<null>	8806
PISCATAWAY HILLS CITIZENS ASSOCIATION	<null>	13809
CAMP SPRINGS CIVIC ASSOCIATION	<null>	<null>
RIVERBEND ESTATES NEIGHBORHOOD ASSOCIATION (RENA)	<null>	<null>

ARCDDBA.CMS_COMS_DB.STREE	ARCDDBA.CMS_COMS_DB.STREET_LINE_2	ARCDDBA.CMS_COMS_DB.CITY
P. O. BOX 365	<null>	TEMPLE HILLS
P. O. BOX 1215	<null>	TEMPLE HILLS
FARMER PLACE	<null>	FORT WASHINGTON
GAITHER STREET	<null>	TEMPLE HILLS
ARAGONA DRIVE	<null>	FORT WASHINGTON
P.O. BOX 44069	<null>	FORT WASHINGTON
P.O. BOX 44013	<null>	FORT WASHINGTON
ST MARY'S VIEW ROAD	<null>	ACCOKEEK
P.O. BOX 44574	<null>	FORT WASHINGTON
P.O. BOX 44167	<null>	FORT WASHINGTON
COLLEEN COURT	<null>	FORT WASHINGTON
BROAD CREEK DRIVE	<null>	FORT WASHINGTON
P.O. BOX 11	<null>	OXON HILL
LIVINGSTON ROAD	<null>	FORT WASHINGTON
P.O. BOX 212	<null>	CHELTENHAM
PINE VIEW LANE	<null>	CLINTON
P.O. BOX 477	<null>	ACCOKEEK
JAYWICK AVENUE	<null>	FORT WASHINGTON
BRANCH AVENUE	SUITE 17	CLINTON
FARNSS COURT	<null>	TEMPLE HILLS
BEECH ROAD	C/O BRENELLE MCCOY, SUITE 100	TEMPLE HILLS
RIVERVIEW ROAD	<null>	FORT WASHINGTON
WELTHAM STREET	<null>	SUITLAND
CEDELL PLACE	<null>	TEMPLE HILLS
P. O. BOX 441454	<null>	FORT WASHINGTON
P.O. BOX 775	<null>	OXON HILL
P. O. BOX 176	<null>	ACCOKEEK
RIVER BEND ROAD	<null>	FORT WASHINGTON
ARAGONA DRIVE	<null>	FORT WASHINGTON
WYNGATE ROAD	<null>	SUITLAND
8806 NANCY LANE	C/O CHAMBERS MANAGEMENT, INC.	FORT WASHINGTON
PISCATAWAY DRIVE	<null>	FORT WASHINGTON
P. O. BOX 1071	<null>	TEMPLE HILLS
P. O. BOX 441673	<null>	FORT WASHINGTON

ARCDBA.CI ARCDBA.CI ARCDBA.CI ARCDBA.CMS_COMS_DB.REGISTRATION_DATE

MD	20748	28	8/27/2018
MD	20757	30	10/3/2018
MD	20744	172	7/27/2017
MD	20748	600	6/18/2003
MD	20744	150	2/26/2008
MD	20749	250	9/1/2003
MD	20749	65	2/20/2004
MD	20607	500	1/23/2012
MD	20749	500	6/16/2003
MD	20744	70	10/11/2013
MD	20744	7	3/10/2006
MD	20744	61	4/15/2014
MD	20750	40	2/29/2016
MD	20744	40	6/22/2005
MD	20623	22	12/9/2015
MD	20735	39	10/8/2004
MD	20607	100	5/30/2007
MD	20744	100	3/11/2013
MD	20735	1500	12/14/2009
MD	20748	116	8/25/2003
MD	20748	711	4/29/2008
MD	20744	100	6/20/2003
MD	20746 <null>		12/1/2014
MD	20748	12	1/25/2013
MD	20749	6	10/6/2017
MD	20745	10	9/19/2017
MD	20607	64	7/7/2003
MD	20744	150	6/17/2003
MD	20744	20	2/26/2004
MD	20746	50	5/26/2016
MD	20744	22	4/12/2018
MD	20744	80	1/17/2019
MD	20757	150	7/22/2003
MD	20749	32	1/20/2004

The Maryland-National Capital Park & Planning Commission Results

Prince George's County Planning Department

Date: 2/24/2021

Time: 3:52:34 PM

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Total Record(s): 1
=====

Layer_Name	OBJECTID	NAME	MUNICIPAL DAMS_LIN	OFFICIALS_NAME	TITLE
Municipal One Mile Buffer	2732	FOREST HEIGHTS	99	99 Habeeb-Ullah Muhammad	Mayor

ADDRESS	CITY	ZIP_CODE	EXECUTIVE EXEC_TERM	ACREAGE	BUFF_DIST	ORIG_FID	SHAPE	TELEPHONE
5508 Arapahoe Drive	Forest Heights	20745	Elected	3/1/2021	1037.321	5280	1053 Polygon	301-839-1030

EMAIL
lrobinson@forestheightsmd.gov

SHAPE.ARE SHAPE.LEN
3.19E+08 65054.72



DEVELOPMENT REVIEW BULLETIN

Bulletin No. 4-2014

Subject: Informational Mailings to the Chamber of Commerce and the Greater Prince George's Business Roundtable

Resource: Development Review Division

Date: December 12, 2014

On October 28, 2014, the Prince George's County Council, sitting as the District Council adopted CB-59-2014 for the purpose of adding the requirement for applicants to send an informational mailing to the Prince George's Chamber of Commerce and the Greater Prince George's Business Roundtable for Detailed Site Plan (DSP), Specific Design Plan (SDP), and Special Exception (SE) applications.

Effective immediately informational mailing notice affidavits for DSPs, SDPs, and SEs must include a separate list documenting that the notices were mailed to the Prince George's Chamber of Commerce and the Greater Prince George's Business Roundtable at the following addresses: The

Prince George's Chamber of Commerce
David Harrington, President and CEO
4640 Forbes Boulevard, Suite 130
Lanham, Maryland 20706

Greater Prince George's Business Roundtable
M.H. Jim Estep, President and CEO
10201 Martin Luther King, Jr. Highway, Suite 220
Bowie, MD 20720

If you have any questions regarding this process, please contact Cheryl Summerlin at 301-952-3578 or cheryl.summerlin@ppd.mncppc.org.

STATE ETHICS COMMISSION
45 CALVERT STREET, 3RD FLOOR
ANNAPOLIS, MD 21401
410-260-7770
1-877-669-6085

This Form Is To Be Filed With:
CLERK OF THE COUNTY COUNCIL
COUNTY ADMINISTRATION BUILDING
ROOM 2198
UPPER MARLBORO, MD 20772
301-952-3600

Business Entity' Affidavit

(Form PG 2)

General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf>, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit only if these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law and if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

PART A. Business Entity Applicant

Identifying Information

Name of Applicant Eastover Plaza Improvements LLC Case No. (where applicable) SE-4847
Address of Applicant 565 TAXTER ROAD, 4TH FLOOR
ELMSEORD, NY 10523
Identity of the Property/ 5135 and 5141 Indian Head Highway, Oxon Hill, MD 20745
Subject of Application Tax Account # 1231141 Type of Application Special Exception
(see § 5-833(d))

¹Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application? ____ Yes No

If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? ____ Yes No

If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only)

***Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed).**

1. ____ All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the disclosure requirement as provided in the Law and are identified as follows (list name and title – if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state):

2. ____ Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council OR there are no individuals required to file affidavits.

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Signature (original to be filed with the Clerk)

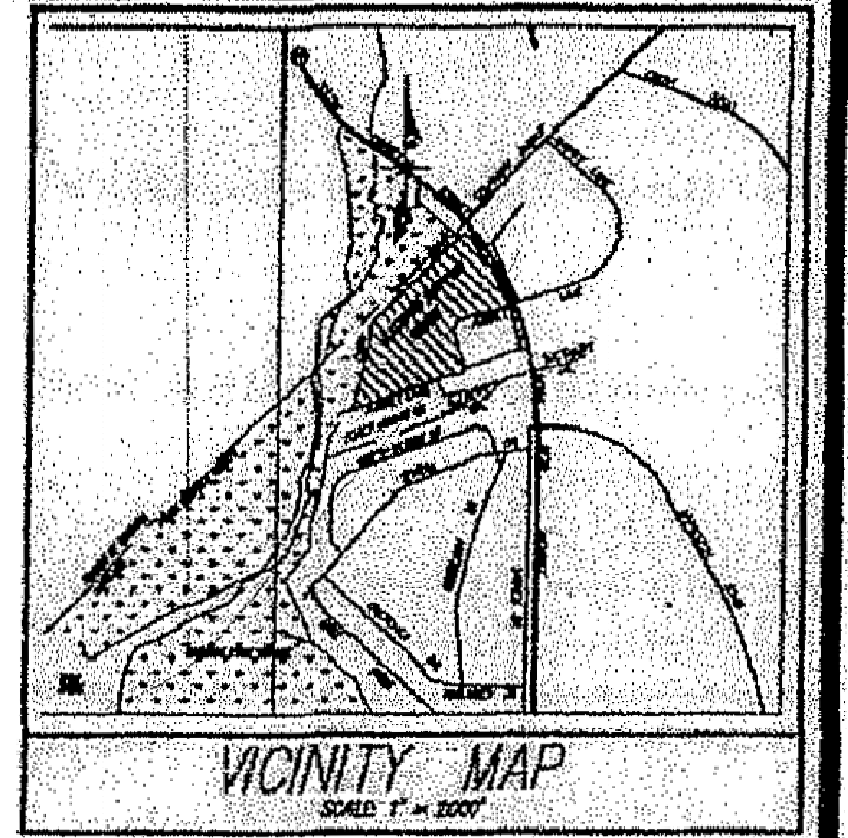
Adam Ifshin
Printed Name of Signer

President of First Man Eastover Plaza Corp,
Title of Signer (Authorized to sign for the business entity)

Manager of Applicant

3/12/21
Date

4792-99-C-1



SITE INDEX

- OVERALL SITE PLAN.....C-1
- SITE PLAN.....C-2
- SITE DETAILS.....C-3
- SEDIMENT CONTROL PLAN.....C-4
- SEDIMENT CONTROL DETAILS.....C-5
- OXON RUN DRIVE IMPROVEMENT PLAN.....C-6
- ON-SITE WATER & SEWER PLAN.....C-7
- ON-SITE WATER & SEWER PROFILE/DETAILS.....C-8
- LANDSCAPE PLAN.....L-1
- LANDSCAPE & LIGHTING DETAILS.....L-2

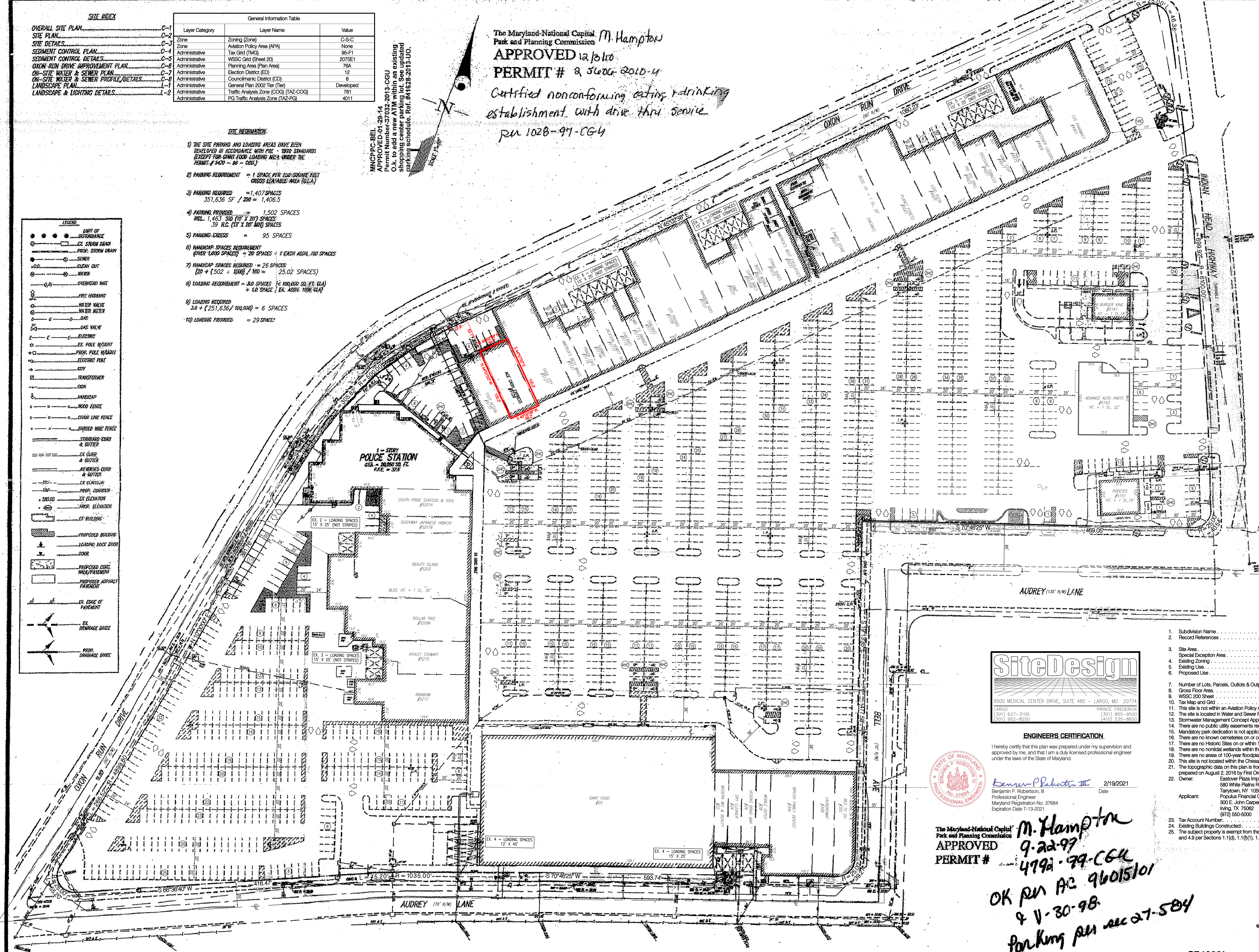
General Information Table		
Layer Category	Layer Name	Value
Zone	Zoning (Zone)	C-S-C
Zone	Aviation Policy Area (APA)	None
Administrative	Tax Grid (TMG)	95-F1
Administrative	WSSC Grid (Sheet 20)	207SE1
Administrative	Planning Area (Plan Area)	76A
Administrative	Election District (ED)	12
Administrative	Councilmatic District (CD)	8
Administrative	General Plan 2002 Tier (Tier)	Developed
Administrative	Traffic Analysis Zone (TAZ-COG)	781
Administrative	PG Traffic Analysis Zone (TAZ-PG)	4011

The Maryland-National Capital Park and Planning Commission
M. Hampton
APPROVED 12/10/10
PERMIT # 8 5600 2010-4
 Certified nonconforming eating & drinking establishment with drive thru service
 per 1028-97-CG4

- SITE INFORMATION**
- THE SITE PARKING AND LOADING AREAS HAVE BEEN DEVELOPED IN ACCORDANCE WITH PRC - 1970 STANDARDS EXCEPT FOR DRIVE THRU LOADING AREA UNDER THE PERMIT # 1400 - 96 - CG4.
 - PARKING REQUIREMENT = 1 SPACE PER 250-GROSS-SQ-FEET GROSS LEASABLE AREA (GLA)
 - PARKING PROVIDED = 1,407 SPACES
351,636 SF / 250 = 1,406.5
 - PARKING PROVIDED = 1,502 SPACES
INCL. 1,463 STD (10' X 20') SPACES
39 H.C. (15' X 20' MIN) SPACES
 - PARKING EXCESS = 95 SPACES
 - HANDICAP SPACES REQUIREMENT (OVER 1,400 SPACES) = 30 SPACES + 1 EACH ADDL. 100 SPACES
 - HANDICAP SPACES PROVIDED = 26 SPACES
(20 + (502 / 100) / 100 = 25.02 SPACES)
 - LOADING REQUIREMENT = 3.0 SPACES / 100,000 SQ. FT. GLA + 1.0 SPACE / EX. ADDL. TONN. GLA
 - LOADING PROVIDED = 6 SPACES
3.0 + (251,636 / 100,000) = 6 SPACES
 - LOADING PROVIDED = 29 SPACES

LEGEND

- EX. STRAIN DRAIN
- PROP. STORM DRAIN
- SEWER
- CLEAN OUT
- WATER
- OVERHEAD WIRE
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- GAS
- GAS VALVE
- ELECTRIC
- EX. POLE W/RIGHT
- PROP. POLE W/RIGHT
- ELECTRIC POLE
- CITY
- TRANSFORMER
- SIGN
- HANDICAP
- WOOD FENCE
- CHAIN LINK FENCE
- BARBED WIRE FENCE
- STANDARD CURB & GUTTER
- EX. CURB & GUTTER
- REVERSED CURB & GUTTER
- EX. COUNTER
- PROP. COUNTER
- EX. ELEVATION
- PROP. ELEVATION
- EX. BUILDING
- PROPOSED BUILDING
- LOADING DOCK DOOR
- DOOR
- PROPOSED CONC. PAVEMENT
- PROPOSED ASPHALT PAVEMENT
- EX. EDGE OF PAVEMENT
- PROP. DRAINAGE DITCH



SiteDesign
 9500 MEDICAL CENTER DRIVE, SUITE 480 - LARGO, MD 20774
 LARGO (301) 627-3100 PRINCE FREDERICK (301) 855-9500
 (301) 982-8200 (410) 635-8600

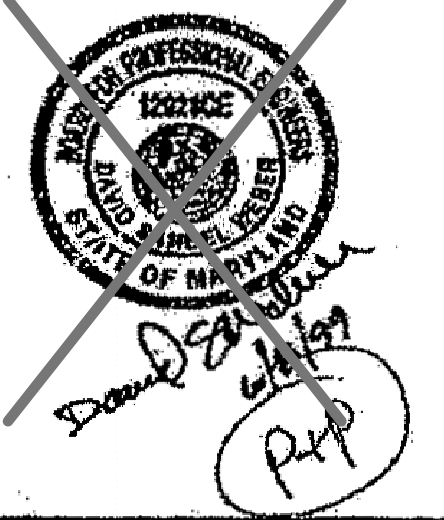
ENGINEERS CERTIFICATION
 I hereby certify that this plan was prepared under my supervision and approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
 Benjamin P. Robertson, III
 Professional Engineer
 Maryland Registration No. 37684
 Expiration Date 7-13-2021

The Maryland-National Capital Park and Planning Commission
APPROVED
PERMIT #

M. Hampton
 9-22-97
 4792-99-CG4
 OK per AC 9/6/15/10
 & V-30-98
 for King per acc 27-584

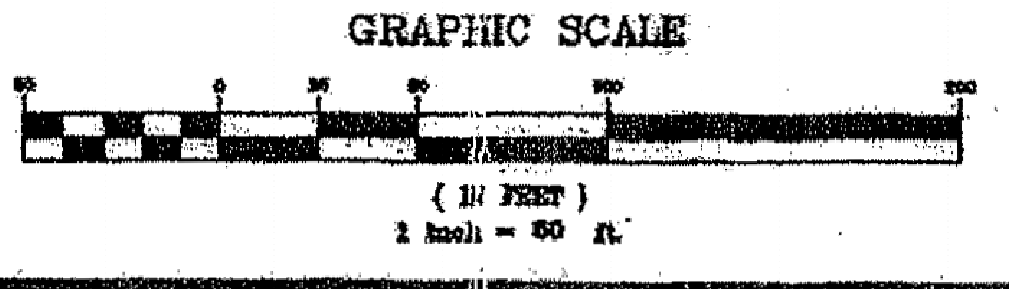
- GENERAL NOTES**
- Subdivision Name: Lot 1, Block D, "Bell Acres"
 - Record References: L 26482 @ F. 435; Plat Book WWW 23 at plat 79
 - Site Area: 1,098,227 SF or 25.2118 Acres
 - Special Exception Area: 3,328 SF or 0.0802 Acres
 - Existing Zoning: C-S-C
 - Existing Use: Shopping Center
 - Proposed Use: Shopping Center
 - Number of Lots, Parcels, Outlets & Outparcels: One Parcel
 - Gross Floor Area: 351,636 SF
 - WSSC 200 Sheet: 207SE1
 - Tax Map and Grid: Tax Map 95, Grid F1
 - This site is not within an Aviation Policy Area or the M-H-O-Z.
 - The site is located in Water and Sewer Planning Categories W-3 and S-3 (Existing and Proposed).
 - Stormwater Management Concept Approval: No Disturbance Proposed
 - There are no public utility easements recorded.
 - Mandatory park dedication is not applicable to this plan.
 - There are no known cemeteries on or contiguous to this site.
 - There are no Historic Sites on or within 1,000' of this site.
 - There are no non-tidal wetlands within the limits of this site.
 - There are no areas of 100-year floodplain on this site.
 - This site is not located within the Chesapeake Bay Critical Area.
 - The topographic data on this plan is from available site plans of record, supplemented by an ALTA survey prepared on August 2, 2016 by First Order, LLC.
 - Owner: Eastover Plaza Improvements, LLC
580 White Plains Road
Tarrytown, NY 10591
 - Applicant: Populus Financial Group, Inc. db/a ACE Cash Express
300 E. John Carpenter Freeway, Suite 900
Irving, TX 75062
6723 550-5000
 - Tax Account Number: 12-123141
 - Existing Buildings Constructed: 1957
 - The subject property is exempt from the provisions of Landscape Manual sections 4.2, 4.3, 4.6, 4.7, 4.8, and 4.9 per Sections 1-1(a), 1-1(b)(1), 1-1(g)(1), and 1-1(h)(1).

PRINTED
 JUN 08 1999
 GUTSCHICK, LITTLE & WEBER, P.A.



GLW GUTSCHICK LITTLE & WEBER, P.A.
 CIVIL ENGINEERS, LAND SURVEYORS, ARCHITECTS, PLANNERS, LANDSCAPE ARCHITECTS
 300 N. WASHINGTON STREET, SUITE 200
 ANNAPOLIS, MARYLAND 20704
 TEL: 410-293-8200 FAX: 410-293-8201
 WWW.GLW.COM

NO.	DATE	DESCRIPTION	BY	APP'R.
1	6/20/99	BUILDING PERMIT SUBMISSION TO ARCHITECT	GLW	GLW
2	7/15/99	BUILDING PERMIT SUBMISSION TO ARCHITECT	GLW	GLW
3	7/26/99	EDGE SUBMISSION TO ARCHITECT	GLW	GLW



PREPARED FOR:
 ENCO FOUNDRY
 730 11TH STREET, N.W. SUITE 600
 WASHINGTON, DC 20001
 ATTN: JAMES WATSON
 PHONE: (202) 822-6700
 FAX: (202) 422-8900

SPECIAL EXCEPTION SITE PLAN
EASTOVER SQUARE SHOPPING CENTER
ACE CASH EXPRESS
 LOT 1, BLOCK D, BELL ACRES, PLAT A12-2345
 OXON HILL (12TH) ELECTION DISTRICT
 PRINCE GEORGE'S COUNTY, MARYLAND

SCALE	ZONING	G. L. W. FILE NO.
1" = 50'	CSC	95047
DATE	TAX MAP - GRID	SHEET
MARCH 1999	95 F-1	C-1

4792-99-C-1



Bryan Spell
Land Use Coordinator/Law Clerk

E-mail: BSpell@mhlawyers.com
Direct Dial: Extension 267

May 25, 2021

Via Electronic Delivery

Cheryl Summerlin
Supervisor, Applications
Development Review Division
M-NCPPC
County Administration Building
Upper Marlboro, MD 20772

Re: *SE-4847, ACE Eastover Square Acceptance Submission*

Dear Cheryl:

On behalf of the applicant, please find enclosed herein the following items for acceptance:

- Application;
- Zoning Sketch Map;
- WCO-EX and NRI-EL Email;
- Statement of Justification;
- State Ethics Affidavits;
- Informational Notification Letter, Affidavit and Receipt with List of Addresses;
- Acceptance Notification Letter, Affidavit and Receipt with List of Addresses;
- Special Exception Site Plan;
- Pre-Review Comments and Point-by-Point Response; and
- Application Payment (Check to be submitted separately via Drop Box).

If you have any questions, please do not hesitate to contact me at 301-441-2420.

Sincerely,

Bryan Spell

Enclosures



POPULUS FINANCIAL GROUP, INC.

300 E. John Carpenter Hwy, Suite 900
Irving, Texas 75062
(972) 550-5000

Check No. - 1268411

Check Date - 05/20/21

Stub 1 of 1

INVOICE		COMMENT	GROSS	DEDUCTION	AMOUNT PAID
NUMBER	DATE				
051321	051321	MARYLAND NATIONAL CAPTIAL	2,752.00		2,752.00
			----- 2,752.00	-----	----- 2,752.00

PAYMENT ADVICE



POPULUS FINANCIAL GROUP, INC.

300 E. John Carpenter Hwy, Suite 900
Irving, Texas 75062
(972) 550-5000



Wells Fargo Bank, N.A.
660 North Central Expressway
Plano, TX 75074

01268411

CHECK
NUMBER

1268411

DATE	AMOUNT
56835 05/20/21	\$ 2,752.00

PAY TWO THOUSAND SEVEN HUNDRED FIFTY TWO AND 00/100 *****

TO THE ORDER OF

M-NCPPC
M-NCPPC DRD APPLICATIONS
14741 GOVERNOR ODEN BOWIE DRIVE
UPPER MARLBORO MD 20772

Two Signatures Required Over \$3,000.00

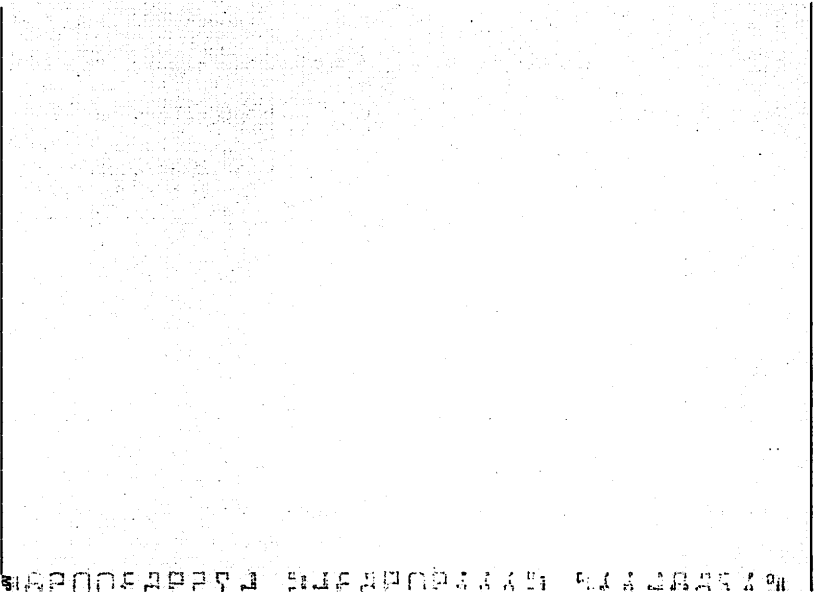

VOID AFTER 120 DAYS

⑈ 1268411⑈ ⑆ 111909634⑆ 4759630098⑈

ENDORSE HERE

X

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
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* FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

Bryan Spell
Land Use Coordinator/Law Clerk

E-mail: BSpell@mhlawyers.com
Direct Dial: Extension 267

April 22, 2021

Via Electronic Delivery

Cheryl Summerlin
Supervisor, Applications
Development Review Division
M-NCPPC
County Administration Building
Upper Marlboro, MD 20772

**Re: *SE-4847; ACE Eastover Square
Pre-Review Point-By-Point Response Letter***

Dear Cheryl:

On behalf of the applicant, please find below point-by-point responses to the Pre-Review Comments transmitted to the applicant on March 21, 2021.

SUPERVISOR COMMENTS:

Provide a Statement of justification (SOJ) address to provisions of the subtitle including 27-317, 27-341.01

Response: SOJ has been included in this submission.

NRI file cannot be opened. Provide exemption letter or clarify why it is not needed.

Response: Included in this submission is an email from Alexander Kirchhof stating that an NRI-EL and a WCO-EX are not required per the Environmental Technical Manual Table B-1 page B-3.

Subdivision Section:

The property is known as Lot 1, Block D of Bell Acres, as shown on a resubdivision plat recorded in Plat Book WWW 23 Page 79 in 1954. The project proposes a new retail business within an existing vacant tenant space within the shopping center. There are no proposed changes to property boundaries and no proposed changes to the gross commercial floor area on site. There are no subdivision issues at this time; however, there should be a Statement of Justification included in the application. OK to accept from the standpoint of Subdivision.

Response: SOJ has been included in this submission.

Transportation:

OK for acceptance with regard to transportation. However, shouldn't the dropbox contain a SOJ to indicate how this use meets all required findings? There are specific requirements for the use.

Response: SOJ has been included in this submission.

If you have any questions, please do not hesitate to contact me at 301-441-2420.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bryan Spell', written in a cursive style.

Bryan Spell

Enclosures



M-NCPPC Development Review Division Zoning, Special Exception and Departures Checklist

Submittal Date: 4/1/2021

Project Name & Number: SE-4847 ACE EASTOVER SQUARE

Technician Review Date: 4/1/21 Date to Supervisor: 4/2/2021 JH

Reviewer: Sam Barden IV

Date Comments Transmitted to Applicant: 4/20/21

Revised Plans/Documents Received: _____

PLANNING TECHNICIAN - REVIEW OF BASIC REQUIREMENTS

DOCUMENTS REQUIRED:

- | | |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Typed and signed Application Form <input type="checkbox"/> CD of all documents/plans required for acceptance <input type="checkbox"/> Zoning Sketch Map (no older than 6 months) <input type="checkbox"/> Conditions of all previous approvals, including comments from M-NCPPC Permits Office or DER violations <input type="checkbox"/> Approval Letter for SWM Concept Plan <input checked="" type="checkbox"/> Tree Conservation Plan or Exemption Letter <input type="checkbox"/> State Ethics Commission Affidavit(s) <input type="checkbox"/> Property Survey, sign/sealed+ bearings/distances | <ul style="list-style-type: none"> <input type="checkbox"/> Pre-Acceptance Assessment Reviews from Transportation and Historic Preservation completely filled out & signed by their staff person <input type="checkbox"/> Affidavit of Informational Mailing (letter, "Receipt," list of addressees, & affidavit of mailing) <input type="checkbox"/> Receipt and All applicable pre-assessments checklist/Scoping Agreement and <input checked="" type="checkbox"/> Point-by-Point Response of Revised Submission (to be submitted after our initial review comments) |
|---|---|

Property Survey:

- Professional Signed and Sealed
- Bearings and Distances in Feet

SITE PLAN Requirements:

General Notes:

- Subdivision Name
- Total Acreage (broken down by all zones)
- Existing Zoning
- Proposed Use of Property
- Number of Lot, Parcels, Outlots & Outparcels
- Breakdown of Proposed Dwelling Units by Type
- Gross Floor Area (Commercial/Industrial Only)
- 200 Foot Map Reference (WSSC)
- Tax map number and grid
- Aviation Policy Area (airport name and APA #)
- Water/Sewer Designation (Existing)
- Water/Sewer Designation (Proposed)
- Stormwater Management Concept Number
- 10-foot Public Utility Easement along all rights-of-way
- Mandatory Park Dedication (if applicable, how to be provided)
- Cemeteries on or contiguous to the property (indicate yes or no)
- Historic Sites on or in the vicinity of the property (indicate yes or no)
- Wetlands (indicate yes or no)
- 100-year floodplain (indicate yes or no)
- Within Chesapeake Bay Critical Area (indicate yes or no)

- Source of topography
- Applicant (indicate either owner or contract purchaser)

Drawing Requirements:

- Title Block
- Revision Block
- Professional Signed and Sealed
- Location Map
- North Arrow
- Drawings at Same Scale
- Property Boundaries Outlined in Red with Bearings and Distances
- Zoning of Subject Property
- Total Area Calculation in Square Feet or Acres
- Adjacent Properties – Owner’s Names, Lot, Block, Zoning, Use and Buildings Within 50 feet
- Location, Area, Height and Distance to Property Line for Existing and Proposed Buildings, Structures and Uses
- Dimensions of all Existing and Proposed Buildings and Structures
- Layout of Parking and Loading Facilities
- Access and Internal Circulation
- Schedules for Required Parking and Loading Spaces
- Typical Sizing of Parking and Loading Spaces

- Typical Screening of Loading Facilities
- Drive Aisles - Location, Width, Circulation and Street Connection
- Proposed Striping Method
- Lighting - Location, Height and Luminaire
- Waste Storage Areas and Typical Screening
- Typical for Fences and Retaining Walls
- Existing and Proposed Rights-of-Way and Easements
- Street Names and Distance to Nearest Intersecting Street
- Existing Vegetation or Tree Cover
- Tidal and Nontidal Wetlands
- Stormwater Management Facilities
- Storm Drains
- Steep Slopes
- Perennial Streams
- 100-Year Floodplain
- Notes of Prior Approvals (i.e., Application # for all prior cases)
- Current Zone Standards - Yards or Building Setbacks, Lot Area, Lot Coverage and Lot Width
- Keyed Locations of Landscape Materials
- Planting Schedules:
 - Residential Requirements
 - Commercial/Residential Landscaped Strip
 - Parking Lot Landscaped Strip
 - Perimeter Area
 - Interior Planting
 - Buffering Res from Streets
 - Bufferyard Planting
 - Planting Details and Specifications
 - Plant Substitution Notes
 - Existing Trees and Preservation Deta

PLANNER - Statement of Justification Review:

- Specific Special Exception Requirements - Section
- General Special Exception Requirements - Section 27-317**
- Variances from Special Exception or Zoning Requirements - Section 27-230
- Alternative Compliance with the Landscape Manual - Section 1.3
- Certification of Non-conforming Use 27-244
- Departure from Landscape Manual Requirements - Section 27-239.01(a)(9)(A)&(B)
- Departure from Parking/Loading Design Standards - Section 27-239.01(b)(7)(A)
- Departure from Parking and Loading Spaces - Section 27-588(b)(7)
- Departure from Design Standards 27-239.01
- Departure from Sign Design Standards - Section 27-239.01(a)(9)(A)
- Special Permits 27-239.02
- Conventional Zones - Section 27-157(a)

APPLICATION DEFICIENCIES

TECHNICIAN COMMENTS:

4/2/2021 RL – documents sufficient for pre-acceptance 15 day

SUPERVISOR COMMENTS:

SCHEDULE FOR SDRC

-Provide a Statement of justification (SOJ) address to provisions of the subtitle including 27-317, 27-341.01 &

-NRI file cannot be opened. Provide exemption letter or clarify why it is not needed.

JDH 4/15/2021

REVIEWER COMMENT:

-No issues with Site.

SBIV 4/19/2021

Subdivision Section:

The property is known as Lot 1, Block D of Bell Acres, as shown on a resubdivision plat recorded in Plat Book WWW 23 Page 79 in 1954. The project proposes a new retail business within an existing vacant tenant space within the shopping center. There are no proposed changes to property

boundaries and no proposed changes to the gross commercial floor area on site. There are no subdivision issues at this time; however, there should be a Statement of Justification included in the application. OK to accept from the standpoint of Subdivision. EDC 4/15/2021

Environmental Planning Section: OK for proposed indoor use to existing building. 4/6/21 ACS

Transportation Planning Section: OK for acceptance with regard to transportation. However, shouldn't the dropbox contain a SOJ to indicate how this use meets all required findings? There are specific requirements for the use. TGM – 4/15/2021

Historic-Archeology Section: PENDING

Community Planning Division: PENDING

July 30, 2021

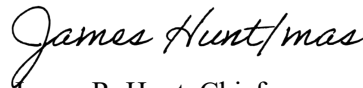
Maurene Epps-McNeil
Zoning Hearing Examiner
County Administration Building
Upper Marlboro, MD 20772

RE: SE-4847 and ACE Eastover Square

Dear Ms. Epps-McNeil:

On July 29, 2021, after review of the technical staff report, the Prince George's County Planning Board approved the transmittal of the recommendation. Therefore, the application is hereby transmitted directly to the District Council/Zoning Hearing Examiner, and the technical staff's recommendation constitutes the Planning Board's recommendation.

Very truly yours,


James R. Hunt, Chief
Development Review

Enclosure

cc: Persons of Record



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 <http://mncppc.iqm2.com/Citizens/Default.aspx>

Special Exception

ACE Eastover Square

SE-4847

REQUEST	STAFF RECOMMENDATION
Relocation of a check cashing business into an existing 3,900-square-foot space in Eastover Square Shopping Center.	APPROVAL

Location: In the southeast quadrant of the intersection of MD 210 (Indian Head Highway) and Oxon Run Drive.	
Gross Acreage:	25.21
Zone:	C-S-C
Dwelling Units:	0
Gross Floor Area:	N/A
Lots:	0
Parcels:	0
Planning Area:	76A
Council District:	08
Election District:	12
Municipality:	Oxon Hill
200-Scale Base Map:	207SE01
Applicant/Address: Populus Financial Group 300 East John Carpenter Freeway, Suite 900 Irving, TX 75062	
Staff Reviewer: Sam Braden IV Phone Number: 301-952-3411 Email: Sam.BradenIV@ppd.mncppc.org	



Planning Board Date:	07/29/2021
Planning Board Action Limit:	N/A
Staff Report Date:	07/14/2021
Date Accepted:	05/27/2021
Informational Mailing:	03/31/2021
Acceptance Mailing:	05/25/2021
Sign Posting Deadline:	N/A

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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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
The Prince George's County District Council

VIA: Jeremy Hurlbutt, Supervisor, Zoning Review Section,
Development Review Division

FROM: Sam Braden IV, Senior Planner, Zoning Review Section,
Development Review Division

SUBJECT: Special Exception SE-4847
ACE Eastover Square

REQUEST: A special exception to relocate a check cashing business into an existing
3,900-square-foot space in Eastover Square Shopping Center.

RECOMMENDATION: **APPROVAL**

NOTE:

The Planning Board has scheduled this application on the consent agenda for transmittal to the Zoning Hearing Examiner on the agenda date of July 29, 2021.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS:

1. **Location and Site Description:** The subject property is located in the southeast quadrant of the intersection of MD 210 (Indian Head Highway) and Oxon Run Drive. The business is currently located on the site and occupies a pad site at 5221 Indian Head Highway, in the Commercial Shopping Center (C-S-C) Zone. The proposed occupied space is 3,900-square-foot in the Eastover Square Shopping Center.
2. **History and Previous Approvals:** The subject property is located on Tax Map 95 in Grid F1 and F2 and contains a total of 25.21 acres of land. The subject property was recorded by plat among the Prince George’s County Land Records, in Plat Book WWW 23 page 79, on August 14, 1953. The existing site will be relocated in the Eastover Square Shopping Center in a 3,900-square-foot space constructed in 1957. On August 26, 2015, the Prince George’s County Planning Board approved Alternative Compliance AC-96015-02, with no conditions, for an Advance Auto Parts Store on the subject site.
3. **Neighborhood and Surrounding Uses:** The general neighborhood is bounded to the north by Oxon Run Drive, Bell Acres Park to the west, retail, and commercial uses in Eastover Square Shopping Center to the east, and Aubrey Lane to the south, with primarily residential uses beyond. The immediate uses surrounding the subject property are as follows:
 - North—** Oxon Run Drive and the District of Columbia.
 - East—** Retail and service commercial uses in the C-S-C Zone on the property, and beyond, Indian Head Highway in the C-S-C and Commercial Miscellaneous Zones.
 - South—** Aubrey Lane, and beyond is Forest Heights Elementary School in the One-Family Detached Residential (R-55) Zone and vacant property in the Residential Townhouse Zone.
 - West—** Bell Acres Park in the Open Space Zone.
4. **Request:** The applicant requests the relocation of a check cashing business into an existing 3,900-square-foot space in Eastover Square Shopping Center.
5. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Check Cashing	Check Cashing
Acreage	23.41	25.41
Lots	0	0
Gross Floor Area	N/A	N/A
Dwellings	0	0

6. **Required Findings:** A special exception is subject to the general findings for approval of all special exceptions contained in Section 27-317(a) of the Prince George’s County Zoning Ordinance. Part 4 of the Zoning Ordinance also includes additional required findings for specific uses. A check cashing business is subject to the additional findings of Section 27-341.01 of the Zoning Ordinance. The analysis of all the required findings for approval are provided below.

In support of the application, the applicant filed a statement of justification submitted April 29, 2021, incorporated by reference herein. This case was heard at the Subdivision and Development Review Committee (SDRC) meeting on June 11, 2021. There were no major issues noted by staff at the SDRC meeting.

General Special Exception Findings—Section 27-317(a) provides the following:

(a) A Special Exception may be approved if:

- (1) The proposed use and site plan are in harmony with the purposes of this Subtitle.**
- (2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.**

The purposes of Subtitle 27 of the Prince George’s County Code, as set forth in Section 27-102(a)(1-15) of the Zoning Ordinance, are generally to protect the health, safety, and welfare of the public, to promote compatible relationships between various land uses, to guide orderly development, and to ensure adequate public facilities and services.

The proposed use is in conformance with the requirements and regulations set forth in Subtitle 27. Most notably, the check cashing business is a permitted use subject to the requirements in Section 27-341.01.

- (3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**

Special Exception SE-4847 conforms to this finding. The proposed use of the property as a check cashing business will not substantially impair the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment*. The property is located in the C-S-C Zone, where a check cashing business is a permitted use.

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

The special exception area is designated to the in-line space in the shopping center. Staff finds that the proposed use will allow for a safe internal flow of pedestrians and vehicles on-site, as well as the safe ingress and egress of vehicles. The location of the shopping center along Indian Head Highway

will not adversely affect the health, safety, or welfare of residents or workers in the area.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

Staff finds that the proposed relocation of this use will not be detrimental to the use or development of adjacent properties or the general neighborhood. The business will be relocating from a pad site to a space in the shopping center. Only the aesthetics of the space will be changed, not the size or structure of the space.

(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

The proposed site plan is exempt from the tree conservation plan.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

There are no regulated environmental features located on the property and no on-site regulated environmental features will be impacted. This project is disturbing less than 5,000 square feet and contains less than 10,000 square feet of woodland. These findings have been met.

Specific Special Exception Requirements:

Section 27-341.01 – Check Cashing Business.

(a) A check cashing business may be permitted, subject to the following:

- (1) Hours of operation shall be limited to the hours of 9:00 a.m. to 8:00 p.m.;**
- (2) A schedule of fees/charges shall be posted and immediately visible to persons upon entering the Check Cashing Business. A copy of the fee schedule shall also be made available to all persons upon entrance to the Check Cashing Business;**

The check cashing business will operate within the hours of 9:00 a.m. to 8:00 p.m. There will be a schedule of fees/charges visibly posted upon entering the business.

(3) No other business shall share floor space with the Check Cashing Business;

The check cashing business will be the only business occupying the special exception area.

- (4) **Security lighting and cameras shall be provided on all open sides of the Check Cashing facility providing surveillance of the area within 100 feet from the exterior of the building;**

The applicant has proposed to install surveillance cameras.

- (5) **At least one (1) security employee (with no other duties) must be on the premises when the Check Cashing Business is open for business; and**

The applicant proposes that at least one security employee (with no other duties) will be on the premises when the check cashing business is open.

- (6) **Cashiers must work behind bullet resistant glass.**

The applicant proposes to install bullet resistant glass in front of cashiers.

7. **Parking Regulations:** In accordance with the parking and loading regulations contained in Section 27-568(a)(3) of the Zoning Ordinance, the parking requirement for this special exception use will use the retail standard of one space per 250 square feet of gross leasable area that applies to the shopping center as a whole. The number of parking spaces required for the whole site is a total of 1,407, and 1,502 spaces (1,463 standard; 39 handicap) are provided. There is a parking excess total of 95 spaces. The site requires three spaces (<100,000 sq. ft. gross leasable area) and loading provided is six spaces. The required parking is provided for the proposed use.
8. **2010 Prince George's County Landscape Manual Requirements:** The special exception qualifies for an exemption from the 2010 *Prince George's County Landscape Manual* pursuant to Section 1.1(d), as no site changes are proposed with this application.
9. **Tree Canopy Coverage:** Staff finds that due to the limited scope of this special exception, the proposed plan is exempt, and not subject to tree canopy coverage requirements.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** The property does not have a current approved NRI or Woodland Conservation Exemption Letter. A NRI and the requirement of meeting the Woodland Conservation regulations are not required because this plan is disturbing less than 5,000 square feet.
11. **Signage:** No changes to the existing signage and no new signage are proposed with this application; there will be renovations limited to storefront and interior space. Therefore, this application does not require review of the sign regulations.

12. Referral Comments: The following referrals were received and are incorporated herein by reference. All of the comments are addressed on the site plan, or as part of this technical staff report:

- a. Community Planning Division, dated June 21, 2020 (Lester to Braden)
- b. Transportation Planning Section, dated June 30, 2021 (Smith to Braden)
- c. Environmental Planning Section, dated June 13, 2021 (Rea to Braden)
- d. Historic Preservation Section, dated June 10, 2021 (Stabler to Braden)
- e. Urban Design Section, dated June 28, 2021 (Bishop to Braden)
- f. Subdivision Section, dated June 8, 2021 (DiCristina to Braden)
- f. Prince George's County Department of Permitting, Inspections and Enforcement, dated June 7, 2021 (Branch to Braden)

RECOMMENDATION

A special exception use is considered compatible with uses permitted by-right within the Commercial Shopping Center (C-S-C) Zone if specific special exception criteria are met. Unless unique adverse impacts are identified, the special exception may be approved. The appropriate standard for determining whether the use would create an adverse impact upon surrounding properties is to show that the proposed use, at this particular location as proposed, would not have adverse impacts above and beyond those inherently associated with the special exception use, regardless of its location within the C-S-C Zone.

Based on the applicant's statement of justification, the analysis contained in the technical staff report, associated referrals, and materials in the record, the applicant has demonstrated conformance with the required special exception findings, as set forth in Section 27-317 (in general) and Section 27-341.01, for a check cashing business, of the Prince George's County Zoning Ordinance, in this instance. Therefore, staff recommends approval of Special Exception SE-4847, ACE Eastover Square, subject to the following conditions of approval:

1. The applicant, and the applicant's heirs, successors, and/or assignees shall provide the following facilities, prior to any building permit, and depict the following facilities on the site plan, prior to its certification:
 - a. Provide a minimum of two inverted u-style, or a style similar that allows for two points of secure contact, be provided near the building entrance, and detailed exhibit of location and specifications.
 - b. Add Tax Map 95 Grid F2 to General Note 10 on Sheet 1.
2. Prior to certification of the special exception, revisions shall be made to the site plan label Lot 1, Block D on Sheet 1. The recording reference of the plat and acreage must be included in this label.

ITEM: 4D

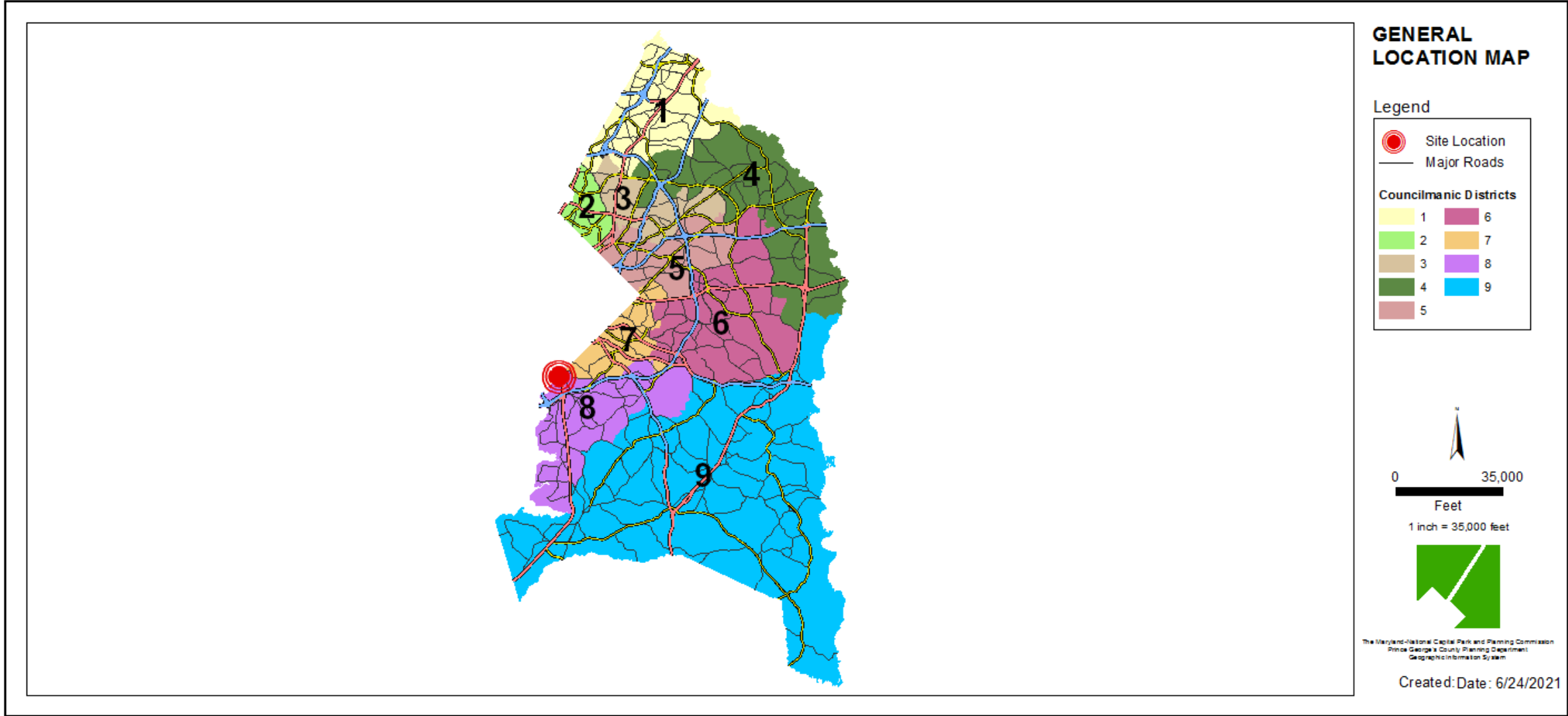
CASE: SE-4847

ACE CHECK CASHING EASTOVER SQUARE

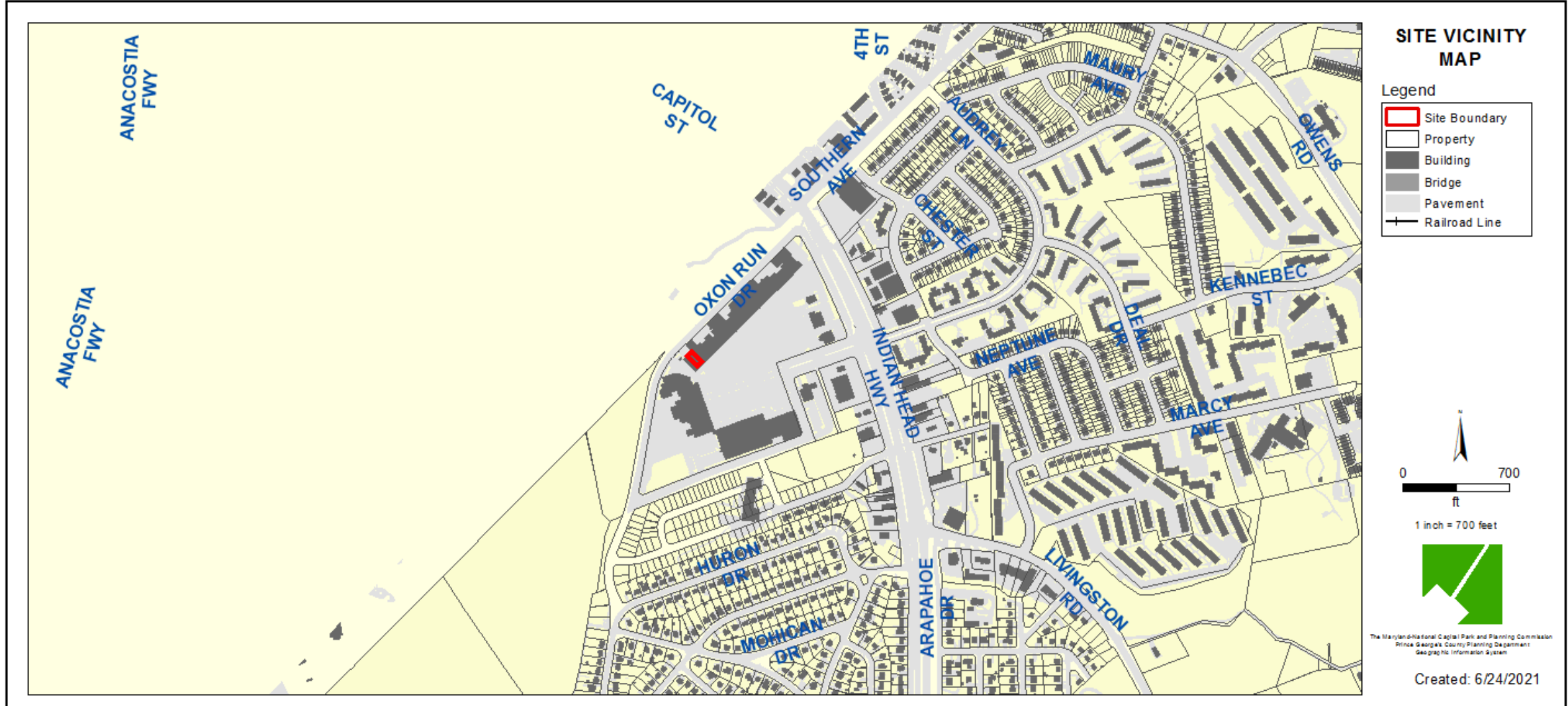
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



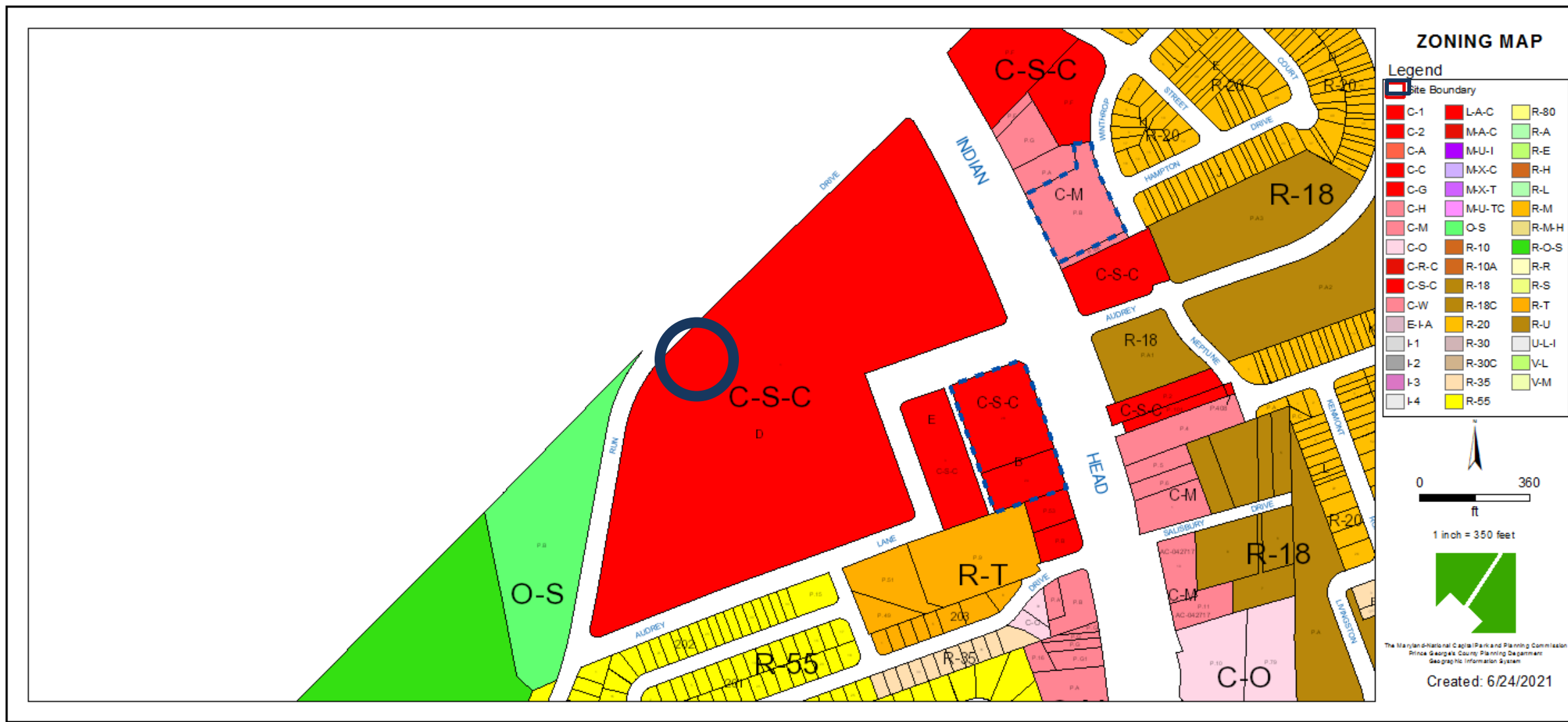
GENERAL LOCATION MAP



SITE VICINITY



ZONING MAP



ZONING MAP

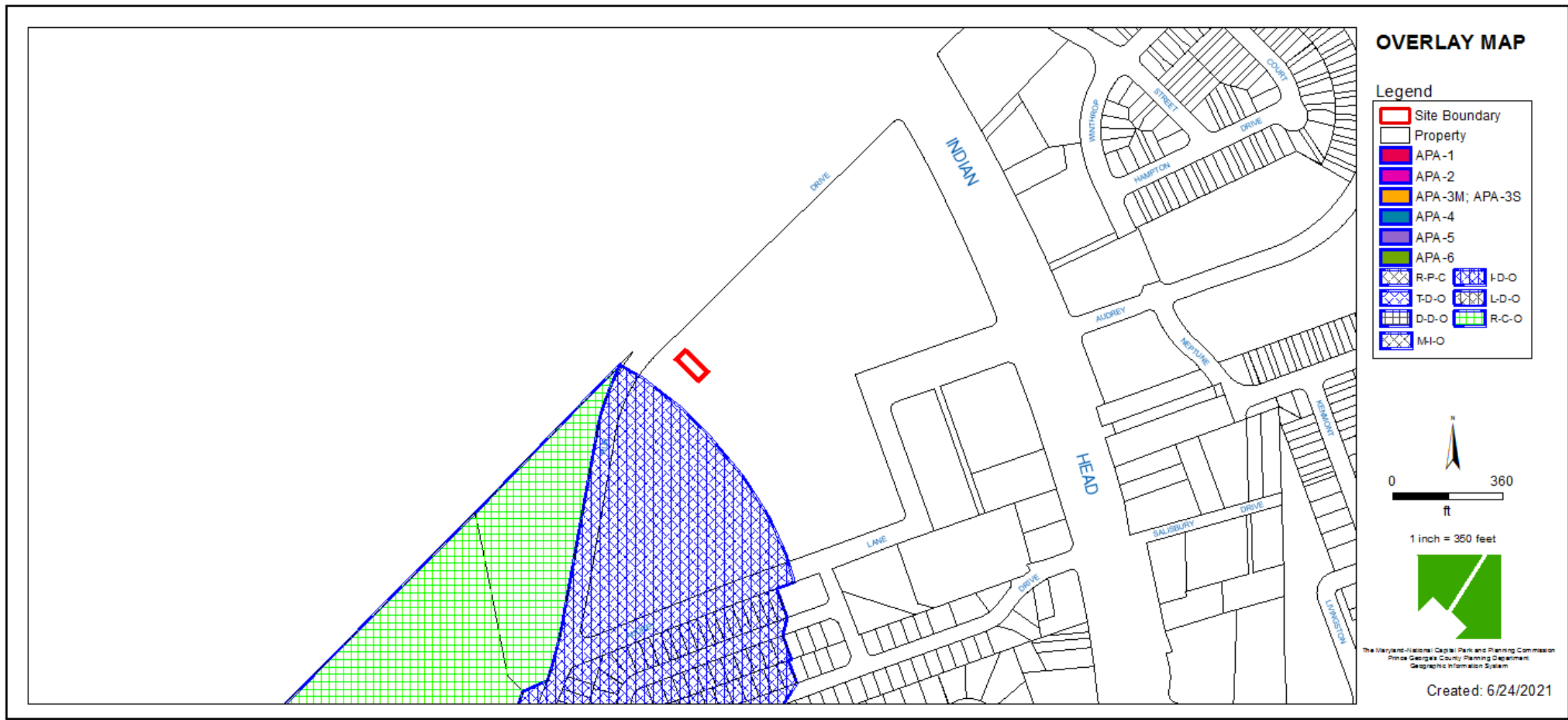
Legend

Site Boundary	C-1	R-80
C-2	L-A-C	R-A
C-A	M-A-C	R-E
C-C	M-U-I	R-H
C-G	M-X-C	R-L
C-H	M-X-T	R-M
C-M	M-U-TC	R-MH
C-O	O-S	R-10
C-R-C	R-10A	R-R
C-S-C	R-18	R-S
C-W	R-18C	R-T
E-I-A	R-20	R-U
I-1	R-30	U-L-I
I-2	R-30C	V-L
I-3	R-35	V-M
I-4	R-55	

0 360
ft
1 inch = 350 feet

The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: 6/24/2021

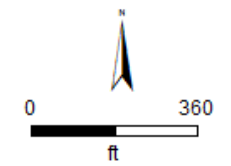
OVERLAY MAP



OVERLAY MAP

Legend

- Site Boundary
- Property
- APA-1
- APA-2
- APA-3M; APA-3S
- APA-4
- APA-5
- APA-6
- R-P-C
- T-D-O
- D-D-O
- MI-O
- I-D-O
- L-D-O
- R-C-O



1 inch = 350 feet



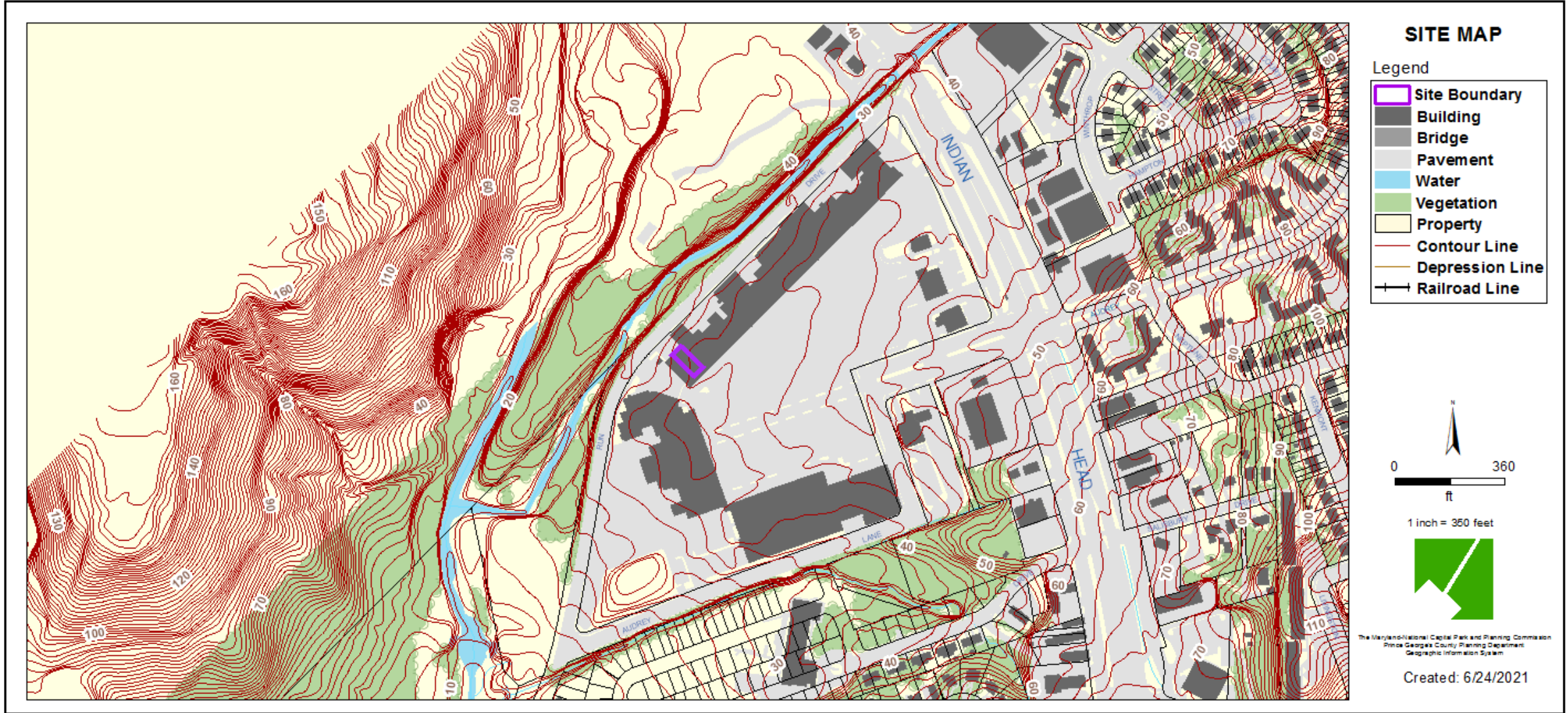
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System

Created: 6/24/2021

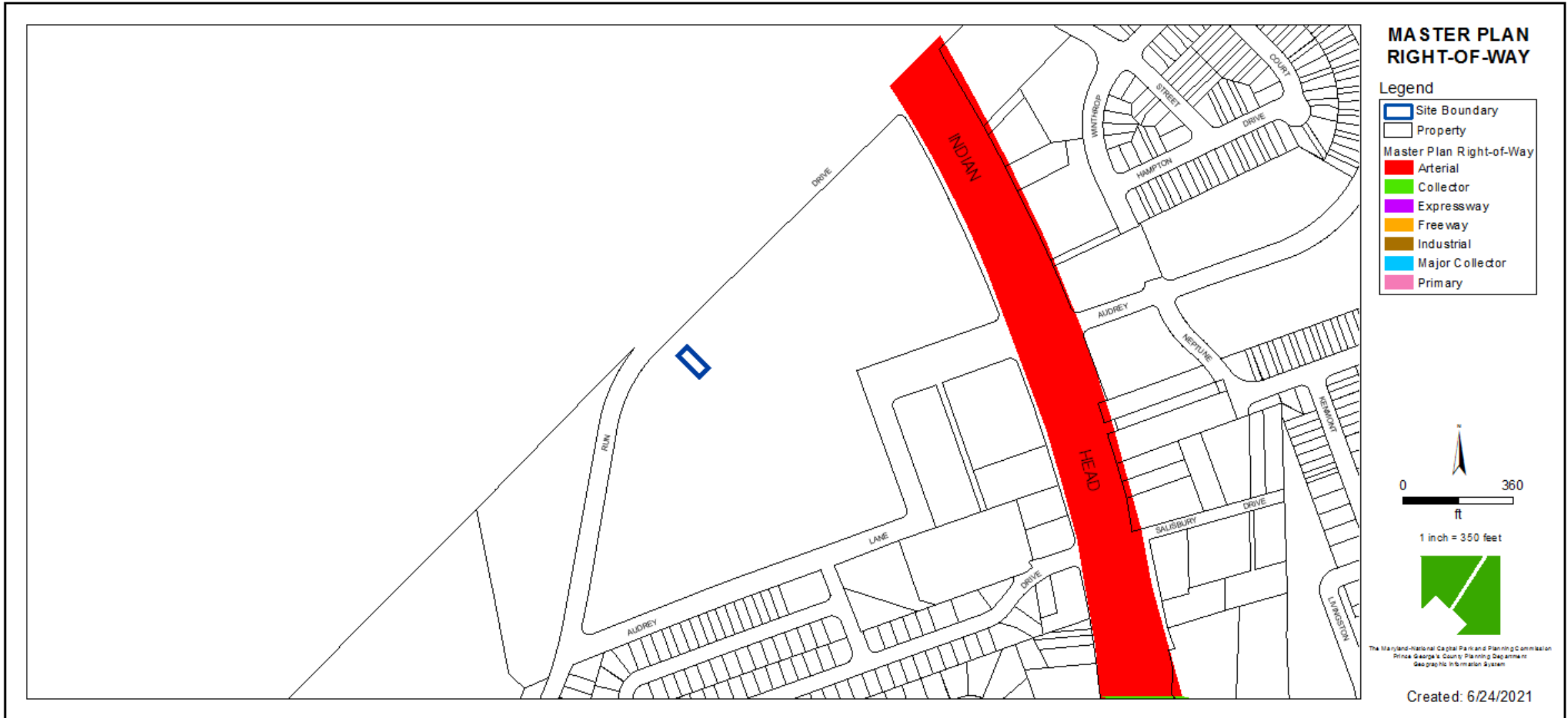
AERIAL MAP



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED

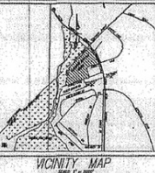



SITE PLAN

GENERAL NOTES

1. Subdivision Name: ...
2. Record References: ...
3. Site Area: ...
4. Zoning: ...
5. Easements: ...
6. Survey: ...
7. Number of Lots, Parcels, Outlets & Outposts: ...
8. Gross Floor Area: ...
9. Gross Lot Area: ...
10. The Site is not within an Anxious Public Area or the M-202.
11. The Site is located in a Flood and Special Flood Hazard Area as shown on the Flood Hazard Insurance Study No. 15114-00001.
12. Stormwater Management Concept Approval: ...
13. There are no public utility easements located.
14. No Other Utility Proposed.
15. Mandatory park dedication is not applicable to the site.
16. There are no other easements or encumbrances on the site.
17. There are no mobile vehicle stalls on the site.
18. There are no mobile vehicle stalls within the limits of the site.
19. The topographic data on this plan is from a public source and does not represent the original ground surface.
20. The site is not located within the Chesapeake Bay Critical Area.
21. The topographic data on this plan is from a public source and does not represent the original ground surface.
22. Prepared on August 2, 2010 by First Data, LLC

The Maryland-National Capital Park and Planning Commission
APPROVED 12/10/10
PERMIT # 9, 5040, 2010-4
 Certified nonconforming eating/drinking establishment with drive thru service per 102B-97-CG4

SiteDesign

ENGINEERS CERTIFICATION

Henry Gertz, P.E. is the engineer who prepared the site plan under my supervision and approval. He is a duly licensed professional engineer under the laws of the State of Maryland.

Engineer's Signature: *Henry Gertz*

Engineer's Name: Henry Gertz, P.E.
 Maryland Registration No. 37056
 Expiration Date: 1-3-2023

PREPARED FOR:
 200 RIVINGTON AVE SUITE 200
 BALTIMORE, MD 21201
 PHONE: (410) 274-1234
 FAX: (410) 422-5842

PROJECT:
 EASTOVER SQUARE SHOPPING CENTER
 ACE CASH EXPRESS

SE-XXXX


SCALE: 1" = 30'

DATE: 10/15/10

SHEET: 1 OF 1

PROJECT NO: 99047

PRINTED: JUN 2 2010



4792-94-720.00

GRAPHIC SCALE

1 inch = 50 feet



STATEMENT OF JUSTIFICATION
SE-4847

APPLICANT: Populus Financial Group
300 East John Carpenter Fwy. Ste. 900
Irving, TX 75062

CORRESPONDENT: Daniel F. Lynch
McNamee Hosea
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
301-441-2420 (P)
301-982-9450 (F)
dlynch@mhlawyers.com

REQUEST: Special Exception for check cashing business

I. **DESCRIPTION OF PROPERTY**

1. Address – 5135 and 5141 Indian Head Highway, Oxon Hill, Maryland 20745
2. Located in the SE quadrant of Indian Head Highway and Oxon Run Drive.
3. Use – Multi-family dwelling
4. Incorporated Area – N/A
5. Councilmanic District – 8
6. Lot – Lot 1
7. Total Area – 25.21 Acres
7. Tax Map –95, Grid F1 and F2
8. Zoned – C-S-C
9. Owner–Eastover Plaza Improvements, LLC

10. Zoning Map – 207SE01

II. APPLICANT'S PROPOSAL

The applicant is proposing to operate relocate its check cashing business from a freestanding pad site with an address of 5221 Indian Highway to an in-line location in the Eastover Shopping Center. The applicant is proposing to occupy a 3,900 square foot space as outlined in red on the special exception site plan submitted in conjunction with this application. As will be demonstrated below, the applicant's request complies with the general special exception criteria set for in Section 27-317 as well as the specific requirements for a check casing business set forth in Section 27-341.01 of the Zoning Ordinance.

III. COMMUNITY

The subject property is located on the west side of Indian Head Highway on the northern edge of the of the Town of Forest Heights.. The property is surrounded by the following uses:

- North: Oxon Run Drive and to the north of Oxon Run Drive is the District of Columbia..
- South: Aubrey Lane and to the south of Aubrey Lane is Forest Heights Elementary School in the R-55 Zone.
- East: Retail and Service Commercial uses in the C-S-C and C-M Zone.
- West: Oxon Run Park in the O-S Zone.

IV. APPLICATIONS FOR SPECIAL EXCEPTION

A. The proposed special exception for a check cashing business is subject to the findings set forth in Section 27-317 of the Zoning Ordinance. The applicant believes that its request to vary the bedroom percentage requirements complies with the criteria set forth in Section 27-317 as will be demonstrated below:

B. Criteria for Approval

Sec. 27-317 – Required findings.

(a) A Special Exception may be approved if:

- (1) **The proposed use and site plan are in harmony with the purposes of this Subtitle;**

COMMENT: The general purposes of the Zoning Ordinance are set forth in Section 27-102, which states:

- (a) **The purposes of the Zoning Ordinance are:**

- (1) **To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;**

COMMENT: This proposal complies with this requirement since the Applicant is proposing to operate a commercial use on the property that is located in the C-S-C Zone. In addition, the applicant is relocating and existing use from an older commercial structure into an inline space in and existing shopping center that will not only be renovated to accommodate the requirements of the use but also the requirements set forth in 27-341.01 of the Zoning Ordinance. This facility will be designed both in conformance with the requirements of the Prince George's County Code and modern retailing standards.

- (2) **To implement the General Plan, Area Master Plans, and Functional Master Plans;**

COMMENT: The proposed use will not substantially impair the integrity of the *Approved Sectional Map Amendment and Sector Plan for Eastover, Forest Heights and Glassmanor*. The subject property is located in the C-S-C Zone. The operation of a check cashing business is consistent with this zoning category.

- (3) **To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;**

COMMENT: As indicated, the applicant is merely relocating an existing business to an inline space in the shopping center. The applicant is not proposing to create additional square footage and therefore not impact the public facilities servicing this commercial area of Prince George's County.

- (4) **To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;**

COMMENT: The subject proposal complies with this purpose since it calls for the relocation of a commercial use from a pad site to an inline space in an existing shopping center. The relocation

will be accompanied by interior and exterior renovations to the space to be occupied by the Applicant which will in turn improve the aesthetics of the shopping center. In addition, it is anticipated that once the Applicant relocates its business the pad site that it previously occupied will be redeveloped with another commercial use.

(5) To provide adequate light, air, and privacy;

COMMENT: This criteria is not applicable as the Applicant is not proposing any new construction as part of this application.

(6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;

COMMENT:

(7) To protect the County from fire, flood, panic, and other dangers;

COMMENT: This proposal complies with this requirement since the construction the multi-family building will be in accordance with current standards for fire protection and storm water management as well as all State and County building/grading codes.

(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;

COMMENT: This proposal complies with this requirement since the Applicant is proposing to relocate and existing business from an older commercial structure to an inline space in the shopping center that will be renovated to accommodate the requirements of the use but also the requirements set forth in 27-341.01 of the Zoning Ordinance. This facility will be designed both in conformance with the requirements of the Prince George's County Code and modern retailing standards.

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

COMMENT: This proposal complies with this purpose since the applicant is maintaining and existing business in the County rather than relocating it to another jurisdiction.

(10) To prevent the overcrowding of land;

COMMENT: The applicant is not proposing new construction with the application, but relocating to an in-line space in an existing shopping center. Therefore this application complies with this

criteria since the applicant will be utilizing an existing building and proposing any additional square footage in the shopping center.

- (11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;**

COMMENT: The proposal complies with this requirement since relocating this use to an in-line space will not generate any new vehicle trips. The applicant and its customers will be utilizing the existing parking lot and associated entrances onto Indian Head Highway and Aubrey Lane. These entrances have adequately and safely served this shopping center over the past 60 years and will continue to accommodate the proposed business.

- (12) To ensure the social and economic stability of all parts of the County;**

COMMENT: This proposal complies with this requirement since the applicant's financial investment in the subject property demonstrates its confidence in this community.

- (13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;**

COMMENT: The applicant is not proposing new construction with this request, but relocating a business from a pad site to an in-line space in the shopping center. The proposal will not generate noise or cause air or water pollution, and will not impact stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features.

- (14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and**

COMMENT: This purpose does not apply.

- (15) To protect and conserve the agricultural industry and natural resources.**

COMMENT: This purpose does not apply.

In addition to the purposes set forth in Section 27-102(a), Section 27-317 goes on to require that the applicant demonstrate the following:

- (2) The proposed use is in conformance with all applicable requirements and regulations of this subtitle;**

COMMENT: As demonstrated in the Special Exception site plan set submitted in conjunction with this application, the proposal is in compliance with all requirements and regulations set forth in Subtitle 27.

- (3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;**

COMMENT: As indicated earlier, the proposal complies with the recommendation contained in the *Approved Sectional Map Amendment and Sector Plan for Eastover, Forest Heights and Glassmanor*. The subject property was retained in the C-S-C Zone and the relocation of a commercial use from a pad site an inline space is consistent with the land use recommendation for the property as well as the redevelopment goals in that the relocation will allow the existing pad site to be redeveloped in brought into compliance with the Zoning Ordinance.

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

COMMENT: Although the area of the special exception only covers the in-line space in the shopping center, the applicant and note that the design of the parking area and drive aisles associated with the existing shopping center provide for the safe internal flow of pedestrians and vehicles on-site and for the safe ingress and egress of vehicles. Also, the location of this shopping center along Indian Head Highway will be convenient to customers living in the area and those travelling to the shopping center from outside the community and thus, this location helps protect the comfort and convenience of the current and future inhabitants of the County.

- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and**

COMMENT: The proposed relocation of the this use will not be detrimental to the use or development of adjacent properties or the general neighborhood in that the use is merely relocating from a pad site to an in-line space in the same shopping center. As part of this relocation, the store front of the space as well as the interior of that space will be renovaded and in turn improve the overall aesthetics of the shopping center.

- (6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan.**

COMMENT: The proposal is exempt from the Woodland Conservation Manual.

- (7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.**

COMMENT: There are no regulated environmental features on the subject property.

In addition to the criteria set forth in Section 27-317, a check casing business is subject to compliance with the criteria set forth in **Section 27-341.01**, which states:

- (a) A check cashing business may be permitted, subject to the following:**

- (1) Hours of operation shall be limited to the hours of 9:00 a.m. to 8:00 p.m.,**

COMMENT: Acknowledged.

- (2) A schedule of fees/charges shall be posted and immediately visible to persons upon entering the Check Cashing Business. A copy of the fee schedule shall also be made available to all persons upon entrance to the Check Cashing Business;**

COMMENT: Acknowledged.

- (3) No other business shall share floor space with the Check Cashing Business;**

COMMENT: There will be no other businesses operating within the area of the special exception.

- (4) Security lighting and cameras shall be provided on all open sides of the Check Cashing facility providing surveillance of the area within 100 feet from the exterior of the building;**

COMMENT: The applicant is proposing to install surveillance cameras in compliance with this requirement.

- (5) At least one (1) security employee (with no other duties) must be on the premises when the Check Cashing Business is open for business; and**

COMMENT: The applicant is proposing to employ at least one security employee (with no other duties) must be on the premises when the Check Cashing Business is open for business

(6) **Cashiers must work behind bullet resistant glass.**

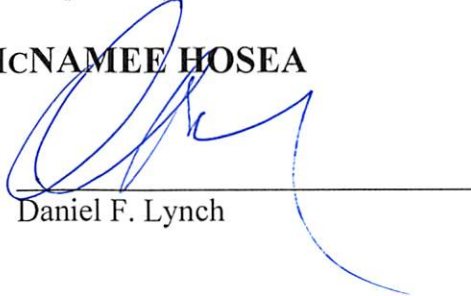
COMMENT: The applicant is proposing to install bullet resistant glass in front of the cashiers.

V. CONCLUSION

The applicant is proposing to relocate the existing check cashing business from a pad site to an in-line store in Eastover Shopping Center. The applicant believes that the application for Special Exception meets or exceeds each of the requirements set for the in the Zoning Ordinance, and therefore, the applicant requests the approval of these applications.

Respectfully submitted,

McNAMEE HOSEA



Daniel F. Lynch



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 <http://mncppc.iqm2.com/Citizens/Default.aspx>

Special Exception

ACE Eastover Square

SE-4847

REQUEST	STAFF RECOMMENDATION
Relocation of a check cashing business into an existing 3,900-square-foot space in Eastover Square Shopping Center.	APPROVAL

Location: In the southeast quadrant of the intersection of MD 210 (Indian Head Highway) and Oxon Run Drive.	
Gross Acreage:	25.21
Zone:	C-S-C
Dwelling Units:	0
Gross Floor Area:	N/A
Lots:	0
Parcels:	0
Planning Area:	76A
Council District:	08
Election District:	12
Municipality:	Oxon Hill
200-Scale Base Map:	207SE01
Applicant/Address: ACE Eastover Square 5135-5141 Indian Head Hwy Oxon Hill, MD 20745	
Staff Reviewer: Sam Braden IV Phone Number: 301-952-3411 Email: Sam.BradenIV@ppd.mncppc.org	



Planning Board Date:	07/29/2021
Planning Board Action Limit:	N/A
Staff Report Date:	07/14/2021
Date Accepted:	05/27/2021
Informational Mailing:	03/31/2021
Acceptance Mailing:	05/25/2021
Sign Posting Deadline:	N/A

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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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
The Prince George's County District Council

VIA: Jeremy Hurlbutt, Supervisor, Zoning Review Section,
Development Review Division

FROM: Sam Braden IV, Senior Planner, Zoning Review Section,
Development Review Division

SUBJECT: Special Exception SE-4847
ACE Eastover Square

REQUEST: A special exception to relocate a check cashing business into an existing
3,900-square-foot space in Eastover Square Shopping Center.

RECOMMENDATION: **APPROVAL**

NOTE:

The Planning Board has scheduled this application on the consent agenda for transmittal to the Zoning Hearing Examiner on the agenda date of July 29, 2021.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS:

1. **Location and Site Description:** The subject property is located in the southeast quadrant of the intersection of MD 210 (Indian Head Highway) and Oxon Run Drive. The business is currently located on the site and occupies a pad site at 5221 Indian Head Highway, in the Commercial Shopping Center (C-S-C) Zone. The proposed occupied space is 3,900-square-foot in the Eastover Square Shopping Center.

2. **History and Previous Approvals:** The subject property is located on Tax Map 95 in Grid F1 and F2 and contains a total of 25.21 acres of land. The subject property was recorded by plat among the Prince George’s County Land Records, in Plat Book WWW 23 page 79, on August 14, 1953. The existing site will be relocated in the Eastover Square Shopping Center in a 3,900-square-foot space constructed in 1957. On August 26, 2015, the Prince George’s County Planning Board approved Alternative Compliance AC-96015-02, with no conditions, for an Advance Auto Parts Store on the subject site.

3. **Neighborhood and Surrounding Uses:** The general neighborhood is bounded to the north by Oxon Run Drive, Bell Acres Park to the west, retail, and commercial uses in Eastover Square Shopping Center to the east, and Aubrey Lane to the south, with primarily residential uses beyond. The immediate uses surrounding the subject property are as follows:
 - North—** Oxon Run Drive and the District of Columbia.

 - East—** Retail and service commercial uses in the C-S-C Zone on the property, and beyond, Indian Head Highway in the C-S-C and Commercial Miscellaneous Zones.

 - South—** Aubrey Lane, and beyond is Forest Heights Elementary School in the One-Family Detached Residential (R-55) Zone and vacant property in the Residential Townhouse Zone.

 - West—** Bell Acres Park in the Open Space Zone.

4. **Request:** The applicant requests the relocation of a check cashing business into an existing 3,900-square-foot space in Eastover Square Shopping Center.

5. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	C-S-C	C-S-C
Use(s)	Check Cashing	Check Cashing
Acreage	23.41	25.41
Lots	0	0
Gross Floor Area	N/A	N/A
Dwellings	0	0

6. **Required Findings:** A special exception is subject to the general findings for approval of all special exceptions contained in Section 27-317(a) of the Prince George’s County Zoning Ordinance. Part 4 of the Zoning Ordinance also includes additional required findings for specific uses. A check cashing business is subject to the additional findings of Section 27-341.01 of the Zoning Ordinance. The analysis of all the required findings for approval are provided below.

In support of the application, the applicant filed a statement of justification submitted April 29, 2021, incorporated by reference herein. This case was heard at the Subdivision and Development Review Committee (SDRC) meeting on June 11, 2021. There were no major issues noted by staff at the SDRC meeting.

General Special Exception Findings—Section 27-317(a) provides the following:

(a) A Special Exception may be approved if:

- (1) The proposed use and site plan are in harmony with the purposes of this Subtitle.**
- (2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.**

The purposes of Subtitle 27 of the Prince George’s County Code, as set forth in Section 27-102(a)(1-15) of the Zoning Ordinance, are generally to protect the health, safety, and welfare of the public, to promote compatible relationships between various land uses, to guide orderly development, and to ensure adequate public facilities and services.

The proposed use is in conformance with the requirements and regulations set forth in Subtitle 27. Most notably, the check cashing business is a permitted use subject to the requirements in Section 27-341.01.

- (3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**

Special Exception SE-4847 conforms to this finding. The proposed use of the property as a check cashing business will not substantially impair the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment*. The property is located in the C-S-C Zone, where a check cashing business is a permitted use.

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

The special exception area is designated to the in-line space in the shopping center. Staff finds that the proposed use will allow for a safe internal flow of pedestrians and vehicles on-site, as well as the safe ingress and egress of vehicles. The location of the shopping center along Indian Head Highway

will not adversely affect the health, safety, or welfare of residents or workers in the area.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

Staff finds that the proposed relocation of this use will not be detrimental to the use or development of adjacent properties or the general neighborhood. The business will be relocating from a pad site to a space in the shopping center. Only the aesthetics of the space will be changed, not the size or structure of the space.

(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

The proposed site plan is exempt from the tree conservation plan.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

There are no regulated environmental features located on the property and no on-site regulated environmental features will be impacted. This project is disturbing less than 5,000 square feet and contains less than 10,000 square feet of woodland. These findings have been met.

Specific Special Exception Requirements:

Section 27-341.01 – Check Cashing Business.

(a) A check cashing business may be permitted, subject to the following:

- (1) Hours of operation shall be limited to the hours of 9:00 a.m. to 8:00 p.m.;**
- (2) A schedule of fees/charges shall be posted and immediately visible to persons upon entering the Check Cashing Business. A copy of the fee schedule shall also be made available to all persons upon entrance to the Check Cashing Business;**

The check cashing business will operate within the hours of 9:00 a.m. to 8:00 p.m. There will be a schedule of fees/charges visibly posted upon entering the business.

(3) No other business shall share floor space with the Check Cashing Business;

The check cashing business will be the only business occupying the special exception area.

- (4) **Security lighting and cameras shall be provided on all open sides of the Check Cashing facility providing surveillance of the area within 100 feet from the exterior of the building;**

The applicant has proposed to install surveillance cameras.

- (5) **At least one (1) security employee (with no other duties) must be on the premises when the Check Cashing Business is open for business; and**

The applicant proposes that at least one security employee (with no other duties) will be on the premises when the check cashing business is open.

- (6) **Cashiers must work behind bullet resistant glass.**

The applicant proposes to install bullet resistant glass in front of cashiers.

7. **Parking Regulations:** In accordance with the parking and loading regulations contained in Section 27-568(a)(3) of the Zoning Ordinance, the parking requirement for this special exception use will use the retail standard of one space per 250 square feet of gross leasable area that applies to the shopping center as a whole. The number of parking spaces required for the whole site is a total of 1,407, and 1,502 spaces (1,463 standard; 39 handicap) are provided. There is a parking excess total of 95 spaces. The site requires three spaces (<100,000 sq. ft. gross leasable area) and loading provided is six spaces. The required parking is provided for the proposed use.
8. **2010 Prince George's County Landscape Manual Requirements:** The special exception qualifies for an exemption from the 2010 *Prince George's County Landscape Manual* pursuant to Section 1.1(d), as no site changes are proposed with this application.
9. **Tree Canopy Coverage:** Staff finds that due to the limited scope of this special exception, the proposed plan is exempt, and not subject to tree canopy coverage requirements.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** The property does not have a current approved NRI or Woodland Conservation Exemption Letter. A NRI and the requirement of meeting the Woodland Conservation regulations are not required because this plan is disturbing less than 5,000 square feet.
11. **Signage:** No changes to the existing signage and no new signage are proposed with this application; there will be renovations limited to storefront and interior space. Therefore, this application does not require review of the sign regulations.

12. Referral Comments: The following referrals were received and are incorporated herein by reference. All of the comments are addressed on the site plan, or as part of this technical staff report:

- a. Community Planning Division, dated June 21, 2020 (Lester to Braden)
- b. Transportation Planning Section, dated June 30, 2021 (Smith to Braden)
- c. Environmental Planning Section, dated June 13, 2021 (Rea to Braden)
- d. Historic Preservation Section, dated June 10, 2021 (Stabler to Braden)
- e. Urban Design Section, dated June 28, 2021 (Bishop to Braden)
- f. Subdivision Section, dated June 8, 2021 (DiCristina to Braden)
- f. Prince George's County Department of Permitting, Inspections and Enforcement, dated June 7, 2021 (Branch to Braden)

RECOMMENDATION

A special exception use is considered compatible with uses permitted by-right within the Commercial Shopping Center (C-S-C) Zone if specific special exception criteria are met. Unless unique adverse impacts are identified, the special exception may be approved. The appropriate standard for determining whether the use would create an adverse impact upon surrounding properties is to show that the proposed use, at this particular location as proposed, would not have adverse impacts above and beyond those inherently associated with the special exception use, regardless of its location within the C-S-C Zone.

Based on the applicant's statement of justification, the analysis contained in the technical staff report, associated referrals, and materials in the record, the applicant has demonstrated conformance with the required special exception findings, as set forth in Section 27-317 (in general) and Section 27-341.01, for a check cashing business, of the Prince George's County Zoning Ordinance, in this instance. Therefore, staff recommends approval of Special Exception SE-4847, ACE Eastover Square, subject to the following conditions of approval:

1. The applicant, and the applicant's heirs, successors, and/or assignees shall provide the following facilities, prior to any building permit, and depict the following facilities on the site plan, prior to its certification:
 - a. Provide a minimum of two inverted u-style, or a style similar that allows for two points of secure contact, be provided near the building entrance, and detailed exhibit of location and specifications.
 - b. Add Tax Map 95 Grid F2 to General Note 10 on Sheet 1.
2. Prior to certification of the special exception, revisions shall be made to the site plan label Lot 1, Block D on Sheet 1. The recording reference of the plat and acreage must be included in this label.

Bryan C. Spell

From: Bryan C. Spell
Sent: Thursday, April 22, 2021 9:21 AM
To: Bryan C. Spell
Subject: FW: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

From: PPD-EnvPlanning <PPD-EnvPlanning@ppd.mncppc.org>
Sent: Monday, March 29, 2021 11:47 AM
To: Mark Ferguson <mglferguson@engsite.tech>
Cc: Christina Issar <cissar@cb3consulting.com>
Subject: RE: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

Hello,

Per the Environmental Technical Manual Table B-1 page B-3, as this project will not require a grading permit, it will not require an NRI-EL or a WCO-EX. Use and Occupancy permits do not require WCO-EX or NRI-EL. You should be able to submit this information for the required section for the permit. Please let me know if you have any questions.

Thank you

Alexander N. Kirchhof

Planner, Environmental Planning Section | Countywide Planning Division



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
301-780-8311 | Alexander.Kirchhof@ppd.mncppc.org



From: Mark Ferguson <mglferguson@engsite.tech>
Sent: Wednesday, March 10, 2021 2:35 PM
To: PPD-EnvPlanning <PPD-EnvPlanning@ppd.mncppc.org>
Cc: Christina Issar <cissar@cb3consulting.com>
Subject: RE: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Alexander –

It's for a Special Exception, which if approved will allow a U&O directly; no (exterior) construction.

Mark G. L. Ferguson, R.A.
Senior Land Planner
(301) 952-8200 X337

mglferguson@engsite.tech

Site Design, Inc./RDA

9500 Medical Center Drive/Arena Drive, Suite 480
Largo, Maryland 20774
(301) 952-8200
(301) 627-3100
FAX: (301) 952-8204

From: PPD-EnvPlanning <PPD-EnvPlanning@ppd.mnccppc.org>
Sent: Wednesday, March 10, 2021 2:34 PM
To: Mark Ferguson <mglferguson@engsite.tech>
Cc: Christina Issar <cissar@cb3consulting.com>
Subject: RE: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

Hello,

What type of permit is this application for?

Thank you

Alexander N. Kirchhof

Senior Planning Technician | Environmental Planning



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
301-780-8311 | Alexander.Kirchhof@ppd.mnccppc.org



From: Mark Ferguson <mglferguson@engsite.tech>
Sent: Tuesday, March 2, 2021 2:48 PM
To: PPD-EnvPlanning <PPD-EnvPlanning@ppd.mnccppc.org>
Cc: Christina Issar <cissar@cb3consulting.com>
Subject: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Folks --

Please find attached a submittal package for a TCP Exemption Letter and an NRI Equivalency Letter for the referenced project at 5129 Indian Head Highway. The project is the relocation of the existing ACE facility on Indian Head Highway into a vacant space in the existing Eastover Shopping Center; no land disturbance is proposed, but the project will require the approval of a Special Exception, thus the requirement for a NRI-EQ and a WCO-EX.

The required fee check is *en route* to us and will be deposited in the drop box with an attached copy of an application form in a couple of days.

Please contact me directly if you have any questions.

Thanks,

Mark G. L. Ferguson, R.A.
Senior Land Planner
(301) 952-8200 X337
mglferguson@engsite.tech

Site Design, Inc./RDA
9500 Medical Center Drive/Arena Drive, Suite 480
Largo, Maryland 20774
(301) 952-8200
(301) 627-3100
FAX: (301) 952-8204

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

June 30, 2021

TO: Sam Braden IV, Subdivision & Zoning Review
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director *Mary Giles*
Site/Road Plan Review Division, DPIE

Re: Ace Eastover Square
Check Cashing Business
Special Exception No. SE-4847

CR: Indian Head Highway(MD 210)

This is in response to the Special Exception No. SE-4847 referral, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- Subject site is zoned C-S-C and located at 5135 and 5141 Indian Head Highway, Oxon Hill, Maryland 20745.
- Indian Head Highway (MD 210) is a State-maintained roadway; therefore, coordination with the State Highway Administration (SHA) is required.
- Special Exception No. 4847 is proposing to relocate the existing check cashing business from a freestanding pad site with an address of 5221 Indian Head Highway to an on-line location in the Eastover Shopping Center.
- Existing utilities may require adjustment. Coordination with the various utility companies is required.
- DPIE Use and Occupancy permits shall be required.

Sam Bradden IV
June 30, 2021
Page 2

- DPIE has no objection to Special Exception No. 4847.

If you have any questions or need additional information, please contact Mr. Nanji Formukong, District Engineer for the area, at 301.636.2060.

NF:ag

cc: Rene Lord-Attivor, Chief, Traffic Engineering, DPIE
Nanji Formukong, District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
McNamee Hosea, 6411 Ivy Lane, Suite 200, Greenbelt, Maryland 20770
Populous Financial Group , 300 East John Carpenter Freeway, Suite 900 Irving TX
75062

MEMORANDUM

June 14, 2021

TO: Sam Braden IV, Subdivision & Zoning Review
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director
Site/Road Plan Review Division, DPIE



Re: Ace Eastover Square
Check Cashing Business
Special Exception No. SE-4847

CR: Indian Head Highway(MD 210)

This is in response to the Special Exception No. SE-4847 referral, and the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- Subject site is zoned C-S-C and located at 5135 and 5141 Indian Head Highway, Oxon Hill, Maryland 20745.
- Indian Head Highway (MD 210) is a State-maintained roadway; therefore, coordination with the State Highway Administration (SHA) is required.
- Special Exception No. 4847 is proposing to relocate the existing check cashing business from a freestanding pad site with an address of 5221 Indian Head Highway to an on-line location in the Eastover Shopping Center.
- Existing utilities may require adjustment. Coordination with the various utility companies is required.
- DPIE Use and Occupancy permits shall be required.

Sam Bradden IV

June 14, 2021

Page 2

- DPIE has no objection to Special Exception No. 4847.

If you have any questions or need additional information, please contact Mr. Nanji Formukong, District Engineer for the area, at 301.636.2060.

NF:ag

cc: Rene Lord-Attivor, Chief, Traffic Engineering, DPIE
Nanji Formukong, District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
McNamee Hosea, 6411 Ivy Lane, Suite 200, Greenbelt, Maryland 20770
Populous Financial Group , 300 East John Carpenter Freeway, Suite 900 Irving TX 75062

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


Transportation Planning Section
 Countywide Planning Division


301-952-3680

June 30, 2021

MEMORANDUM

TO: Sam Braden IV, Development Review Division

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division 

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division 

SUBJECT: **Special Exception Review for Multimodal Transportation Master Plan Compliance**

The following special exception application (SE) was reviewed for conformance with the zoning ordinance, the *Approved Countywide Master Plan of Transportation (MPOT)*, and the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment* to provide the appropriate pedestrian and bicycle transportation recommendations.

Site Plan Number: SE-4847

Development Case Name: ACE Eastover Square

		<u>Type of Master Plan Bikeway or Trail</u>	
Private R.O.W.	_____	Public Use Trail Easement	_____
County R.O.W.	_____	Nature Trails	_____
SHA R.O.W.	_____	M-NCPPC - Parks	_____
HOA	_____	Bicycle Parking	<u>X</u>
Sidewalks	_____	Trail Access	_____
Add'l Connections	_____	Bikeway Signage	_____

Development Case Background	
Lot Size	25 acres (total)
Number of Units (residential)	n/a
Abutting Roadways	Indian Head Highway
Abutting or Nearby Master Plan Roadways	Indian Head Highway
Abutting or Nearby Master Plan Trails	Side path along Indian Head Highway (planned), Hard Surface Trail along rear of

	shopping center
Proposed Use(s)	Check Cashing Business
Zoning	CSC
Centers and/or Corridors	Indian Head Corridor
Prior Approvals on Subject Site	AC-96015, AC-15023
Subject to 24-124.01:	n/a
Bicycle and Pedestrian Impact Statement Scope Meeting Date	n/a

Background

As a special exception, this application is not subject to the pedestrian and bicycle adequacy legislation, Section 24-124.01. However, it should be noted that this property is located within the Indian Head Corridor and if this property requires a new subdivision or final plat, it will be subject to the adequacy legislation.

Development Proposal

The subject application proposes a 3,900 square foot existing commercial space for the use of a check cashing business.

Existing Site Conditions

The subject site is located within the existing Eastover Shopping Center along Indian Head Highway.

Review of On-Site Facilities

The submitted plans include the existing concrete sidewalk along the store front and continental style crosswalks connecting the parking lot to the sidewalk.

Prior Conditions of Approval

The subject site has prior approved alternative compliance applications. However, there are no conditions relevant to transportation.

Vehicular Transportation Analysis

The subject site is located within Transportation Service Area (TSA) 1, as defined in the *Plan Prince George's 2035 Approved General Plan*. A traffic study was not submitted or required with this application. The subject site does not require adequacy findings to be determined.

Plan Comments

The site fronts an existing drive aisle that circulates the entire shopping center. There are no master plan roadways that are impacted by this application. Staff finds that the application has no issues with traffic or circulation.

Pedestrian and Bicycle Transportation Analysis

Review of Connectivity to Adjacent/Nearby Properties

The subject site is located within an established shopping center with a comprehensive pedestrian network. The site is also connected to adjacent commercial shopping centers and residential areas via sidewalk and crosswalks along Indian Head Highway. The subject application proposes no additional connections.

Review of Master Plan of Transportation Compliance

The site is located near two master plan facilities, a planned side path along Indian Head Highway and a planned hard surface trail along the rear of the Eastover Shopping Center. The Complete Streets element of the MPOT reinforces these recommendations and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Comment: The subject site is not directly impacted by the master plan facilities. Staff recommend a minimum of two bicycle racks be provided to accommodate multimodal access to the subject site. Inverted u-style racks are recommended, or a style similar that allows for two points of secure contact. Staff find that this improvement is in compliance with the master plan pursuant to Sec. 27-317(a)(2).

Review of Area Master Plan Compliance

This development is also subject to 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment* which includes the following recommendations for pedestrian and bicyclist facilities (pg. 21):

Include pedestrian infrastructure such as sidewalks, crosswalks, including pedestrian/bicycle refuge islands and raised crosswalks or speed tables, accessible pedestrian signals, to include audible cues for people with low vision and push buttons reachable by wheelchair users, and sidewalk curb extensions.

Provide sidewalks, paths, and trails to connect schools, parks, recreation areas, commercial areas, and employment centers.

Comment: The existing sidewalk and crosswalks along with the recommended bicycle parking are all features and infrastructure designed to accommodate pedestrian and bicyclist accessing this site and fulfill the intent of the area master plan.

Zoning Ordinance Compliance

The subject use is permitted as a special exception in the C-S-C zone. As such, it is subject to additional required findings in the zoning ordinance. Section 27-317 outlines the required findings for special exception application.

(a) A Special Exception may be approved if:

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absences of a Master Plan or Functional Master Plan, the General Plan.

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

The development application is subject to Section 27-341.01, which provides additional standards for check cashing businesses special exceptions pertaining to operational hours, security, and infrastructure.

Comment: Staff find no issues related to this application.

Recommended Conditions of Approval

Based on the findings presented above, staff conclude that the pedestrian and bicycle transportation facilities of this plan is acceptable, consistent with the required findings of 27-317, and conform to the 2009 *Approved Countywide Master Plan of Transportation*, and the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment*, if the following conditions are met:

1. Prior to certification, the applicant and the applicant's heirs, successors, and/or assignees shall revise the site plan to provide the following:
 - a. A minimum of two inverted u-style, or a style similar that allows for two points of secure contact, be provided near the building entrance, and a detailed exhibit of the location and specifications.

From: [Bishop, Andrew](#)
To: [Braden IV, Sam](#)
Cc: [Zhang, Henry](#)
Subject: SE-4847, 4847 Ace Eastover Square
Date: Monday, June 28, 2021 2:54:02 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Sam,

Good afternoon.

The Urban Design Section has reviewed SE-4847 for 4847 Ace Eastover Square, which proposes to relocate its check cashing business from a freestanding pad site to an existing 3,900 square foot space in the Eastover Shopping Center, and no additional square footage is proposed. Improvements are limited to the renovation of the store front and interior space.

Due to the limited scope of the Special Exception (SE), the application qualifies for an exemption from the landscape manual and is not subject to the requirements of the *Landscape Manual* or Tree Canopy Coverage Ordinance.

The Urban Design Section has no objections to the approval of this SE application. This email is in lieu of a formal memorandum from the Urban Design Section.

N. Andrew Bishop

Senior Planner | Development Review Division

 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Prince George's County Planning Department

14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772

301-952-4897 | andrew.bishop@ppd.mncppc.org



June 25, 2021

MEMORANDUM

TO: Sam Braden IV, Senior Planner, Zoning Review Section
VIA: Mridula Gupta, Planner Coordinator, Subdivision Section *MG*
FROM: Kayla DiCristina, Senior Planner, Subdivision Section *KD*
SUBJECT: SE-4847; Ace Eastover Square

The property considered in this special exception (SE-4847) is located on Tax Map 95 in Grids F-1 and F-2 and consists of Lot 1, Block D of Bell Acres totaling 25.21 acres of Commercial Shopping Center (C-S-C) zoned land. SE-4847 has been submitted to relocate an existing check cashing business currently located on Lot 2, Block B of Bell Acres to an existing 3,900 square foot building which was constructed in 1957 located on Lot 1. The applicant does not propose additional building square footage to the subject property or change in use.

Lot 1, Block D of Bell Acres is recorded among the Land Records of Prince George's County in Plat Book WWW 23 page 79 dated August 14, 1953. There are no conditions of approval associated with this plat of subdivision. The bearings and distances of Lot 1 shown on SE-4847 are consistent with the record plat. There is no record of a preliminary plan of subdivision (PPS) approved for this site. Section 24-111(c)(3) of the Subdivision Regulations states that:

(c) A final plat of subdivision approved prior to October 27, 1970, shall be resubdivided prior to the issuance of permits unless:

- 3. The development proposed is in addition to a development in existence prior to January 1, 1990 and does not exceed 5,000 square feet of gross floor area; or**

In accordance with Section 24-111(c)(3), the proposed development on Lot 1 is exempt from filing a PPS as development on the site existed prior to January 1, 1990 and no additional square feet of gross floor area is proposed.

Plan Comment

1. The Statement of Justification for the SE and Sheet 1 of the site plan list different square footages for the existing building. While both square footages provided are less than 5,000 square feet and will not affect the exemption from PPS under Section 24-111(c)(3) of the Subdivision Regulations, the information submitted must be consistent.

Recommended Conditions

1. Prior to signature approval of the special exception site plan, the following corrections shall be made:
 - a. Label Lot 1, Block D and the lot acreage on Sheet 1 of the site plan with the recording reference of the plat of subdivision.

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. All property line bearings and distances must be clearly shown on the special exception site plan and must be consistent with the record plat or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.




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

June 25, 2021

MEMORANDUM

TO: Sam Braden IV, Development Review Division

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division 

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division 

SUBJECT: Special Exception Review for Multimodal Transportation Master Plan Compliance

The following special exception application (SE) was reviewed for conformance with the zoning ordinance, the *Approved Countywide Master Plan of Transportation (MPOT)*, and the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment* to provide the appropriate pedestrian and bicycle transportation recommendations.

Site Plan Number: SE-4847

Development Case Name: ACE Eastover Square

<u>Type of Master Plan Bikeway or Trail</u>	
Private R.O.W.	Public Use Trail Easement _____
County R.O.W.	Nature Trails _____
SHA R.O.W.	M-NCPPC - Parks _____
HOA	Bicycle Parking <u>X</u>
Sidewalks	Trail Access _____
Add'l Connections	Bikeway Signage _____

Development Case Background	
Lot Size	25 acres (total)
Number of Units (residential)	n/a
Abutting Roadways	Indian Head Highway
Abutting or Nearby Master Plan Roadways	Indian Head Highway
Abutting or Nearby Master Plan Trails	Side path along Indian Head Highway (planned), Hard Surface Trail along rear of shopping center
Proposed Use(s)	Check Cashing Business
Zoning	CSC
Centers and/or Corridors	Indian Head Corridor
Prior Approvals on Subject Site	AC-96015, AC-15023

Subject to 24-124.01:	n/a
Bicycle and Pedestrian Impact Statement Scope Meeting Date	n/a

Background

As a special exception, this application is not subject to the pedestrian and bicycle adequacy legislation, Section 24-124.01. However, it should be noted that this property is located within the Indian Head Corridor and if this property requires a new subdivision or final plat, it will be subject to the adequacy legislation.

Development Proposal

The subject application proposes a 3,900 square foot existing commercial space for the use of a check cashing business.

Existing Site Conditions

The subject site is located within the existing Eastover Shopping Center along Indian Head Highway.

Review of On-Site Facilities

The submitted plans include the existing concrete sidewalk along the store front and continental style crosswalks connecting the parking lot to the sidewalk.

Prior Conditions of Approval

The subject site has prior approved alternative compliance applications. However, there are no conditions relevant to transportation.

Vehicular Transportation Analysis

The subject site is located within Transportation Service Area (TSA) 1, as defined in the *Plan Prince George's 2035 Approved General Plan*. A traffic study was not submitted or required with this application. The subject site does not require adequacy findings to be determined.

Plan Comments

The site fronts an existing drive aisle that circulates the entire shopping center. There are no master plan roadways that are impacted by this application. Staff finds that the application has no issues with traffic or circulation.

Pedestrian and Bicycle Transportation Analysis

Review of Connectivity to Adjacent/Nearby Properties

The subject site is located within an established shopping center with a comprehensive pedestrian network. The site is also connected to adjacent commercial shopping centers and residential areas via sidewalk and crosswalks along Indian Head Highway. The subject application proposes no additional connections.

Review of Master Plan of Transportation Compliance

The site is located near two master plan facilities, a planned side path along Indian Head Highway and a planned hard surface trail along the rear of the Eastover Shopping Center. The Complete Streets element of the MPOT reinforces these recommendations and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Comment: The subject site is not directly impacted by the master plan facilities. Staff recommend a minimum of two bicycle racks be provided to accommodate multimodal access to the subject site. Inverted u-style racks are recommended, or a style similar that allows for two points of secure contact. Staff find that this improvement is in compliance with the master plan pursuant to Sec. 27-317(a)(2).

Review of Area Master Plan Compliance

This development is also subject to 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment* which includes the following recommendations for pedestrian and bicyclist facilities (pg. 21):

Include pedestrian infrastructure such as sidewalks, crosswalks, including pedestrian/bicycle refuge islands and raised crosswalks or speed tables, accessible pedestrian signals, to include audible cues for people with low vision and push buttons reachable by wheelchair users, and sidewalk curb extensions.

Provide sidewalks, paths, and trails to connect schools, parks, recreation areas, commercial areas, and employment centers.

Comment: The existing sidewalk and crosswalks along with the recommended bicycle parking are all features and infrastructure designed to accommodate pedestrian and bicyclist accessing this site and fulfill the intent of the area master plan.

Zoning Ordinance Compliance

The subject use is permitted as a special exception in the C-S-C zone. As such, it is subject to additional required findings in the zoning ordinance. Section 27-317 outlines the required findings for special exception application.

(a) A Special Exception may be approved if:

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absences of a Master Plan or Functional Master Plan, the General Plan.

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

The development application is subject to Section 27-341.01, which provides additional standards for check cashing businesses special exceptions pertaining to operational hours, security, and infrastructure.

Comment: Staff find no issues related to this application.

Recommended Conditions of Approval

Based on the findings presented above, staff conclude that the pedestrian and bicycle transportation facilities of this plan is acceptable, consistent with the required findings of 27-317, and conform to the 2009 *Approved Countywide Master Plan of Transportation*, and the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment*, if the following conditions are met:

1. Prior to certification, the applicant and the applicant's heirs, successors, and/or assignees shall revise the site plan to provide the following:
 - a. A minimum of two inverted u-style, or a style similar that allows for two points of secure contact, be provided near the building entrance, and a detailed exhibit of the location and specifications.

From: [Rea, Mary](#)
To: [Braden IV, Sam](#); [PGCReferrals](#)
Cc: [Reiser, Megan](#); [Nickle, Suzanne](#)
Subject: SE-4847 Eastover Square
Date: Sunday, June 13, 2021 6:23:59 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Hi Sam,

The Environmental Planning Section (EPS) has reviewed the referral information received by EPS on May 27, 2021 and has no issues with this revision. The proposal is for the conversion of an existing store to a check cashing business at the Eastover Square shopping center. The property does not have a current approved Natural Resource Inventory (NRI) nor a Tree Conservation Plan or Woodland Conservation Exemption Letter. A NRI and meeting the Woodland Conservation regulations is not required if the project is disturbing less than 5,000 square feet.

No other environmental requirements have been identified for this application. This email serves in lieu of a memo.

Let me know if you have any questions.

Mary

Mary Rea

Senior Planner | Environmental Planning



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
301-952-3661 | Mary.Rea@ppd.mncppc.org




301-952-3972

June 21, 2021

MEMORANDUM

TO: Sam Braden, IV, Senior Planner, Zoning Review Section, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division 

FROM: Thomas Lester, Planner Coordinator, Long-Range Planning Section, Community Planning Division **TEL**

SUBJECT: SE-4847 ACE Check Cashing

FINDINGS

The Community Planning Division finds that, pursuant to Section 27-317(a)(3), this application will not substantially impair the integrity of the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan (Portions of Planning Area 76A)*.

BACKGROUND

Application Type: Special Exception for a check cashing business in the C-S-C (Commercial Shopping Center) zone.

Location: 5135 and 5141 Indian Head Highway, Oxon Hill, MD 20745

Size: 25.21 acres

Existing Use: Commercial

Proposal: Relocate check cashing business from a freestanding pad site to an inline retail site within an existing shopping center.

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is located in the Established Communities Policy Area. The vision for Established Communities is for context-sensitive infill and low-to-medium density development," (p. 20).

Master Plan: The 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan (Portions of Planning Area 76A)* recommends mixed-use (retail and residential) land uses on the subject property.

Planning Area: 76A

Community: The Heights

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

SMA/Zoning: The 2014 *Approved Eastover/Forest Heights/Glassmanor Sectional Map Amendment (Portions of Planning Area 76A)* retained the subject property in the C-S-C (Commercial Shopping Center) zone.

MASTER PLAN SUBSTANTIAL IMPAIRMENT ISSUES

The Community Planning Division finds that, pursuant to Section 27-317(a)(3), this application will not substantially impair the integrity of the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan (Portions of Planning Area 76A)*. The sector plan recommends retail land uses for the property with a long-term vision for a mixed-use development that features residential land uses above retail land uses. Relocating a business to an existing storefront does not hinder this long-term vision.

c: Long-range Agenda Notebook

Scott Rowe, AICP CNU -A, Long Range Planning Section, Community Planning Division.

Bryan C. Spell

From: Bryan C. Spell
Sent: Thursday, April 22, 2021 9:21 AM
To: Bryan C. Spell
Subject: FW: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

From: PPD-EnvPlanning <PPD-EnvPlanning@ppd.mncppc.org>
Sent: Monday, March 29, 2021 11:47 AM
To: Mark Ferguson <mglferguson@engsite.tech>
Cc: Christina Issar <cissar@cb3consulting.com>
Subject: RE: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

Hello,

Per the Environmental Technical Manual Table B-1 page B-3, as this project will not require a grading permit, it will not require an NRI-EL or a WCO-EX. Use and Occupancy permits do not require WCO-EX or NRI-EL. You should be able to submit this information for the required section for the permit. Please let me know if you have any questions.

Thank you

Alexander N. Kirchhof

Planner, Environmental Planning Section | Countywide Planning Division



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
301-780-8311 | Alexander.Kirchhof@ppd.mncppc.org



From: Mark Ferguson <mglferguson@engsite.tech>
Sent: Wednesday, March 10, 2021 2:35 PM
To: PPD-EnvPlanning <PPD-EnvPlanning@ppd.mncppc.org>
Cc: Christina Issar <cissar@cb3consulting.com>
Subject: RE: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Alexander –

It's for a Special Exception, which if approved will allow a U&O directly; no (exterior) construction.

Mark G. L. Ferguson, R.A.
Senior Land Planner
(301) 952-8200 X337

mglferguson@engsite.tech

Site Design, Inc./RDA

9500 Medical Center Drive/Arena Drive, Suite 480
Largo, Maryland 20774
(301) 952-8200
(301) 627-3100
FAX: (301) 952-8204

From: PPD-EnvPlanning <PPD-EnvPlanning@ppd.mncppc.org>
Sent: Wednesday, March 10, 2021 2:34 PM
To: Mark Ferguson <mglferguson@engsite.tech>
Cc: Christina Issar <cissar@cb3consulting.com>
Subject: RE: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

Hello,

What type of permit is this application for?

Thank you

Alexander N. Kirchhof

Senior Planning Technician | Environmental Planning



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
301-780-8311 | Alexander.Kirchhof@ppd.mncppc.org



From: Mark Ferguson <mglferguson@engsite.tech>
Sent: Tuesday, March 2, 2021 2:48 PM
To: PPD-EnvPlanning <PPD-EnvPlanning@ppd.mncppc.org>
Cc: Christina Issar <cissar@cb3consulting.com>
Subject: NRI-EL/WCO-Ex Request: 5129 Inidan Head Highway (ACE Cash Express Eastover)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Folks --

Please find attached a submittal package for a TCP Exemption Letter and an NRI Equivalency Letter for the referenced project at 5129 Indian Head Highway. The project is the relocation of the existing ACE facility on Indian Head Highway into a vacant space in the existing Eastover Shopping Center; no land disturbance is proposed, but the project will require the approval of a Special Exception, thus the requirement for a NRI-EQ and a WCO-EX.

The required fee check is *en route* to us and will be deposited in the drop box with an attached copy of an application form in a couple of days.

Please contact me directly if you have any questions.

Thanks,

Mark G. L. Ferguson, R.A.
Senior Land Planner
(301) 952-8200 X337
mglferguson@engsite.tech

Site Design, Inc./RDA
9500 Medical Center Drive/Arena Drive, Suite 480
Largo, Maryland 20774
(301) 952-8200
(301) 627-3100
FAX: (301) 952-8204

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.

ITEM:

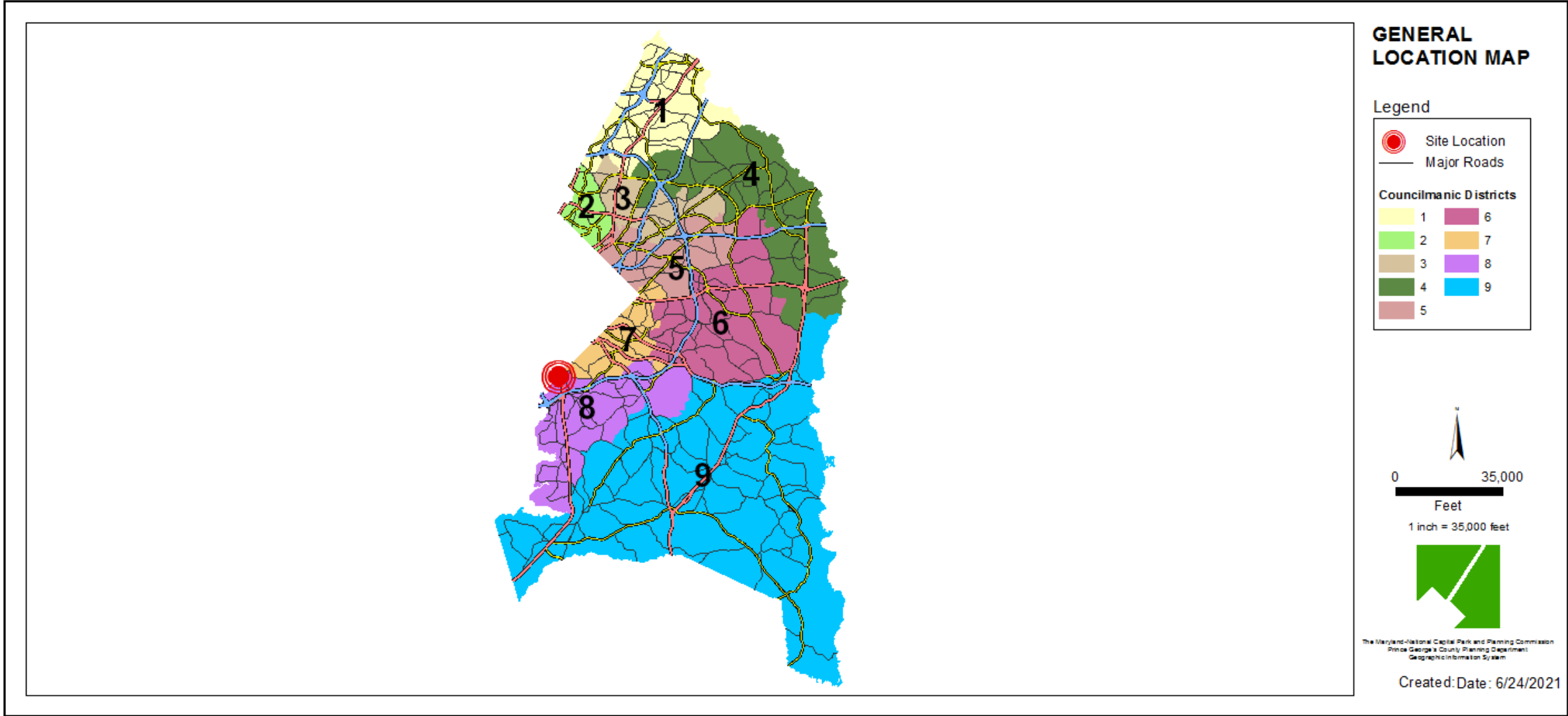
CASE: SE-4847

ACE CHECK CASHING EASTOVER SQUARE

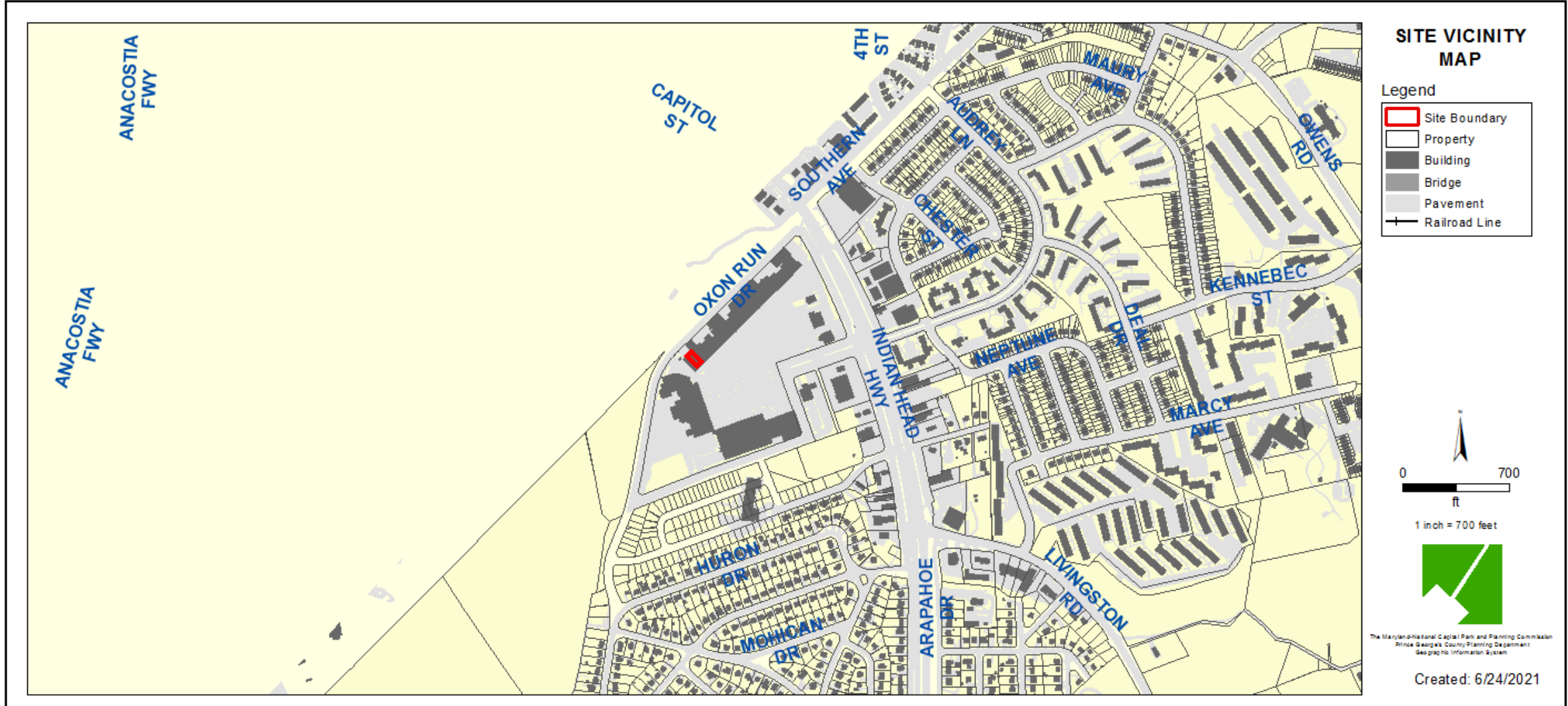
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



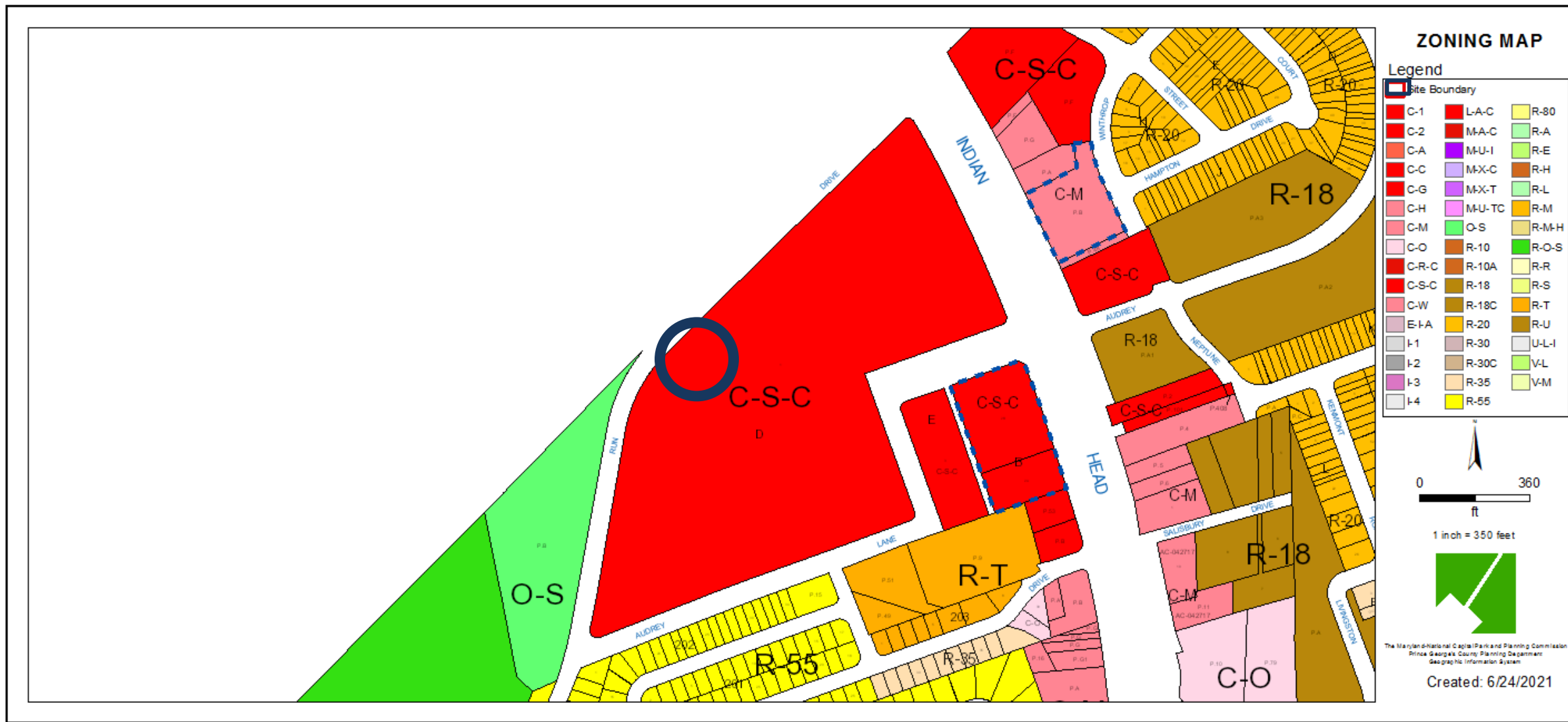
GENERAL LOCATION MAP



SITE VICINITY



ZONING MAP



ZONING MAP

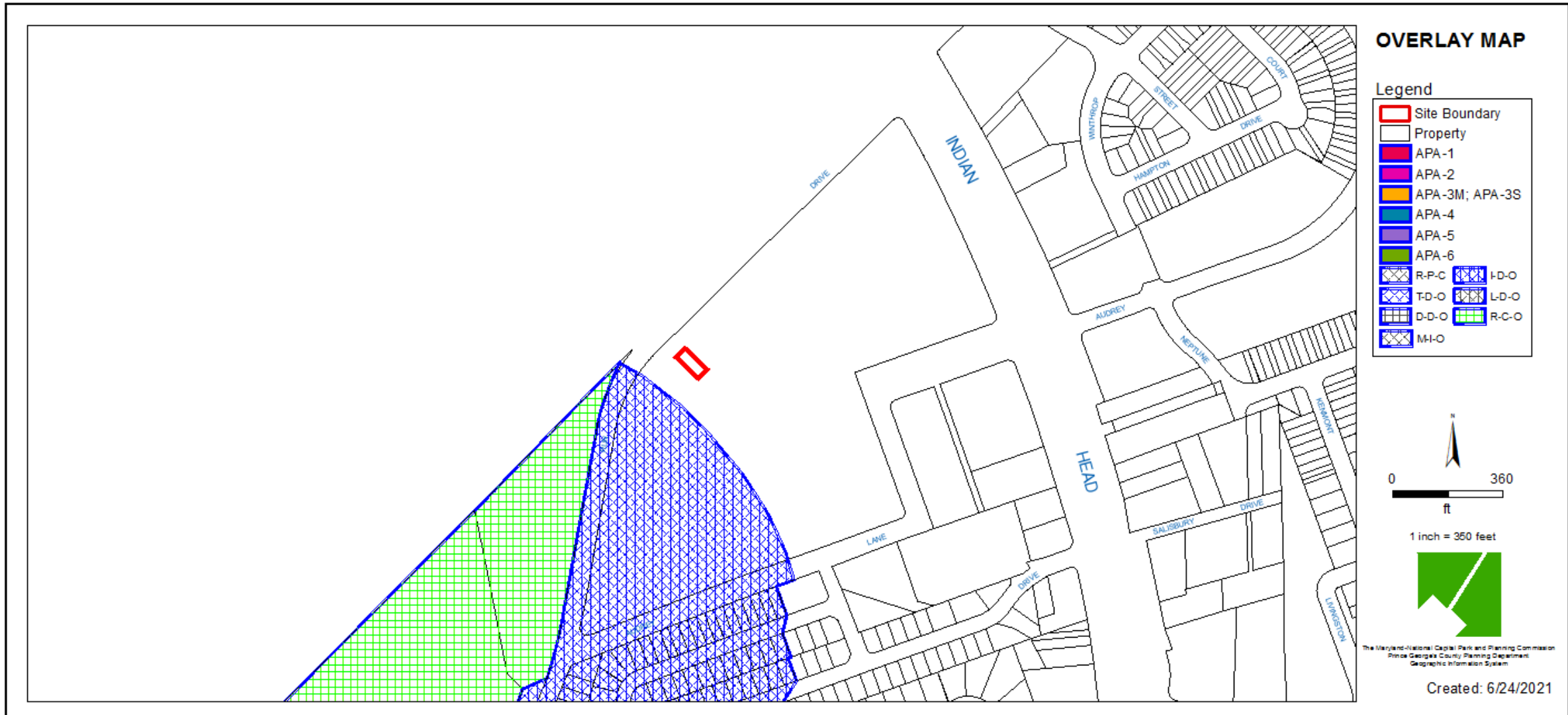
Legend

Site Boundary	C-1	L-A-C	R-80
C-2	M-A-C	R-A	R-E
C-A	M-U-I	R-H	R-L
C-C	M-X-C	R-M	R-MH
C-G	M-X-T	R-10	R-10A
C-H	M-U-TC	R-18	R-18C
C-M	O-S	R-20	R-20B
C-O	R-10	R-30	R-30C
C-R-C	R-18	R-35	R-55
C-S-C	R-18C	R-T	
C-W	R-20	R-U	
E-I-A	R-30	U-L-I	
I-1	R-30C	V-L	
I-2	R-35	V-M	
I-3	R-55		
I-4			

0 360
ft
1 inch = 350 feet

The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: 6/24/2021

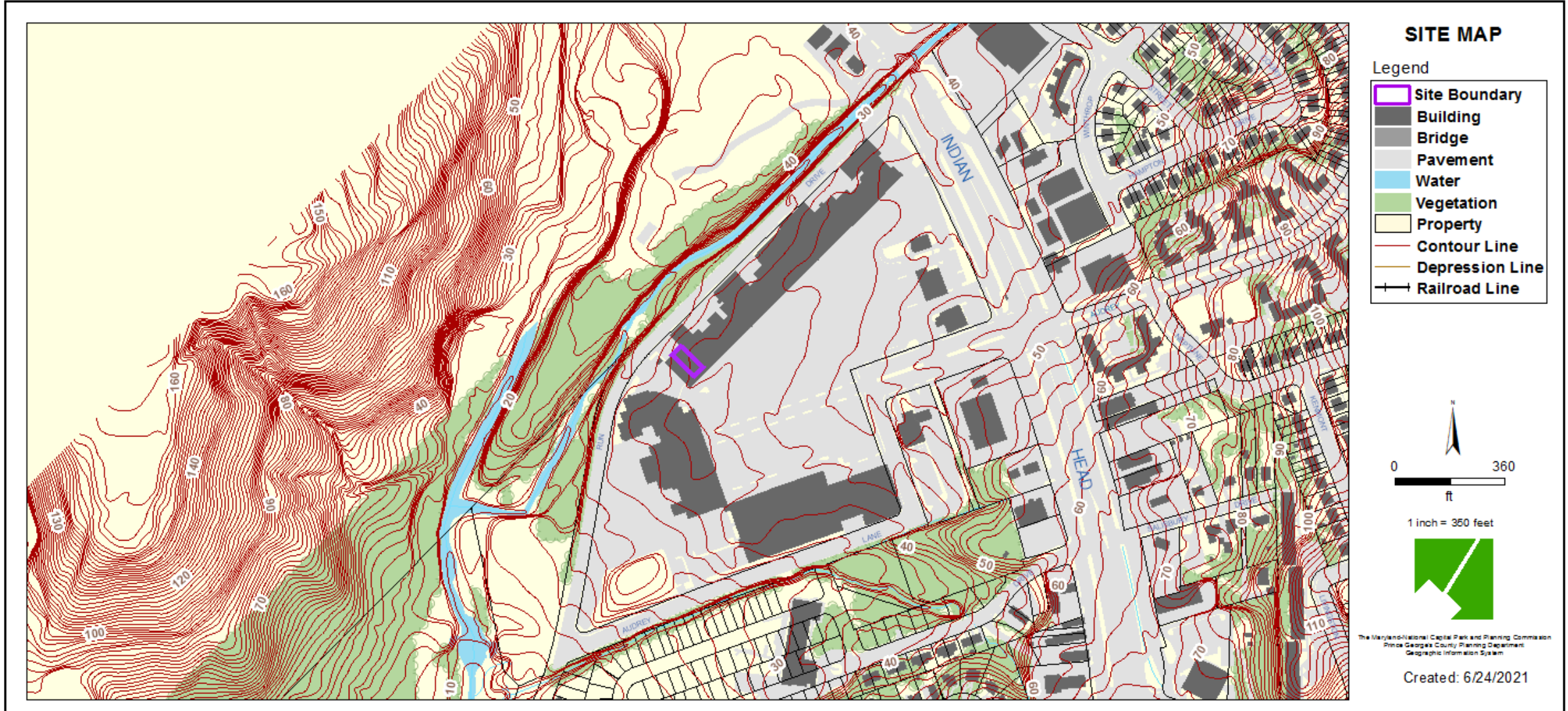
OVERLAY MAP



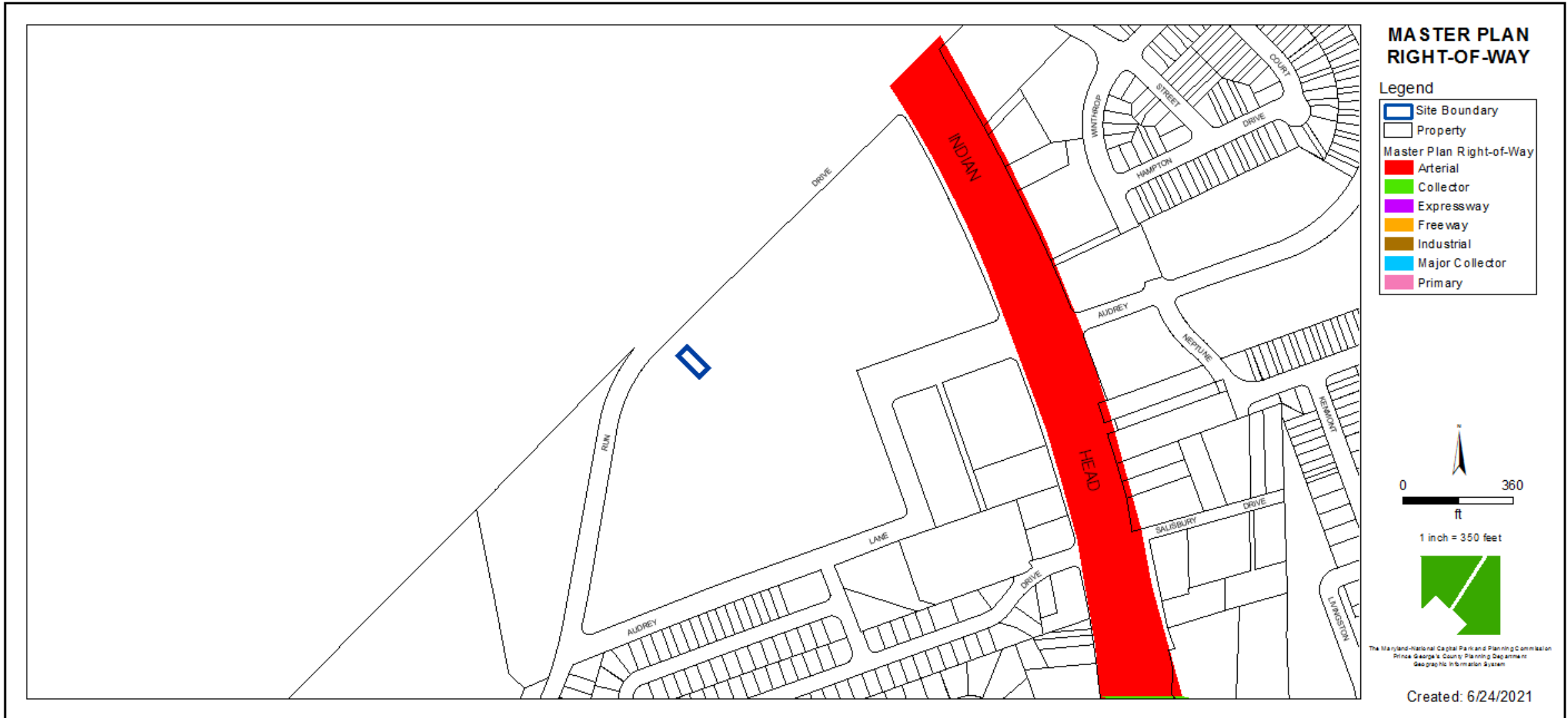
AERIAL MAP



SITE MAP



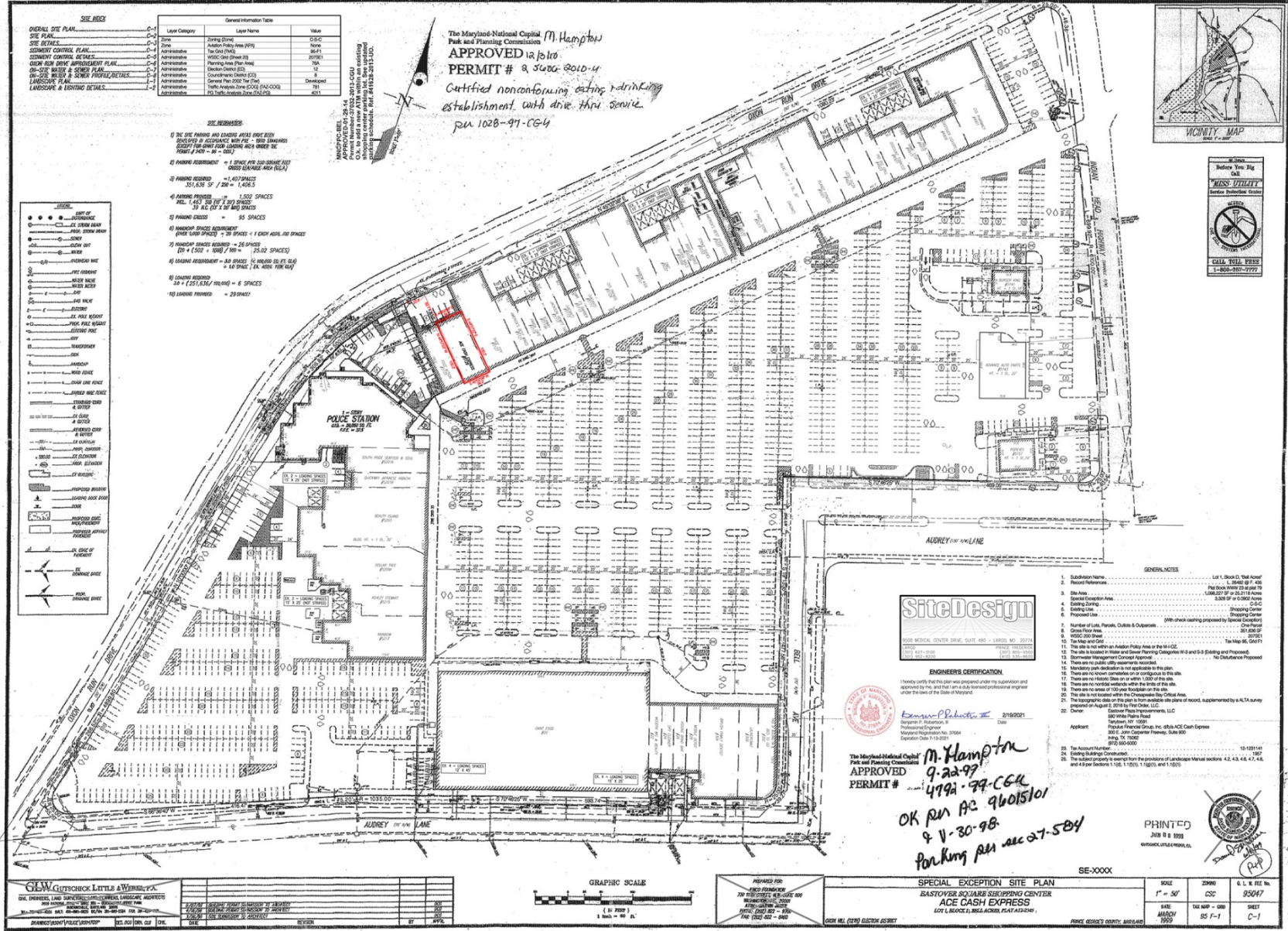
MASTER PLAN RIGHT-OF-WAY MAP



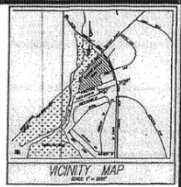
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



SITE PLAN



479799 r.d.



4792-94-720.00





Stan
Derwin
Brown

ATTORNEY AT LAW

Stan Brown, Esq.

Stan Derwin Brown Law Office, LLC
1300 Caraway Court, Suite 101 • Largo, Maryland 20774-5462
Telephone: 301.883.8888 • Fax: 301.883.8606
Website: StanBrown.law
E-mail: attorney@StanBrown.law
Licensed in Maryland & Washington, D.C.

To: Clerk of the Council
All Parties of Record
Zoning Hearing Examiner
Planning Board
District Council

Fr: Stan Brown, People's Zoning Counsel

Date: 9/15/21

Re: SE 4847 Populus Financial Group
d/b/a Ace Cash Express

NOTICE OF INTENTION TO PARTICIPATE

Pursuant to Prince George's County Zoning Ordinance § 27-139.01 (C) (Powers & Duties), this memo is formal notification that the People's Zoning Counsel intends to participate in the above-noted pending zoning cases before the Prince George's County District Council, the Prince George's County Planning Board and/or the Prince George's County Zoning Hearing Examiner. Please file this memo in your official file for the record in the above-noted zoning cases.

Stan Brown, Esq.
People's Zoning Counsel

NOTICE OF VIRTUAL HEARING

Application Number: SE/VSE-4847

Applicant(s) Name: Populus Financial Group, Inc. d/b/a ACE Cash Express

Date and time of scheduled Zoning Hearing Examiner meeting: October 13, 2021 at 9:30 A.M.

Description of Request: Application of Populus Financial Group, Inc. d/b/a ACE Cash Express, A Special Exception for a Food or Beverage Store, in combination with a Gas Station with four pump islands and eight multiproduct dispensers; and a Variance from Section 27-358(a)(2) to allow the Gas Station to be less than 300 feet (229 feet) from an outdoor playground, Property containing approximately 4.84 acres, and zoned C-S-C (Commercial Shopping Center), located in the southwest quadrant of the intersection of MD 202 (Landover Road) and Kent Town Place, also identified as 7401 and 7415 Landover Road, and 2500 Kent Town Place, Hyattsville, MD 20785.

* * * * *

Attention: Due to the current state of the novel coronavirus (COVID-19) pandemic, and the implications of the Council's Emergency Resolutions including, CR-35-2020, the Zoning Hearing Examiners Office is operating under emergency procedures. As authorized by CB-33-2020, all or a portion of the hearing will be conducted virtually and in accordance with District Council Rules of Procedure.

Requests to become Persons of Record should be submitted electronically by email to: ZHE@co.pg.md.us no later than 5:00 p.m. on October 10, 2021. Persons of Record will receive an email with information to join the virtual meeting platform. **Once you have received your Notice of Hearing, please provide an email address to ZHE@co.pg.md.us**

If you have not viewed the documents you can find them at <https://pgccouncil.us/LZIS>. Once there select "Guide", then "ZHE", then the application name and hearing date, then "meeting details" and finally "attachments".

Upon notification of an evidentiary hearing before the Zoning Hearing Examiner, any interested party shall submit documents for the record in person, by email, by other electronic portals, or in the County provided drop box. **A copy of all large Site Plans or other documents must be submitted in person or the County provided drop box.** All documents for the record shall be submitted no later than five (5) business days before the scheduled evidentiary hearing. With permission from the Zoning Hearing Examiner, a party may submit supplemental documents for the record. Any interested party may contact The Office of the Zoning Hearing Examiner to receive a paper copy of a document if the document is not accessible online

The Zoning Hearing Examiner shall not be responsible for resolving any technical difficulties incurred by any person participating in a virtual/remote hearing.

This notice is for informational purposes only. Per CB-1-2004 you have received this Notice of Public Hearing because you signed up to become a Person of Record. If you have any questions, please contact the Zoning Hearing Examiner at email ZHE@co.pg.md.us. or call (301) 952-3644.

DATE MAILED BY US POSTAL SERVICE/EMAILED: September 13, 2021 to Persons of Record
(List attached to original in file)

STATE ETHICS COMMISSION
45 CALVERT STREET, 3RD FLOOR
ANNAPOLIS, MD 21401
410-260-7770
1-877-669-6085

This Form Is To Be Filed With:
CLERK OF THE COUNTY COUNCIL
COUNTY ADMINISTRATION BUILDING
ROOM 2198
UPPER MARLBORO, MD 20772
301-952-3600

Business Entity¹ Affidavit (Form PG 2)

General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf>, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit **only if** these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law **and** if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

PART A. Business Entity Applicant

Identifying Information

Name of Applicant Eastover Plaza Improvements LLC Case No. (where applicable) SE-4847
Address of Applicant 565 TAXTER ROAD, 4TH FLOOR
ELMSFORD, NY 10523
Identity of the Property/ 5135 and 5141 Indian Head Highway, Oxon Hill, MD 20745
Subject of Application Tax Account # 1231141 Type of Application Special Exception
(see § 5-833(d))

¹Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application? ____ Yes ____ No

If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? ____ Yes ____ No

If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only)

***Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed).**

1. ____ All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the disclosure requirement as provided in the Law and are identified as follows (list name and title – if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state):

2. ____ Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council **OR** there are no individuals required to file affidavits.

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Signature (original to be filed with the Clerk)

Date

Printed Name of Signer

Title of Signer (Authorized to sign for the business entity)

STATE OF MARYLAND

Department of Assessments and Taxation

I, MICHAEL L. HIGGS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO THE FORFEITURE OR SUSPENSION OF CORPORATE CHARTERS, OR THE RIGHTS OF CORPORATIONS TO TRANSACT BUSINESS IN THIS STATE AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT POPULUS FINANCIAL GROUP, INC. (F01722552) , QUALIFIED JUNE 04, 1984, IS A CORPORATION DULY INCORPORATED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF TEXAS AND THE CORPORATION HAS FILED ALL ANNUAL REPORTS REQUIRED, HAS NO OUTSTANDING LATE FILING PENALTIES ON THOSE REPORTS, AND HAS A RESIDENT AGENT. THEREFORE, THE CORPORATION IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING WITH THIS DEPARTMENT AND DULY AUTHORIZED TO EXERCISE ALL THE POWERS RECITED IN ITS CHARTER OR CERTIFICATE OF INCORPORATION, AND TO TRANSACT INTERSTATE, INTRASTATE AND FOREIGN BUSINESS IN MARYLAND.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS JULY 27, 2021.



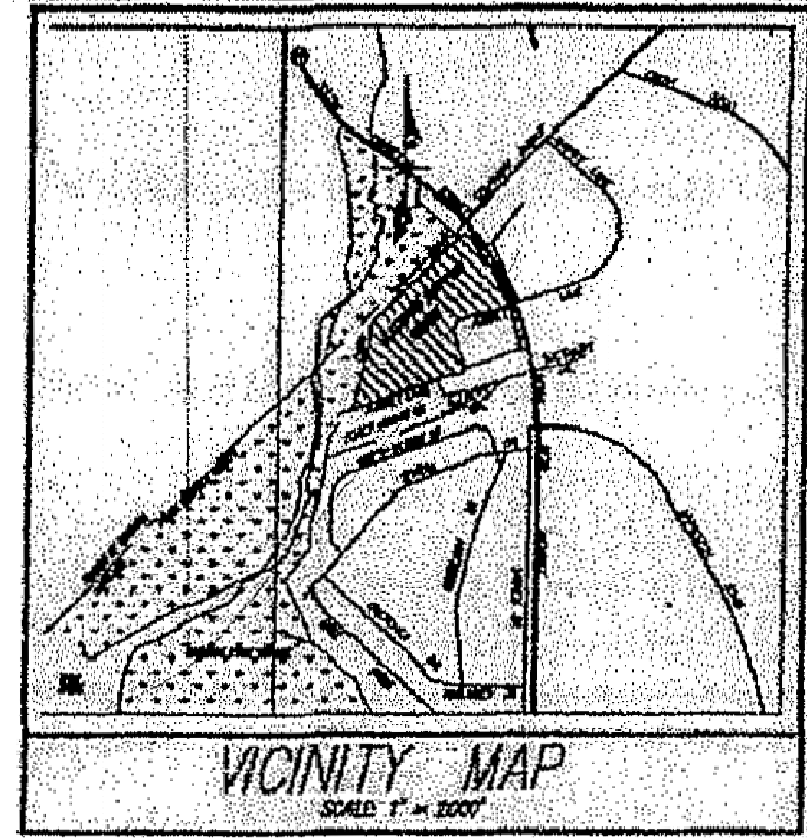
Michael L. Higgs
Director



301 West Preston Street, Baltimore, Maryland 21201
Telephone Baltimore Metro (410) 767-1340 / Outside Baltimore Metro (888) 246-5941
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice

Online Certificate Authentication Code: fVfE8FrCUUe7sVE9P3QZZg
To verify the Authentication Code, visit <http://dat.maryland.gov/verify>

4792-99-C-1



SITE INDEX

- OVERALL SITE PLAN.....C-1
- SITE PLAN.....C-2
- SITE DETAILS.....C-3
- SEDIMENT CONTROL PLAN.....C-4
- SEDIMENT CONTROL DETAILS.....C-5
- OXON RUN DRIVE IMPROVEMENT PLAN.....C-6
- ON-SITE WATER & SEWER PLAN.....C-7
- ON-SITE WATER & SEWER PROFILE/DETAILS.....C-8
- LANDSCAPE PLAN.....L-1
- LANDSCAPE & LIGHTING DETAILS.....L-2

General Information Table		
Layer Category	Layer Name	Value
Zone	Zoning (Zone)	C-S-C
Zone	Aviation Policy Area (APA)	None
Administrative	Tax Grid (TMG)	95-F1
Administrative	WSSC Grid (Sheet 20)	207SE1
Administrative	Planning Area (Plan Area)	76A
Administrative	Election District (ED)	12
Administrative	Councilmatic District (CD)	8
Administrative	General Plan 2002 Tier (Tier)	Developed
Administrative	Traffic Analysis Zone (TAZ-COG)	781
Administrative	PG Traffic Analysis Zone (TAZ-PG)	4011

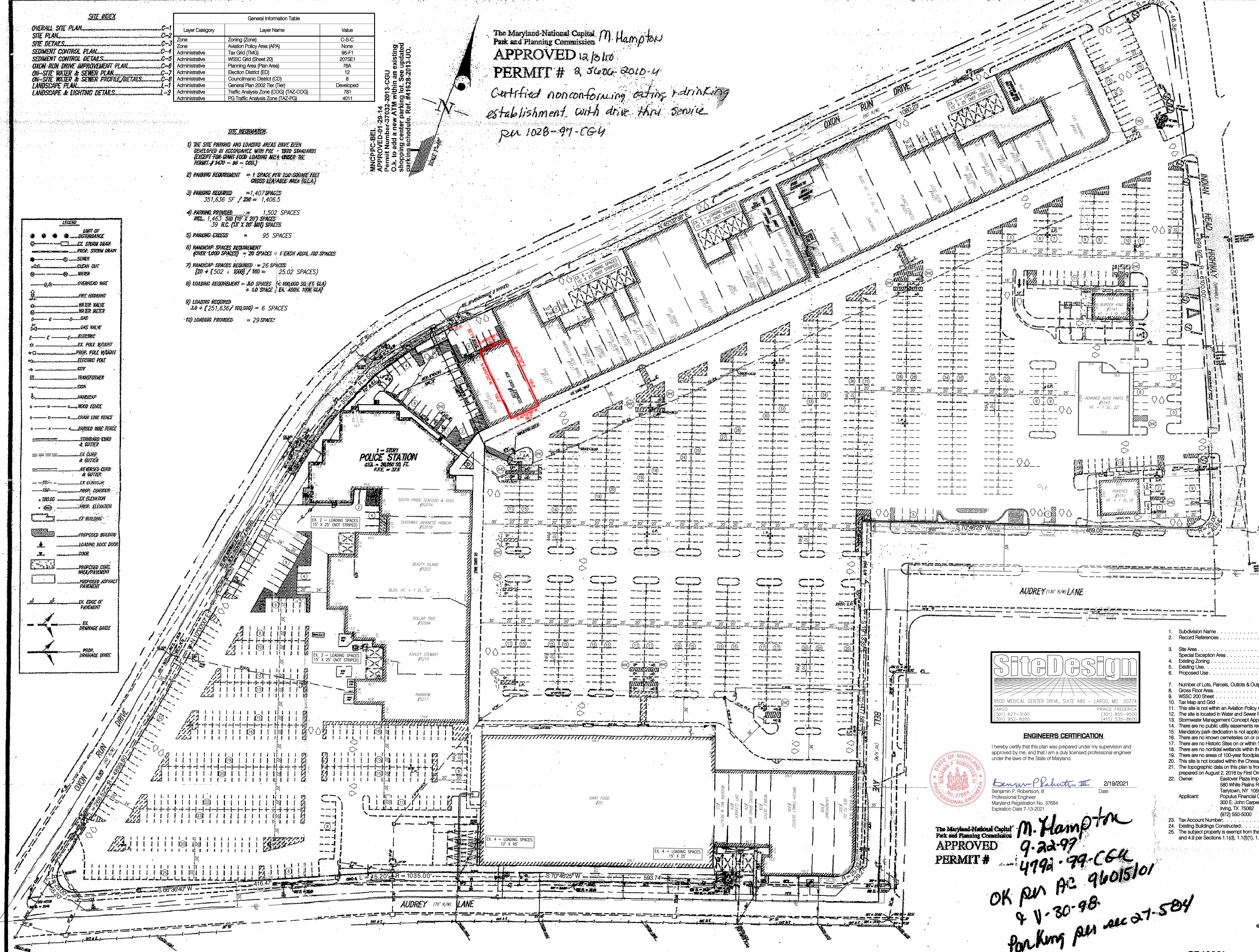
The Maryland-National Capital Park and Planning Commission
M. Hampton
APPROVED 12/10/10
PERMIT # 8 5600 2010-4
 Certified nonconforming eating & drinking establishment with drive thru service
 per 1028-97-CG-4

- SITE INFORMATION**
- THE SITE PARKING AND LOADING AREAS HAVE BEEN DEVELOPED IN ACCORDANCE WITH PRC - 1970 STANDARDS EXCEPT FOR DRIVE THRU LOADING AREA UNDER THE PERMIT # 1400 - 96 - CG-4
 - PARKING REQUIREMENT = 1 SPACE PER 250-GROSS-SQ-FT GROSS LEASABLE AREA (GLA)
 - PARKING PROVIDED = 1,407 SPACES
351,636 SF / 250 = 1,406.5
 - PARKING PROVIDED = 1,502 SPACES
INCL. 1,463 STD (10' X 20') SPACES
39 H.C. (15' X 20' MIN) SPACES
 - PARKING EXCESS = 95 SPACES
 - HANDICAP SPACES REQUIREMENT (OVER 4,000 SPACES) = 20 SPACES + 1 EACH ADDL. 100 SPACES
 - HANDICAP SPACES PROVIDED = 26 SPACES
(20 + (502 / 1000) / 100 = 25.02 SPACES)
 - LOADING REQUIREMENT = 3.0 SPACES / 100,000 SQ. FT. GLA + 1.0 SPACE / EX. ADDL. TONK. GLA
 - LOADING PROVIDED = 6 SPACES
 - LOADING PROVIDED = 29 SPACES

MNCPPC-BEL
 APPROVED 01-29-14
 Permit Number 37032-2013-CGU
 O.K. to add a new ATM within an existing parking structure. Ref: #1628-2013-BUC.

LEGEND

- EX. OBSTACLE
- EX. STORM DRAIN
- EX. SEWER
- EX. CLEAN OUT
- EX. WATER
- EX. GAS VALVE
- EX. ELECTRIC
- EX. POLE W/ LIGHT
- EX. PROP. POLE W/ LIGHT
- EX. ELECTRIC POLE
- EX. CITY
- EX. TRANSFORMER
- EX. SIGN
- EX. HANDICAP
- EX. WOOD FENCE
- EX. CHAIN LINK FENCE
- EX. BARBED WIRE FENCE
- EX. STANDARD CURB & GUTTER
- EX. CURB & GUTTER
- EX. REVERSED CURB & GUTTER
- EX. EXHAUST
- EX. PROP. COVER
- EX. ELEVATION
- EX. ELEVATION
- EX. BUILDING
- EX. PROPOSED BUILDING
- EX. LOADING DOCK DOOR
- EX. DOOR
- EX. PROPOSED CONC. PAVEMENT
- EX. PROPOSED ASPHALT PAVEMENT
- EX. EDGE OF PAVEMENT
- EX. DRAINAGE DITCH
- EX. DRAINAGE DITCH



SiteDesign
 9500 MEDICAL CENTER DRIVE, SUITE 480 - LARGO, MD 20774
 LARGO (301) 627-3100 PRINCE FREDERICK (301) 855-9500
 (301) 923-8200 (410) 635-8600



ENGINEERS CERTIFICATION
 I hereby certify that this plan was prepared under my supervision and approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
 Benjamin P. Robertson 2/19/2021
 Professional Engineer
 Maryland Registration No. 37684
 Expiration Date 7-13-2021

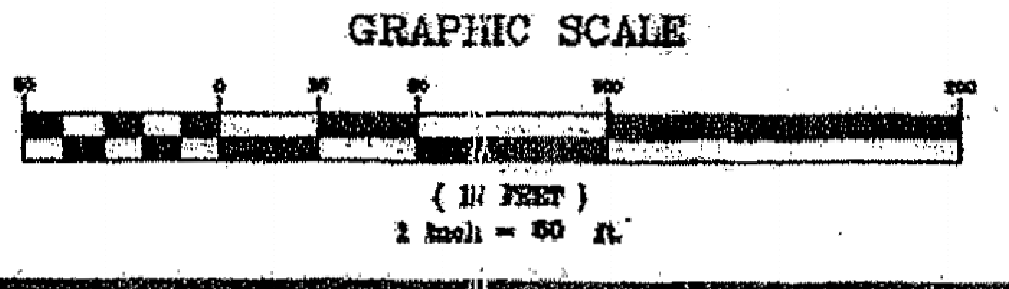
The Maryland-National Capital Park and Planning Commission
APPROVED
PERMIT #

M. Hampton
 9-22-97
 4792-99-CG-4
 OK per AC 9/6/15/10
 & V-30-98
 for King per acc 27-584

- GENERAL NOTES**
- Subdivision Name: Lot 1, Block D, "Bell Acres"
 - Record References: L 26482 @ F. 435; Plat Book WWW 23 at plat 79
 - Site Area: 1,098,227 SF or 25.2118 Acres
 - Special Exception Area: 3,328 SF or 0.0802 Acres
 - Existing Zoning: C-S-C
 - Existing Use: Shopping Center
 - Proposed Use: Shopping Center
 - Number of Lots, Parcels, Outlots & Outparcels: One Parcel
 - Gross Floor Area: 351,636 SF
 - WSSC 200 Sheet: 207SE1
 - Tax Map and Grid: Tax Map 95, Grids F1 & F2
 - This site is not within an Aviation Policy Area or the M-H-O-Z.
 - The site is located in Water and Sewer Planning Categories W-3 and S-3 (Existing and Proposed).
 - Stormwater Management Concept Approval: No Disturbance Proposed
 - There are no public utility easements recorded.
 - Mandatory park dedication is not applicable to this plan.
 - There are no known cemeteries on or contiguous to this site.
 - There are no Historic Sites on or within 1,000' of this site.
 - There are no non-tidal wetlands within the limits of this site.
 - There are no areas of 100-year floodplain on this site.
 - This site is not located within the Chesapeake Bay Critical Area.
 - The topographic data on this plan is from available site plans of record, supplemented by an ALTA survey prepared on August 2, 2016 by First Order, LLC.
 - Owner: Eastover Plaza Improvements, LLC
580 White Plains Road
Tarrytown, NY 10591
 - Applicant: Populus Financial Group, Inc. db/a ACE Cash Express
300 E. John Carpenter Freeway, Suite 900
Irving, TX 75062
6723 550-5000
 - Tax Account Number: 12-123141
 - Existing Buildings Constructed: 1957
 - The subject property is exempt from the provisions of Landscape Manual sections 4.2, 4.3, 4.6, 4.7, 4.8, and 4.9 per Sections 1-1(a), 1-1(b)(1), 1-1(g)(1), and 1-1(h)(1).

GLW GUTSCHICK LETTLE & WEBER, P.A.
 CIVIL ENGINEERS, LAND SURVEYORS, ARCHITECTS, PLANNERS, LANDSCAPE ARCHITECTS
 3000 WASHINGTON BLVD., SUITE 400
 ANNAPOLIS, MARYLAND 20704
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NO.	DATE	DESCRIPTION	BY	APP'R.
1	2/19/2021	PREPARED FOR SUBMISSION TO ARCHITECT	GLW	
2	2/19/2021	REVISIONS PER ARCHITECT COMMENTS	GLW	
3	2/19/2021	FOR SUBMISSION TO ARCHITECT	GLW	
4	2/19/2021	FOR SUBMISSION TO ARCHITECT	GLW	



PREPARED FOR:
 ENCO FOUNDRY
 730 11TH STREET, N.W. SUITE 600
 WASHINGTON, DC 20001
 ATTN: JAMES WATSON
 PHONE: (202) 822-6700
 FAX: (202) 422-8900

SPECIAL EXCEPTION SITE PLAN
EASTOVER SQUARE SHOPPING CENTER
ACE CASH EXPRESS
 LOT 1, BLOCK D, BELL ACRES, PLAT A13-2345
 OXON HILL (12TH) ELECTION DISTRICT
 PRINCE GEORGE'S COUNTY, MARYLAND

SCALE	ZONING	G. L. W. FILE NO.
1" = 50'	CSC	95047
DATE	TAX MAP - GRID	SHEET
MARCH 1999	95 F-1	C-1

4792-99-C-1-00

**LAND PLANNING ANALYSIS
ACE Eastover Square
5129 Indian Head Highway**

Prepared in connection with
Special Exception SE-4847

Prepared by:
Mark G. L. Ferguson, R.A.



October 6, 2021

LAND PLANNING ANALYSIS
ACE Eastover Square
5129 Indian Head Highway
Forest Heights, Maryland

This report is written to consider the planning matters relevant to Special Exception application SE-4847, for approval of a check cashing business in the C-S-C Zone, involving the relocation of an existing freestanding check cashing business at 5221 Indian Head Highway to the subject property.

THE SITE

Location -	Eastover Shopping Center, in the northeast quadrant of the intersection of Indian Head Highway (Maryland Route 210) with Audrey Lane.
Address -	5129 Indian Head Highway
Zoning -	C-S-C (Commercial Shopping Center)
Acreage -	1,098,227 SF or 25.2118 Acres± (Entire Shopping Center) 3,328 SF or 0.0902 Acres± (Special Exception Area)
Subdivision -	Lot 1, Block D, "Bell Acres" recorded at Plat Book WWW 23 at plat 79.
Municipality -	None. The municipal limits of the Town of Forest Heights surrounds the Eastover Shopping Center on three sides.
Frontages -	Indian Head Highway – 743.37' Audrey Lane – 489.32' & 1132.63' Bell Avenue – 497.22' Oxon Run Drive – 2085.11'
Rights-of-Way -	Indian Head Highway – Variable' Audrey Lane – 130' & 70' Bell Avenue – 70' Oxon Run Drive – 60'
Zoning Map -	207SE1
Tax Map -	Tax Map 95, Grid F-1
Historic Sites -	None; No sites or resources are located within 1,000' of the subject property.
Councilmanic District -	8

Master Plan & SMA - The site is located in Planning Area 76A. The applicable Master Plan is the *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment*, approved on February 18, 2014.

The Master Plan's "Eastover Shopping Center Future Land Use Map designated the Eastover Shopping Center for a complicated and location-specific mix of retail, residential, residential over retail, and parking uses.

The Approved Sectional Map Amendment retained the subject property in the previously-existing C-S-C zone.

The Growth Policy Map in the May, 2014 General Plan placed the property in the Established Communities category. The Generalized Future Land Use Map indicates that the Generalized Future Land Use is Commercial.

The site is not within a Priority Preservation Area.

NEIGHBORHOOD DEFINITION

The neighborhood of the subject property was in the Technical Staff Report as having the following boundaries:

North –	Oxon Run Drive
East –	Retail and service commercial uses in Eastover Square Shopping Center
South –	Aubrey Lane
West –	Bell Acres Park

This neighborhood definition describes the limits of the Eastover Shopping Center; this planner generally concurs with the Staff's neighborhood definition as there are barriers between the center and nearby residential uses to the south, but would expand the neighborhood to include the commercial uses on the east and west sides of Indian Head Highway as far south as Livingston Road, which would include the location of the existing check cashing facility at 5221 Indian Head Highway, which is proposed to be relocated as the subject of this Special Exception application. This expanded neighborhood also conforms to the Sector Plan's discussion of the area.

LOCATION AND FIELD INSPECTION

The subject property is a 25-acre tract at the northeast quadrant of the intersection of Indian Head Highway with Audrey Lane, and is occupied by the Eastover Shopping Center and its associated parking lots.

Existing uses in the Eastover Shopping Center include a freestanding Popeye's restaurant, a freestanding Burger King restaurant, a freestanding Advance Auto Parts vehicle parts store, a Giant food store, and in the line of shops, a CVS drug store, a liquor store, a Game Stop, a tobacco store, a fitness club, a party store, and eyeglass store, a mobile phone store, several clothing stores, several shoe stores, several eating and drinking establishments, a barber, a nail salon, a mobile phone store, a tax preparer, and the County District 4 police station, which is approximately 100' from the proposed Special Exception area.

Access to the shopping center is available from a number of existing entrances on the Indian Head Highway service road, Oxon Run Drive, Audrey Lane and Bell Avenue. The proposed Special Exception area is located towards the west side of the shopping center, fronts on the main pedestrian aisle along the fronts of the stores, and is specifically located between two existing shoe stores, with the District 4 police station located just beyond to the west.

The remaining land area of the defined neighborhood is occupied by a mix of retail and service commercial uses along Indian Head Highway, including a clothing store, several auto repair facilities, a gas station, a car wash, a self-storage facility, two liquor stores, a dollar store, office buildings, two churches, a pawnshop, a number of eating and drinking establishments, and the existing ACE check cashing business which is proposed to be relocated by this Special Exception application.

DESCRIPTION OF THE PROPOSED USE

The proposed use for Special Exception application SE-4847 is the relocation of the existing freestanding ACE check cashing business from 5221 Indian Head Highway to an in-line store location at 5129 Indian Head Highway within the Eastover Shopping Center.

CRITERIA FOR APPROVAL

The criteria for approval of a Special Exception for a check cashing business in the C-S-C Zone are the general criteria for approval of a Special Exception of §27-317(a), and the special criteria for approval of a check cashing business of §27-341.01.

COMPLIANCE WITH SECTION 27-317:

Section 27-317(a) of the Zoning Ordinance provides that a Special Exception may be approved if:

27-317(a)(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;

The Zoning Ordinance has a hierarchy of Purposes, for the Ordinance as a whole, for commercial zones generally, and for the C-S-C Zone in specific. Each of these series of purposes is addressed, following.

The fifteen purposes of the Zoning Ordinance are laid out in section 27-102(a). The harmony of the subject project with these purposes is as follows:

- (1) *To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;*

The proposed check cashing business will be relocated from its existing location to free up a more visible site on the frontage of Indian Head Highway, and is proposed to move into an in-line location within Eastover Shopping Center. The new location adjacent to the District 4 police station will provide for a better security presence, thereby contributing to the public safety, and a location which by virtue of its location within the line of stores in the center will allow for the better combination of vehicle trips than its existing freestanding location, better providing for the comfort, convenience and welfare of the present and future inhabitants of the County. Additionally, the relocation will benefit inhabitants of the County by freeing up a highly visible roadside site for a new use which will better take advantage of its location.

- (2) *To implement the General Plan, Area Master Plans, and Functional Master Plans;*

The relevant plans which apply to the subject property are the 2014 General Plan, the 2014 *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment*, and a number of Functional Master Plans, including the Green Infrastructure Plan, the County Master Plan of Transportation, the Public Safety Facilities Master Plan, The Historic Sites and Districts Plan, and the Water Resources Functional Master Plan.

General Plan

As noted above, the General Plan classified the subject site in its Growth Policy Map¹ in the Established Communities category, and the Generalized Future Land Use Map² designated it for Commercial land use.

“Established Communities” are described by the General Plan as “the County’s heart – its established neighborhoods, municipalities and unincorporated areas outside designated centers,”³ and recommends that, “Established communities are most appropriate for context-sensitive infill and low- to medium-density development....”⁴

“Commercial” land use is described by the General Plan as, “retail and business areas, including employment uses such as office and service uses. A range of services are provided at the neighborhood to regional level. New commercial areas have access to multimodal transportation options.”⁵ It is noted that the Generalized Future Land Use Map generally replicates the recommendations of the Master Plan or Sector Plan in force at the time of the approval of the General Plan, though in this case it did not: The Eastover Sector Plan, in force prior to the adoption of the General Plan, recommended a mix of land uses instead of the “Commercial” designation in the General Plan. The note under the Generalized Future Land Use Map, however, directs the reader that, “by definition, this map should be interpreted broadly and is intended to provide a countywide perspective of future land use patterns. To identify the

¹ M-NCP&PC, *Plan Prince George’s 2035 – Approved General Plan* (May, 2014), p. 107.

² *General Plan*, p. 101.

³ *Ibid.*, p. 106.

⁴ *Ibid.*, p. 20.

⁵ *Ibid.*, p. 100.

future land use designation for a specific property, please refer to the property's relevant approved sector or master plan."⁶

Given its proposed location in the line of stores in an existing shopping center, it is this planner's opinion that the approval of the subject application would constitute context-sensitive infill.

Master Plan

As noted above, the applicable Master Plan is the *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment*, approved on February 18, 2014. Figure 12, the Eastover Shopping center Future Land Use Map, recommends the subject property for a mix of residential, retail, parking, and residential-over-retail uses in the context of a mid-term to long term redevelopment of the shopping center to take advantage of unused street frontage and underutilized parking lots.⁷

The existing shopping center is a major part of the Eastover Plan's "Focus Area 2," an area which corresponds to this planner's neighborhood definition. The text of the plan states that, "the sector plan depicts a phased redevelopment of the under-utilized Eastover Shopping Center's parking lot into a mixed-use neighborhood center. This development will be followed by the restructuring of MD 2110 to continue improving area aesthetics, increasing accessibility and visibility, enhancing pedestrian safety and walkability, and establishing Eastover Shopping Center as a commercial destination."⁸

The Sector Plan is clear, however, that the redevelopment of the existing strip center building is part of its longest-term vision: it is not illustrated until Map 22, "Long-Term Development, Phase 4,"⁹ and in fact describes the full redevelopment of "the auto-centric shopping center" as an "Aspirational" phase, beyond the long term.¹⁰

Because the proposed application is consistent with the Sector Plan's land use recommendation and its vision for the retention of the shopping center as a commercial locus, the approval of the subject check cashing business would be in harmony with the recommendations of the Sector Plan.

Other Applicable Functional Master Plans

The special exception area is not mapped as containing any Regulated Areas of the County's Green Infrastructure Network; as such, the subject application conforms to the Green Infrastructure Plan.

With regard to the Historic Sites and Districts Plan, no historic sites or resources are located within the vicinity of the subject site; as such, the approval of the subject application will have no adverse impact on this Functional Master Plan.

⁶ *Ibid.*, p. 101.

⁷ M-NCP&PC, *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment* (February, 2014), p. 45.

⁸ *Sector Plan*, p. 44.

⁹ *Ibid.*, p. 60.

¹⁰ *Ibid.*, p. 61.

The Water Resources Functional Master Plan addresses broad regulatory policy and large-scale watershed planning, and as such makes no recommendations which are directly applicable to the subject application.

No proposed sites for Public Safety facilities are in the area affected by the subject application.

The Countywide Master Plan of Transportation does not contain any facilities which will be affected by the proposed occupancy of the subject check cashing business in an existing space within the existing shopping center.

In conclusion, because the proposed check cashing business is not in conflict with the General Plan, the Sector Plan or the applicable Functional Master Plans, approval of the subject application will be in harmony with the Ordinance's purpose of implementing those plans.

(3) *To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;*

Because this application proposes the new occupancy of an existing building on a developed site, it will not create any adverse effect on the adequacy of public facilities.

(4) *To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;*

While not a part of new growth or development by virtue of the subject application only being for the new occupancy of a space within an existing building, approval of the subject application would abet the orderly growth and development of the County by its conformance with the Sector Plan's land use recommendation, and thus the subject application is in harmony with this Purpose of the Ordinance.

(5) *To provide adequate light, air, and privacy;*

The subject check cashing business will be in harmony with this Purpose as its occupancy will be part of an existing shopping center which was developed in conformance with the various regulations in the Zoning Ordinance to ensure the provision of adequate light, air and privacy for the occupants of the subject property and for its neighbors. These principles include the provision of sufficient setback distances, and conformance with height limitations in order to allow for access to light and air.

(6) *To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;*

The subject check cashing business would be in harmony with this Purpose as its occupancy will be part of an existing shopping center which was developed in accordance with the various principles that have been codified in the Zoning Ordinance to promote the beneficial relationships between land and buildings, including conformance with the tables of permitted uses for the various zones as laid out in the Ordinance.

(7) *To protect the County from fire, flood, panic, and other dangers;*

The subject check cashing business would be in harmony with this Purpose as its occupancy will be part of an existing shopping center which was developed in conformance with regulations established in the body of the Zoning Ordinance, as well as other County Ordinances, which are intended to protect from fire, flood, panic and other dangers, namely: the floodplain regulations, the fire prevention code, the building code, and the tables of permitted uses for the various zones.

(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;

Because the subject use is commercial in nature, this Purpose is not directly applicable to this Application.

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

The occupancy of the subject property as a check cashing business would be in harmony with this Purpose because it would augment the tax base of the County directly and through the employment provided to its workers.

(10) To prevent the overcrowding of land;

The subject check cashing business would be in harmony with this Purpose its occupancy will be part of an existing shopping center which was developed in accordance with various principles that have been codified in the Ordinance to ensure the prevention of overcrowding, including the provisions of the Table of Uses that provides for the compatibility of uses, height limits, and setbacks.

(11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;

The approval of the subject check cashing business would be in harmony with this Purpose because it will not generate new traffic beyond that generated by any other permissible use which could occupy the subject property, will not generate parking requirements beyond those generated by any other permissible use, nor create new entrances to the existing shopping center.

Also, the proposed check cashing business occupancy will be carried out in accordance with the regulations established in the body of the Zoning Ordinance (and other County ordinances) which are intended to lessen the danger and congestion of traffic on roads, such as the requirements for the provision of adequate off-street parking.

(12) To insure the social and economic stability of all parts of the County;

As the Zoning Ordinance is the principal tool for the implementation of the planning process by enacting legal requirements which implement the planning goals that strive to maintain the social and economic stability of the County, this planner believes that conformance with the requirements and regulations of the Zoning Ordinance will be prima facie evidence of the Application's harmony with this purpose.

Beyond that, however, the relocation of the subject check cashing business would promote the economic and social stability of the County by contributing to the tax base, and by freeing up a valuable and visible site on the Indian Head Highway frontage for a more advantageous occupancy.

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;

Because the check cashing business will simply a new occupancy in an existing building, the approval of the subject application will have no impact to the natural features in the County: It will not generate noise pollution, and the use will be in compliance with the County's Woodland Conservation policies by virtue of its exemption from a requirement for a Tree Conservation Plan. No steep slopes or scenic vistas will be affected. By conformance to these principles and regulations, the approval of this application would be in harmony with this Purpose.

The final two Purposes,

(14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and

(15) To protect and conserve the agricultural industry and natural resources.

are not directly applicable to the approval of this check cashing business.

In addition to the purposes of the broader Ordinance, there are Purposes for Commercial Zones generally and the C-S-C (Commercial Shopping Center) Zone specifically. The ten purposes of Commercial Zones generally are laid out in Section 27-446(a), as follows:

(1) To implement the general purposes of this Subtitle;

As noted by the foregoing discussion, this planner believes that the subject proposal will implement the general purposes of the Zoning Ordinance.

(2) To provide sufficient space and a choice of appropriate locations for a variety of commercial uses to supply the needs of the residents and businesses of the County for commercial goods and services;

The approval of this facility at this location will allow the check cashing business to occupy a useful and convenient site for its service, while freeing up a up a valuable and visible site on the Indian Head Highway frontage for a more advantageous occupancy.

(3) To encourage retail development to locate in concentrated groups of compatible commercial uses which have similar trading areas and frequency of use;

Because the proposed check cashing business is a retail business which will be located in a retail shopping center, the approval of the subject application will be in harmony with this purpose of commercial zones.

(4) To protect adjacent property against fire, noise, glare, noxious matter, and other objectionable influences;

The approval of the subject check cashing business will be a new occupancy in an existing building, and will not produce fire, noise, glare or noxious matter as a part of its operation. Its location immediately proximate to the District 4 police station will be substantive protection against the normal objectionable security concerns which attend businesses which handle money.

(5) To improve traffic efficiency by maintaining the design capacities of streets, and to lessen the congestion on streets, particularly in residential areas;

The approval of the subject application will not affect traffic efficiency because it is only a new occupancy of an existing space in an existing shopping center, and will not generate traffic or parking at different rates than other comparable retail uses.

(6) To promote the efficient and desirable use of land, in accordance with the purposes of the General Plan, Area Master Plans and this Subtitle;

Because the subject check cashing business will meet the intent for the commercial land use provided for in the Sector Plan, it will fulfill this purpose for Commercial Zones.

(7) To increase the stability of commercial areas;

The occupancy of the existing vacant space will promote the stability of the surrounding commercial area, and the relocation of the existing operation will free up a up a valuable and visible site on the Indian Head Highway frontage for a more advantageous occupancy.

(8) To protect the character of desirable development in each area;

Because the subject check cashing business will be the relocation of an existing operation from within the neighborhood, and because its relocation will free up a up a valuable and visible site on the Indian Head Highway frontage for a more advantageous occupancy, the approval of this application will fulfill this purpose.

The final two purposes,

(9) To conserve the aggregate value of land and improvements in the County; and

(10) To enhance the economic base of the County.

are fulfilled by allowing for the occupancy of an existing developed site that will enhance the tax base and provide additional employment for residents of the County.

In addition to the purposes for commercial zones generally, there are also four purposes for the C-S-C (Commercial Shopping Center) Zone specifically, which are laid out in Section 27-454(a)(1), as follows:

(A) To provide locations for predominantly retail commercial shopping facilities;

While the subject application proposes the retail occupancy of a retail center, its approval will be in harmony with this purpose.

(B) To provide locations for compatible institutional, recreational, and service uses;

As described above, the subject use is a retail use in an existing retail center, and will not impair the occupancy of the other institutional, recreational and service uses in the neighborhood.

(C) To exclude uses incompatible with general retail shopping centers and institutions; and

Because this use is a retail use in a retail shopping center, it fulfills this purpose.

(D) For the C-S-C Zone to take the place of the C-1, C-2, C-C, and C-G Zones.

This purpose is not applicable to the subject application.

The other criteria for approval of a Special Exception laid out in Section 27-317(a) of the Zoning Ordinance continue as follows:

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

To the best of this planner's professional knowledge, information and belief, the proposed use will be in conformance with all of the applicable requirements and regulations of the Zoning Ordinance.

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;

As discussed above, it is the Applicant's belief that the subject Application is in harmony with the Purposes of the Zoning Ordinance generally to implement the General and Master Plans and to provide for the efficient and desirable use of land in accordance with those Plans. Accordingly, the approval of the subject application will not impair the integrity of neither the approved Sector Plan nor the County's General Plan.

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

As this planner believes to have been amply demonstrated, the conformance of the subject application with the principles laid out in the purposes of the Zoning Ordinance, its compliance with the provisions of the Zoning Ordinance, represent a high level of protection against adverse effects to the public health, safety and welfare.

Beyond those basic principles, however, the important fact is that the subject application represents the relocation of an existing operation within the same neighborhood, and as such its approval will not create any new effects on the health, safety and welfare of residents and workers. In fact, the relocation of the existing facility away from the Indian Highway frontage to a location immediately proximate to the District 4 police station will, if anything, improve the public health, safety and welfare over its existing location.

The potential adverse effects specific to the operation of check cashing businesses are addressed by the provisions of Section 27-341.01, below.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

This planner believes that the long existence of the existing check cashing facility in the neighborhood indicates that its relocation will not be to the detriment of the use or development of adjacent properties or the general neighborhood, and further that relocation of the existing facility away from the Indian Highway frontage will allow for a new use which will better promote the use and development of its surrounding neighbors.

(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

The subject property is exempt for the requirement for approval of a Tree Conservation Plan.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

No regulated environmental features exist on the subject site.

Finally, this planner notes that because the site is not located within the Chesapeake Bay Critical Area (it is approximately 1,050' distant), the provisions of §27-317(b) are not applicable to the subject application.

In summary, this planner believes that the general findings discussed above which are required for approval of a Special Exception are met.

The specific conditions for the approval of a check cashing business in the C-S-C Zone continue in Section 27-341.01(a).

COMPLIANCE WITH SECTION 27-341.01:

- (a) A check cashing business may be permitted, subject to the following:*
(1) Hours of operation shall be limited to the hours of 9:00 a.m. to 8:00 p.m.,

The Applicant has acknowledged this restriction in its Statement of Justification.

(2) A schedule of fees/charges shall be posted and immediately visible to persons upon entering the Check Cashing Business. A copy of the fee schedule shall also be made available to all persons upon entrance to the Check Cashing Business;

The Applicant has acknowledged this restriction in its Statement of Justification.

(3) No other business shall share floor space with the Check Cashing Business;

The Applicant has stated in its Statement of Justification that no other business will share its space.

(4) Security lighting and cameras shall be provided on all open sides of the Check Cashing facility providing surveillance of the area within 100 feet from the exterior of the building;

The Applicant has stated in its Statement of Justification that it will install surveillance cameras to comply with this requirement.

(5) At least one (1) security employee (with no other duties) must be on the premises when the Check Cashing Business is open for business; and

The Applicant has stated in its Statement of Justification that it will employ at least one security employee with no other duties to comply with this requirement.

(6) Cashiers must work behind bullet resistant glass.

The Applicant has stated in its Statement of Justification that it will install bullet-resistant glass in front of its cashiers to comply with this requirement.

CONCLUSION

In summary, this planner finds that the approval of the subject application would be in compliance with the general criteria for approval of a Special Exception found in §27-317(a), and the specific criteria for approval of a check cashing business found in §27-341.01 of the Zoning Ordinance.

Additionally, it is this planner's opinion that because of: (1) the longstanding existence of the existing operation in the neighborhood; (2) the use's proposed new location in the immediate proximity of the District 4 police station; and (3) the proposed relocation of the existing operation away from the Indian Highway frontage will allow for a new use in its location which will better use the valuable and visible site on the Indian Head Highway frontage, that the approval of this particular application would entail less adverse impact on the public health, safety and welfare than those inherently associated with check cashing businesses, irrespective of their location in the C-S-C Zone.

Mark G. L. Ferguson, R.A.

Architect & Planner

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Education:

Bachelor of Architecture
University of Maryland, College Park, 1985

Licensure:

Registered Architect
Maryland Registration #7621, 1987

Employment:

5/05 to Present:	Senior Land Planner RDA Engineering Company, Inc./Site Design, Inc. Upper Marlboro & Largo, Maryland
5/99 to 5/05:	Principal Mark G. L. Ferguson, R.A., Architect & Planner Hyattsville, Maryland
5/89 to 5/99:	Architect/Planner Robertson-Dhalwala Associates, LLC Upper Marlboro, Maryland Prince Frederick, Maryland
9/87 to 5/89	Architect AIP Architects Adelphi, Maryland
6/85 to 9/87	Intern Architect AIP Architects Adelphi, Maryland
2/84 to 6/85	Intern AIP Architects Adelphi, Maryland

Professional Experience:

Mr. Ferguson has broad experience in the fields of architecture, land planning and civil engineering, with projects ranging in scope from small residential additions to community planning. He has provided expert planning testimony before the Circuit Court for Prince George's County, the Prince George's District Council, Planning Board, Zoning Hearing Examiner and Board of Zoning Appeals for numerous planning cases, as well as testimony before similar boards in other Southern Maryland jurisdictions.

Cases on which Mr. Ferguson has provided expert testimony or litigative assistance include:

- Callicott Property
Upper Marlboro, Maryland
Expert planning testimony in application A-10054, requesting rezoning from the C-S-C commercial zone to the R-80 residential zone.
- Khan Property
Brandywine, Maryland
Expert planning testimony in application A-10049, requesting rezoning from the R-R residential zone to the C-M commercial zone.
- Saint Barnabas Mixed-Use Park
Temple Hills, Maryland
Expert planning testimony in application A-10047, requesting rezoning from the C-S-C commercial and I-1 industrial zones to the M-X-T mixed use zone.
- Locust Hill
Upper Marlboro, Maryland
Expert planning testimony in application A-9975/01, requesting approval of a new Basic Plan and revision of prior conditions for a planned community in the R-L comprehensive design zone.
- Willowbrook
Upper Marlboro, Maryland
Expert planning testimony in application A-9968/01, requesting approval of a new Basic Plan and revision of prior conditions for a planned community in the R-S comprehensive design zone.
- Renard Lakes
Brandywine, Maryland
Expert planning testimony in application A-10046, requesting rezoning from the R-S comprehensive design zone to the I-1 industrial zone.
- Moore's Corner
Brandywine, Maryland
Expert planning testimony in application A-10044, requesting rezoning from the R-R residential zone to the M-X-T mixed use zone.
- Linda Lane Commercial Park
Camp Springs, Maryland
Expert planning testimony in application A-10043, requesting rezoning from the R-80 residential and C-S-C commercial zones to the M-X-T mixed use zone.

- Brandywine-Waldorf Medical Clinic
 Brandywine, Maryland
 Expert planning testimony in application A-10042, requesting rezoning from the C-O commercial zone to the M-X-T mixed use zone.
- Glenn Dale Commons
 Glenn Dale, Maryland
 Expert planning testimony in application A-10038, requesting rezoning from the I-1 industrial zone to the M-X-T mixed use zone.
- American Rescue Workers
 Capitol Heights, Maryland
 Expert planning testimony in application A-10037, requesting rezoning from the R-R residential zone to the I-2 heavy industrial zone.
- Donnell Drive
 Forestville, Maryland
 Expert planning testimony in application A-10036, requesting rezoning from the R-T townhouse zone to the C-M commercial zone.
- Virginia Linen
 Capitol Heights, Maryland
 Expert planning testimony in application A-10033, requesting rezoning from the I-3 planned industrial zone to the I-1 light industrial zone.
- Amber Ridge
 Bowie, Maryland
 Expert planning testimony in application A-10031, requesting rezoning from the C-S-C commercial zone to the M-X-T mixed use zone.
- Oakcrest
 Laurel, Maryland
 Expert planning testimony in application A-10030, requesting rezoning from the R-55 residential zone to the C-S-C commercial zone.
- Fairview Commercial Property
 Lanham, Maryland
 Expert planning testimony in application A-10024, requesting rezoning from the R-80 residential zone to the C-S-C commercial zone.
- King Property
 Largo, Maryland
 Expert planning testimony in application A-10020, requesting rezoning from the I-3 planned industrial zone to the M-X-T mixed use zone.
- Cafritz Tract
 Riverdale Park, Maryland
 Expert planning testimony in application A-10018, requesting rezoning from the R-55 residential zone to the M-U-TC mixed use zone.

- Jemal's Post
 Forestville, Maryland
 Expert planning testimony in application A-10003, requesting rezoning from the I-1 industrial zone to the C-S-C commercial zone.
- Defiance Drive
 Fort Washington, Maryland
 Expert planning testimony in application A-10000, requesting rezoning from the R-E estate zone to the R-R residential zone.
- Sauerwein Property
 Upper Marlboro, Maryland
 Expert planning testimony in application A-9977, requesting approval of rezoning from the R-R residential zone to the R-T (townhouse) residential zone.
- Renard Lakes
 Brandywine, Maryland
 Expert planning testimony in application A-9970, requesting approval of a Basic Plan and rezoning from the I-1 industrial zone to the R-S comprehensive design zone.
- Bevard East
 Piscataway, Maryland
 Expert planning testimony in application A-9967, requesting approval of a Basic Plan and rezoning from the R-E residential zone to the R-L comprehensive design zone.
- Smith Home Farm
 Upper Marlboro, Maryland
 Expert planning testimony in application A-9965 and A-9966, requesting approval of a Basic Plan and rezoning from the R-A residential zone to the R-M and L-A-C comprehensive design zones.
- Boone Property
 Largo, Maryland
 Expert planning testimony in application A-9957, requesting rezoning from the R-E estate zone to the R-R residential zone.
- Edwards Property
 Adelphi, Maryland
 Expert planning testimony in application A-9954, requesting approval of a Basic Plan and rezoning from the R-R residential zone to the L-A-C comprehensive design zone.
- Buck Property
 Upper Marlboro, Maryland
 Expert planning testimony in application A-9952, requesting approval of a Basic Plan and rezoning from the R-A residential zone and the E-I-A comprehensive design zone to the R-S comprehensive design zone.

- Nicowski Property
Upper Marlboro, Maryland
Expert planning testimony in application A-9939, requesting rezoning from the C-O commercial zone to the C-S-C commercial zone.
- Parcel B, Largo Town Center
Largo, Maryland
Expert planning testimony in application A-9280, requesting an amendment to the Basic Plan for a site in the M-A-C comprehensive design zone.
- State Roads Commission of the State Highway Administration v. Crescent Cities Jaycees
Expert planning testimony in Case# CAL-94-20084, seeking just compensation for the State's condemnation of property for the expansion of Maryland Route 5.
- Millard Property
Camp Springs, Maryland
Expert planning testimony in State Highway Administration Project PG209A31, Item #89084, seeking just compensation for the State's condemnation of property for road improvements to Naylor Road associated with the construction of the Naylor Road Metro Station.
- Brandywine-Waldorf Medical Clinic
Brandywine, Maryland
Expert report in State Highway Administration Project PG175A31, Item #106368, seeking just compensation for the State's condemnation of property for road improvements to Branch Avenue associated with the construction of the interchange of Maryland Route 5 with various roads in the vicinity of T.B.
- University Place Center
Langley Park, Maryland
Expert report in State Highway Administration Project 10420130, Item #900576, seeking just compensation for the State's condemnation of property for construction of the Purple Line.
- *United States v. Makowsky*, Case #01-2096 D/Bre (D. Tenn)
Litigative consultation to the U.S. Department of Justice on a case seeking remedies to accessibility barriers at an apartment complex in Shelby County, Tennessee.
- *United States v. Rose, et al.*, Case #02-73518 (E.D. Mich)
Expert testimony for the U.S. Department of Justice on a case seeking remedies to accessibility barriers at apartment complexes in Van Buren Township, Michigan and in Batavia Ohio.
- *United States v. Rose, et al.*, Case #3:01cv0040AS (N.D. Ind)
Expert testimony for the U.S. Department of Justice on a case seeking remedies to accessibility barriers at apartment complexes in Elkhart City, Indiana and in Fort Wayne, Indiana.
- *Weatherburn Associates, LLC, et al. v. County Commissioners for Charles County, Maryland*, Case #08-C-16-002422
Expert report for the defendant in a proceeding seeking compensation for losses arising out of the alleged failure of the defendant to pursue environmental approvals of a certain formerly-planned road improvement in Charles County, Maryland.

- *Varsity Investment Group, LLC, et al. v. Prince George's County, Maryland*, Case #CAL-18-41277
Expert report for the plaintiff in an proceeding seeking enforcement of a County Council Resolution granting remission of impact fees for the conversion of an office building to multifamily dwellings in Oxon Hill, Maryland.
- *Jackson v. Sumbly*, Case #CAE-18-01785
Expert testimony for the plaintiff in an proceeding alleging adverse possession of a shared driveway between two houses in Capitol Heights, Maryland.
- *Scaggs v. Barrett, et al.*, AAA Case #04-C-10-000151CN
Expert testimony for the defendant in an arbitration proceeding alleging negligence in the preparation of a feasibility study in connection with a proposed subdivision in Calvert County, Maryland.
- Washington Gas Liquefied Natural Gas Storage Facility
Hyattsville, Maryland
Pro bono expert planning testimony in application SE-245/06, opposing the approval of a Special Exception to permit a regional liquefied natural gas storage facility in the O-S Zone, adjacent to a planned high-density mixed-use development around the West Hyattsville Metro station.
- 7-Eleven Marlboro Pike
Capitol Heights, Maryland
Expert planning testimony in application SE-4822, requesting approval of a Special Exception for the construction of a new gas station and food & beverage store in the C-S-C Zone.
- Enterprise Rent-A-Car
Capitol Heights, Maryland
Expert planning testimony in application SE-4819, requesting approval of a Special Exception for a vehicle rental facility in the C-S-C Zone.
- Hunt Real Estate Development
Capitol Heights, Maryland
Expert planning testimony in application SE-4815, requesting approval of a Special Exception for the construction of a new gas station and food & beverage store in the C-S-C Zone.
- SMO Gas Station & Car Wash
Clinton, Maryland
Expert planning testimony in application SE-4812, requesting approval of a Special Exception for the rebuild of an existing gas station with the addition of a car wash in the C-S-C Zone.
- Uptown Suites
Lanham, Maryland
Expert planning testimony in application SE-4794, requesting approval of a Special Exception for a hotel in the I-2 Zone.
- Ernest Maier Concrete Batching Plant
Bladensburg, Maryland
Expert planning testimony in application SE-4792, requesting approval of a Special Exception for a concrete batching plant in the I-2 Zone.

- Smith Property Surface Mine
 Brandywine, Maryland
 Expert planning testimony in application SE-4517, requesting approval of a Special Exception for an extension in the validity period for an existing surface mine in the O-S Zone.
- Aggregate Industries Sand & Gravel Wet Processing Facility
 Brandywine, Maryland
 Expert planning testimony in application SE-4790, requesting approval of a Special Exception for an extension in the validity period for an existing wash plant in the R-A and R-E Zones.
- Traditions at Beechfield
 Mitchellville, Maryland
 Expert planning testimony in application SE-4785, requesting approval of a Special Exception for a planned retirement community in the R-E Zone.
- Chuck's Used Auto Parts
 Marlow Heights, Maryland
 Expert planning testimony in application SE-4783, requesting approval of a Special Exception for a vehicle salvage yard in the I-1 Zone.
- Dollar General
 Upper Marlboro, Maryland
 Expert planning testimony in application SE-4778, requesting approval of a Special Exception for a department or variety store in the I-1 Zone.
- Sunoco Gas Station and Car Wash
 Camp Springs, Maryland
 Expert planning testimony in application SE-4778, requesting approval of a Special Exception for a car wash addition to an existing gas station in the C-S-C Zone, including approval of Alternative Compliance for landscape buffers.
- Forestville Auto Service
 Upper Marlboro, Maryland
 Expert planning testimony in application SE-4768, requesting approval of a Special Exception for a gas station in the C-S-C Zone.
- Sheriff Road Seventh Day Adventist Church
 Fairmount Heights, Maryland
 Expert planning testimony in application SE-4750, requesting approval of a Special Exception for a church on a tract of land of less than one acre in the R-55 Zone.
- E&R Services, Inc.
 Lanham, Maryland
 Expert planning testimony in application ROSP-4464/02, requesting approval of an expansion to an existing Special Exception for a contractor's office with outdoor storage in the C-A Zone.

- Word Power Baptist Tabernacle
 Capitol Heights, Maryland
 Expert planning testimony in application SE-4694, requesting approval of a Special Exception for a church on a lot less than one acre in size in the R-18 Zone.
- Hotel at the Cafritz Property at Riverdale Park
 Riverdale Park, Maryland
 Expert planning testimony in application SE-4775, requesting approval of a Special Exception for a hotel in the M-U-TC Zone.
- SMO Gas Station & Car Wash
 Glenn Dale, Maryland
 Expert planning testimony in application SE-4757, requesting approval of a Special Exception for a gas station and a convenience store in the I-1 Zone.
- SMO Gas Station & Car Wash
 Beltsville, Maryland
 Expert planning testimony in application SE-4756, requesting approval of a Special Exception for a gas station in the C-S-C Zone.
- Liberty Motors
 Accokeek, Maryland
 Expert planning testimony in application ROSP-4575/02, requesting modification of two conditions of a Special Exception for a gas station in the C-S-C Zone.
- Rock Hill Sand & Gravel/Anthony George Project
 Brandywine, Maryland
 Expert planning testimony in application SE-4646, requesting approval of a Special Exception for a surface mining operation in the C-S-C Zone.
- SMO Gas Station & Car Wash
 Laurel, Maryland
 Expert planning testimony in application SE-4730, requesting approval of a Special Exception for a gas station and a car wash in the C-S-C Zone.
- Model Prayer Ministries
 Bladensburg, Maryland
 Expert planning testimony in application SE-4723, requesting approval of a Special Exception for a church on a tract of less than one acre in size in the R-55 Zone, including grant of variance.
- Dash-In Food Stores
 Clinton, Maryland
 Expert planning testimony in application SE-4654, requesting approval of a Special Exception for a gas station in the C-S-C Zone, including grant of variance.
- Cabin Branch
 Clarksville, Maryland
 Expert planning testimony for the opposition in Development Plan Amendment SPA 13-02, requesting approval of an outlet mall in the MXPB Zone.

- In Loving Hands
 Friendly, Maryland
 Expert planning testimony in application SE-4704, requesting approval of a Special Exception for a congregate living facility in the R-R Zone.
- A-1 Vehicle Salvage Yard
 Bladensburg, Maryland
 Expert planning testimony in application SE-4698, requesting approval of a Special Exception for a vehicle salvage yard in the I-1 Zone.
- Kreative Kids Child Care
 Beltsville, Maryland
 Expert planning testimony in application SE-4388/01, requesting revision to a prior approval of a Special Exception for a day care center in the R-R Zone to increase occupancy.
- Little Workers of the Sacred Heart Nursery
 Riverdale Park, Maryland
 Expert planning testimony in application SE-3473/01, requesting revision to a prior approval of a Special Exception for a day care center in the R-55 Zone to increase occupancy, including grant of variance.
- Six Flags Amusement Park
 Mitchellville, Maryland
 Expert planning testimony in application SE-2635 & SE-3400, requesting approval of modified conditions to allow for extended hours of operation on limited occasions for certain events, additional firework displays, modified noise limitations, and removing a stipulated height limit to allow for approval of new rides by Detailed Site Plan review and approval.
- American Legion Beltway Post #172
 Glenn Dale, Maryland
 Expert planning testimony in application SE-4725, requesting approval of a Special Exception for alterations to an existing private club in the R-80 Zone.
- CarMax
 Brandywine, Maryland
 Expert planning testimony in application SE-4697, requesting approval of a Special Exception for a used car sales lot in the C-S-C Zone, including testimony to justify construction in a planned transit right-of-way.
- McDonald's
 Adelphi, Maryland
 Expert planning testimony in application SE-4686, requesting approval of a Special Exception for alteration of a nonconforming fast food restaurant in the C-S-C Zone.
- Tires R Us
 Riverdale Park, Maryland
 Expert planning testimony in application SE-4675, requesting approval of a Special Exception for a tire store with installation facilities in the C-S-C Zone.

- The Tire Depot
 District Heights, Maryland
 Expert planning testimony in application SE-4673, requesting approval of a Special Exception for a tire store with installation facilities in the C-S-C Zone.
- 7-11 Store
 Lanham, Maryland
 Expert planning testimony in application SE-4670, requesting approval of a Special Exception for a food or beverage store in the C-M Zone.
- Beall Funeral Home
 Bowie, Maryland
 Expert planning testimony in application SE-4662, requesting approval of a Special Exception to add a crematorium to an existing funeral home in the R-E Zone.
- Fort Foote Barber & Beauty Shop
 Fort Washington, Maryland
 Expert planning testimony in application SE-4658, requesting approval of a Special Exception for a barber and beauty shop in the R-R Zone.
- Little People's Place Day Care Center
 Upper Marlboro, Maryland
 Expert planning testimony in application SE-4639, requesting approval of a Special Exception for a day care center in the R-R Zone.
- Young World Family Day Care Center
 Cheltenham, Maryland
 Expert planning testimony in application SE-4635, requesting approval of a Special Exception for a day care center in the R-R Zone.
- Star Wash Car Wash
 Laurel, Maryland
 Expert planning testimony in application SE-4630, requesting approval of a Special Exception for a car wash in the C-S-C Zone.
- Jock's Liquors
 Capitol Heights, Maryland
 Expert planning testimony in application SE-4626, requesting approval of a Special Exception for the reconstruction of an existing nonconforming liquor store in the C-O Zone.
- Little People U Day Care Center
 Capitol Heights, Maryland
 Expert planning testimony in application SE-4624, requesting approval of a Special Exception for a day care center in the R-55 Zone.
- Cherry Hill Park
 College Park, Maryland
 Expert planning testimony in application SE-4619, requesting approval of a Special Exception for the expansion of an existing recreational campground in the R-R Zone.

- Safeway Fuel Station
Brandywine, Maryland
Expert planning testimony in application SE-4612, requesting approval of a Special Exception for a gas station in the C-S-C Zone.
- Behr Apartments
College Park, Maryland
Expert planning testimony in application SE-4611, requesting approval of a Special Exception for an apartment building in the R-55 Zone.
- Barnabas Road Concrete Recycling Facility
Temple Hills, Maryland
Expert planning testimony in application SE-4605, requesting approval of a Special Exception for a concrete recycling facility in the I-1 Zone.
- Rose Child Development Center
Temple Hills, Maryland
Expert planning testimony in application SE-4601, requesting approval of a Special Exception for the expansion of an existing day care center in the R-80 Zone.
- Shell Oil Station
Laurel, Maryland
Expert planning testimony in application SE-4597, requesting approval of a Special Exception for a gas station in the C-S-C Zone, including revisions to a prior Special Exception under RO SP-1673/06.
- Catherine's Christian Learning Center
Brandywine, Maryland
Expert planning testimony in application SE-4592, requesting approval of a Special Exception for a day care center in the R-R Zone.
- Panda Restaurant
Capitol Heights, Maryland
Expert planning testimony in application SE-4574, requesting approval of a Special Exception for a fast food restaurant in the I-1 Zone.
- Manor Care of Largo
Upper Marlboro, Maryland
Expert planning testimony in application SE-4573, requesting approval of a Special Exception for the expansion of an existing nursing home in the R-R Zone.
- Bowie Assisted Living
Bowie, Maryland
Expert planning testimony in application SE-4569, requesting approval of a Special Exception to expand an existing congregate living facility in the R-R Zone.
- 7604 South Osborne Road
Upper Marlboro, Maryland
Expert planning testimony in application SE-4567, requesting approval of a Special Exception for a day care center in the R-A Zone.

- Superior Car Wash
Bowie, Maryland
Expert planning testimony in application SE-4565, requesting approval of a Special Exception for a car wash in the C-S-C Zone.
- Kinder Explorers Day Care Center
Lanham, Maryland
Expert planning testimony in application SE-4566, requesting approval of a Special Exception for a day care center in the R-R Zone, and subsequently in SE-4681 requesting approval for its expansion.
- Rita's Water Ice
Clinton, Maryland
Expert planning testimony in application SE-4535, requesting approval of a Special Exception for a fast-food restaurant in the C-S-C Zone.
- Chen's Apartments
College Park, Maryland
Expert planning testimony in application SE-4533, requesting approval of a Special Exception to alter a nonconforming apartment building in the R-55 Zone.
- Future Scholars Learning & Art Center
Upper Marlboro, Maryland
Expert planning testimony in application SE-4516, requesting approval of a Special Exception for a day care center in the R-R Zone.
- Renee's Day Care Center
Upper Marlboro, Maryland
Expert planning testimony in application SE-4507, requesting approval of a Special Exception for a day care center in the R-R Zone.
- Generations Early Learning Center
Fort Washington, Maryland
Expert planning testimony in application SE-4515, requesting approval of a Special Exception for a day care center in the R-R Zone.
- Latchkey Day Care Center
Oxon Hill, Maryland
Expert planning testimony in application SE-4496, requesting approval of a Special Exception for a day care center in the R-R Zone.
- Marvil Property
Adelphi, Maryland
Expert planning testimony in application SE-4494, requesting approval of a Special Exception for a nursery and garden center with an accessory arborist's operation in the R-R Zone.
- Jericho Senior Living
Landover, Maryland
Expert planning testimony in application SE-4483, requesting approval of a Special Exception for the adaptive use of a historic site as apartment dwellings for the elderly in the C-O Zone.

- WaWa
Beltsville, Maryland
Expert planning testimony in application SE-4477, requesting approval of a Special Exception for a convenience commercial store in the C-M Zone.
- Fun-Damentals Early Learning Center
Friendly, Maryland
Expert planning testimony in application SE-4476, requesting approval of a Special Exception for a day care center in the R-R Zone.
- Good News Day Care Center
Temple Hills, Maryland
Expert planning testimony in application SE-4473, requesting approval of a Special Exception for a day care center in the R-80 Zone.
- Wishy Washy Car Wash
Accokeek, Maryland
Expert planning testimony in application SE-4472, requesting approval of a Special Exception for a car wash in the C-S-C Zone.
- John Vitale & Sons
Lanham, Maryland
Expert planning testimony in application SE-4464, requesting approval of a Special Exception for a contractor's office in the C-A Zone.
- St. Paul Senior Living
Capitol Heights, Maryland
Expert planning testimony in application SE-4463, requesting approval of a Special Exception for apartment dwellings for the elderly in the R-R Zone.
- Safeway Gas Station
Fort Washington, Maryland
Expert planning testimony in application SE-4448, requesting approval of a Special Exception for a gas station in the C-S-C Zone.
- BP Amoco Gas Station
Temple Hills, Maryland
Expert planning testimony in application SE-4445, requesting approval of a Special Exception for a convenience commercial store in the C-M Zone.
- WaWa
Camp Springs, Maryland
Expert planning testimony in application SE-4436, requesting approval of a Special Exception for a gas station in the C-S-C Zone.
- Quarles Petroleum
Capitol Heights, Maryland
Expert planning testimony in application SE-4410, requesting approval of a Special Exception for a gas station in the I-1 Zone.

- Brown Station Early Learning Center
Upper Marlboro, Maryland
Expert planning testimony in application SE-4393, requesting approval of a Special Exception for a day care center in the R-R Zone.

As principal of his own architecture and planning firm, Mr. Ferguson was involved with the following diverse residential, commercial and institutional architectural and planning projects:

- Franklin's General Store and Delicatessen
Hyattsville, Maryland
Consulting services for the preparation of construction documents and construction contract administration for a 11,000-square foot addition to a historic commercial structure on U.S. Route One. Also, land planning services involving necessary waivers of parking and loading requirements, variances from setbacks and landscaping requirements, and permission to build in planned right-of-way of U.S. Rte One.
- King Farm Village Center
Rockville, Maryland
Inspection services for five mixed-use buildings in the village center of the 500-acre New Urbanist development in Rockville, Maryland
- Trinity Church
Upper Marlboro, Maryland
Full architectural services for the construction of a portico to the fellowship hall on the site of a National Register-listed historic site
- Publick Playhouse
Bladensburg, Maryland
Land planning services for the redevelopment and expansion of an existing community theater building.
- Transnational Law and Business University
Brandywine, Maryland
Master planning of a university campus on a 342-acre site
- Balmoral
Upper Marlboro, Maryland
Planning of a comprehensively-designed 357 lot residential subdivision immediately to the south of and connected with the 2,400-unit Beech Tree development
- Fred Lynn Middle School
Woodbridge, Virginia
Consulting services for the preparation of construction documents for a 131,000-square foot renovation
- Graham Park Middle School
Dumfries, Virginia
Consulting services for the preparation of construction documents for a 99,000-square foot renovation and four-classroom addition.

- Elizabeth Graham Elementary School
Woodbridge, Virginia
Consulting services for the preparation of construction documents for a classroom addition.
- Dale City Elementary School
Dale City, Virginia
Consulting services for the preparation of construction documents for a classroom addition.
- Occoquan Elementary School
Woodbridge, Virginia
Consulting services for the preparation of construction documents for a four-classroom addition that tied together three of the four buildings at the oldest school in Prince William County.
- 4912 St. Barnabas Road
Temple Hills, Maryland
Consulting services on the design preparation of construction documents and permits processing for a 1,500-square foot tenant fit-out for an attorney's office.
- 6100 Executive Boulevard
Bethesda, Maryland
Full architectural services from space planning through construction documents preparation for a 1,500-square foot tenant fit-out for a technology consulting firm.
- Parking Lot Rehabilitation, Bureau of Prisons
Washington, D.C.
Consulting services on construction documents preparation for rehabilitation of the parking and service area in the central courtyard of the old Federal Home Loan Bank Board building at 320 First Street, N.W.
- Covenant Creek Subdivision
Owings, Maryland
Land planning services for the subdivision of 161 acres crossing the Calvert/Anne Arundel County border into 47 clustered lots, involving the use of Transferable Development Rights and development of public road access across a wetland area into a landlocked tract.
- Welch Property
Accokeek, Maryland
Land planning services for the development of a 326-unit planned retirement community on a 41-acre tract.
- Phase II, Boyd & Margaret Shields King Memorial Park
Prince Frederick, Maryland
Land planning and engineering services for the design and construction of the second phase of development of a 7.5-acre park adjacent to the Courthouse in the heart of the Prince Frederick Town Center
- White Sands Community Center
Lusby, Maryland
Feasibility analysis for conversion of existing stable facility into a community building.

- Good Hope Hills Condemnation
Temple Hills, Maryland
Land planning services during condemnation proceedings against a one-acre commercial property.
- Additions and alterations to a private residence
Washington Grove, Maryland
Consulting services on the structural design, preparation of construction documents and construction observation for the construction of an award-winning 750-square foot, \$150,000 addition and renovation to a historic structure in a National Register district.
- Additions and alterations to a private residence
Chevy Chase, Maryland
Consulting services from schematic design through the construction phases of an award-winning 1,700-square foot, \$1.4 million dollar addition and renovation, which involved the relocation of a public sewer main from beneath the existing building.
- Additions and alterations to a private residence
Hyattsville, Maryland
Full architectural services for the construction of a large kitchen and bathroom addition to a Prince George's County listed historic site
- Additions and alterations to a private residence
Silver Spring, Maryland
Consulting schematic design services for a 2,000-square foot addition and renovation.
- Private residence
Avenue, Maryland
Architectural and planning services for the construction of a private residence on a 24-acre site on St. Clement's Bay
- Private residence
Avenue, Maryland
Full architectural services for the design of a private residence on a one-acre site on St. Clement's Bay
- Additions and alterations to a private residence
University Park, Maryland
Full architectural services for the construction of a 350-square foot addition.

At RDA his activities are concentrated in the following fields:

- Land use studies, feasibility analyses and detailed project planning for hundreds of various residential, commercial and industrial developments in Prince George's, Calvert, Montgomery, Charles, St Mary's and Anne Arundel Counties. This work requires intimate knowledge of the relevant master and/or comprehensive plans and zoning ordinances and other land development regulations in many jurisdictions.

- Hydrologic and hydraulic analyses of urban watersheds in connection with the development of drainage and stormwater management systems for various residential subdivisions and commercial and industrial projects. Tools used in these analyses included the TR-20, HEC-1 and HEC-2 hydraulic analysis programs, USDA/SCS hydrologic analysis methods, as well as the Maryland State Highway Administration's and other rational hydrologic analysis methods.
- Hydraulic and structural design of storm drainage and stormwater management systems, including wet ponds, dry detention and retention basins, underground detention systems, vegetative and structural infiltration systems, oil/grit separators, and conventional open and enclosed drainage systems. Analysis of theoretical breach events in earthen embankment structures to determine possible effects of downstream flooding caused by dam failures.

Mr. Ferguson served from 1991 to 1996 as the Town Engineer for the Town of Edmonston, Maryland. In this capacity, Mr. Ferguson advised the Town Council on the effects of legislation, assisted in the preparation of ordinances, assisted in the planning process during the development of the Master Plans for Planning Areas 68 and 69, and advised the Town on the selection of project proposals for funding under the Community Development Block Grant program.

During his tenure at AIP Architects, Mr. Ferguson was responsible for the entire scope of the project development process for numerous architectural projects, including:

- Project feasibility and financial analysis
- Project planning and schematic design
- Management and development of construction documentation
- Specifications writing
- Construction contract documents preparation and administration of bidding
- Coordination with regulatory authorities and permit processing
- Construction contract administration and project observation

Some of the projects Mr. Ferguson had intensive involvement with at AIP Architects include:

Office/Commercial Building (54,000 sf)
1815 University Boulevard, Adelphi, Maryland

Comfort Inn (202 rooms)
Ocean Highway, Ocean City, Maryland

Commercial Building (22,000 sf)
7931 Georgia Avenue, Silver Spring, Maryland

Office Commercial Building (58,000 sf)
4915 St. Elmo Avenue, Bethesda, Maryland

Office/Condominium Park (14,000 sf)
Old Largo Road, Largo, Maryland

Office Building (18,000 sf)
801 Wayne Avenue, Silver Spring, Maryland

Other Professional Activities:

Chairman, Hyattsville Community Development Corporation, 2001-2007

Treasurer, Hyattsville Community Development Corporation, 2010-present

This local development corporation was created to undertake the revitalization of commercial areas in the city of Hyattsville, to encourage the arts, and act together with the Gateway CDC in the establishment of the Gateway Arts District. Among many other works, the Hyattsville CDC has sponsored the installation of multiple works of public art, administered the creation of two generations of Hyattsville's Community Sustainability Plans, secured and disseminated market studies for development in the Route One corridor, and managed the renovation of the former Arcade Theater into the City of Hyattsville's Municipal Annex.

Vice Chairman, City of Hyattsville Planning Committee, 2000-2005

This committee advises the Mayor, City Council and City Administrator on both external planning issues which impact the City, as well as redevelopment and revitalization issues within the City.

Member, City of Hyattsville Planning Committee, 1992-2005

Member, Neighborhood Design Center Project Review Committee, 1995-1998

This committee reviews and provides guidance for the work of less-experienced design professionals on their *pro bono* projects for the Neighborhood Design Center.

Member, Prince George's County Zoning Ordinance Review Task Force, 1994-1995

This task force, chaired by former Prince George's County Council chairman William B. Amonett, was formed by order of the Prince George's County Council, and met over a period of four months to review the County's entire Zoning Ordinance and the make recommendations on streamlining the 1200-page ordinance.

Member, Prince George's County Task Force to study the creation of U-L-I and M-U-TC zones, 1993-1994

This task force, chaired by Prince George's County Council member Stephen J. Del Giudice, was formed by order of the Prince George's County Council, and met over a period of three months to revise the legislation which was proposed to create the innovative U-L-I (Urban Light Industrial) and M-U-TC (Mixed-Use Town Center) zoning district regulations, which were proposed by the American Planning Association-award winning *Adopted Master Plan for Planning Area 68 (Avondale, Brentwood, Colmar Manor, Cottage City, Edmonston, Hyattsville, Mount Rainier, North Brentwood, Riverdale, University Hills)* as a means to encourage redevelopment and revitalization of existing urbanized areas of Prince George's County. The work of this task force led directly to the passage of the legislation.



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Admitted in Maryland

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October 6, 2021

VIA ELECTRONIC MAIL

Maurene E. McNeil
Zoning Hearing Examiner
Office of the Zoning Hearing Examiner
County Administration Building
Upper Marlboro, MD 20772

Re. SE-4847

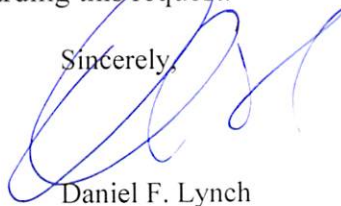
Dear Madame Examiner:

On behalf of the applicant, Populus Financial Group, enclosed please find the following for inclusion in the record for SE-4847:

- Business Entity Affidavit for Populus Financial Group, Inc.
- Certificate of Good Standing for Populus Financial Group, Inc.
- Revised Special Exception Site Plan for SE-4847.
- Land Planning Analysis dated October 6, 2021 for SE-4847
- Resume for Mark G. Ferguson

Thank you for your time and attention to this matter. Please feel free to contact me should you have any questions or concerns regarding this request.

Sincerely,



Daniel F. Lynch

Cc. Stan Brown, Peoples Zoning Counsel

STATE ETHICS COMMISSION
45 CALVERT STREET, 3RD FLOOR
ANNAPOLIS, MD 21401
410-260-7770
1-877-669-6085

This Form Is To Be Filed With:
CLERK OF THE COUNTY COUNCIL
COUNTY ADMINISTRATION BUILDING
ROOM 2198
UPPER MARLBORO, MD 20772
301-952-3600

Business Entity¹ Affidavit (Form PG 2)

General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf>, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit **only if** these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law **and** if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

PART A. Business Entity Applicant

Identifying Information

Name of Applicant **_Populus Financial Group, Inc._** Case No. (where applicable) SE-4847

Address of Applicant **_300 E. John Carpenter Fwy, Suite 900, Irving, Texas 75062_**

Identity of the Property/ 5135 and 5141 Indian Head Hwy, Oxon Hill, MD 20745

Subject of Application _____ Type of Application Special Exception
(see § 5-833(d))

¹ Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application? _____ Yes No

If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? _____ Yes No

If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only)

***Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed).**

1. All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the disclosure requirement as provided in the Law and are identified as follows (list name and title – if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state):
Jay Shipowitz, sole director and CEO, Sue Pressler, EVP and CFO, RB Ramsey, EVP and GC
No stockholders with a 5 percent or greater interest
2. Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council **OR** there are no individuals required to file affidavits.
No individuals required to file affidavits

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.



Signature (original to be filed with the Clerk)
RB Ramsey
Printed Name of Signer
EVP, GC and Chief Compliance Officer
Title of Signer (Authorized to sign for the business entity)

March 19, 2021

Date






Populus Business Entity Ethics Affidavit - Applicant (002)

Final Audit Report

2021-03-21

Created:	2021-03-19
By:	Virginia Fuentes (vfuentes@populusfinancial.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAjMYUcL1ItGzGPQMeHq6XUPwCO3igjbGu

"Populus Business Entity Ethics Affidavit - Applicant (002)" History

-  Document created by Virginia Fuentes (vfuentes@populusfinancial.com)
2021-03-19 - 9:05:12 PM GMT- IP address: 148.66.216.5
-  Document emailed to RB Ramsey (rbramsey@populusfinancial.com) for signature
2021-03-19 - 9:05:33 PM GMT
-  Email viewed by RB Ramsey (rbramsey@populusfinancial.com)
2021-03-19 - 9:16:16 PM GMT- IP address: 107.77.198.154
-  Document e-signed by RB Ramsey (rbramsey@populusfinancial.com)
Signature Date: 2021-03-21 - 2:30:52 PM GMT - Time Source: server- IP address: 148.66.216.5
-  Agreement completed.
2021-03-21 - 2:30:52 PM GMT