



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

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Detailed Site Plan Alternative Compliance Upper Marlboro Self Storage

DET-2022-017
ACL-2023-008

REQUEST	STAFF RECOMMENDATION
<p>DET: Development of a 157,500-square-foot consolidated storage facility.</p> <p>ACL: Alternative compliance from the requirements of Section 4.9, Sustainable Landscaping Requirements, of the 2018 <i>Prince George's County Landscape Manual</i>.</p>	<p>With the conditions recommended herein:</p> <ul style="list-style-type: none"> • Approval of Detailed Site Plan DET-2022-017 • Approval of Alternative Compliance ACL-2023-008 • Approval of Type II Tree Conservation Plan TCPH-137-01-01

Location: In the northeast quadrant of the intersection of US 301 (Robert Crain Highway) and MD 4 (Pennsylvania Avenue).	
Gross Acreage:	10.71
Zone:	CGO
Zone Prior:	C-S-C
Reviewed per prior Zoning Ordinance:	N/A
Dwelling Units:	N/A
Gross Floor Area:	157,500 sq. ft.
Planning Area:	79
Council District:	9
Municipality:	N/A
Applicant/Address: GP Upper Marlboro, LLC 3150 West Ward Road, Suite 401 Dunkirk, MD 20754	
Staff Reviewer: Dominique Lockhart Phone Number: 301-952-3411 Email: Dominique.Lockhart@ppd.mncppc.org	



Planning Board Date:	01/04/2024
Planning Board Action Limit:	01/10/2024
Staff Report Date:	12/20/2023
Date Accepted:	10/17/2023
Informational Mailing:	05/25/2023
Acceptance Mailing:	09/26/2023
Sign Posting Deadline:	12/05/2023

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

STAFF REPORT

SUBJECT: Detailed Site Plan DET-2022-017
Alternative Compliance ACL-2023-008
Type II Tree Conservation Plan TCPII-137-01-01
Upper Marlboro Self Storage

The Urban Design staff has reviewed the subject application and presents the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

I. EVALUATION CRITERIA

A. Prince George's County Zoning Ordinance. Detailed site plans (DETs) are reviewed and decided by the Prince George's County Planning Board. Pursuant to Section 27-3605(e) of the Prince George's County Zoning Ordinance, a DET may only be approved upon a finding that all of the following standards are met (See III. A.):

1. The proposed development represents a reasonable alternative for satisfying the applicable standards of this Subtitle, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;
2. The proposed development complies with all conditions of approval in any development approvals and permits to which the detailed site plan is subject;
3. The proposed development demonstrates the preservation and/or restoration of the regulated environmental features in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-4303(D)(5) of Subtitle 24: Subdivision Regulations;
4. Proposed development located within a Planned Development (PD) zone shall be in conformance with the PD Basic Plan and PD Conditions of Approval that apply to that development;
5. The proposed development conforms to an approved Tree Conservation Plan, if applicable;
6. The development in the detailed site plan (minor and major) shall be consistent with the General Plan and shall conform to the relevant goals,

policies, and strategies of the Area Master Plan or Sector Plan, applicable Functional Master Plans, and the Growth Policy Map as it relates to centers in the 2014 General Plan, *Plan Prince George's 2035*, for the subject property and its surrounding area (unless the subject property has been rezoned pursuant to a Zoning Map Amendment subsequent to the adoption of the relevant Area Master Plan, Sector Plan, or Functional Master Plan);

7. The development proposed in a detailed site plan for infrastructure complies with applicable regulations of PART 27-6: Development Standards, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge; and
8. Places of worship located on a lot between one (1) and two (2) acres in size shall also meet the following standards:
 - a. The minimum setback for all buildings shall be twenty-five (25) feet from each lot line;
 - b. When possible, there should be no parking or loading spaces located in the front yard; and
 - c. The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased.

B. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. Pursuant to Section 25-119(a)(2)(B) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, applications for a detailed site plan shall include a Type 2 tree conservation plan (TCP2) or a standard letter of exemption. If a site requires approval of a TCP2, with an associated DET application, the TCP2 is reviewed simultaneously with the associated plan (See IV).

C. Prince George's County Tree Canopy Coverage Ordinance. The site is subject to the requirements of the Prince George's County Tree Canopy Coverage Ordinance (See V.).

II. BACKGROUND

A. Request: The subject detailed site plan (DET) is for development of a 157,500-square-foot consolidated storage facility. As part of the application, the applicant is also requesting an alternative compliance from the requirements of Section 4.9, Sustainable Landscaping Requirements, of the 2018 *Prince George's County Landscape Manual* (Landscape Manual).

B. Development Data Summary:

	EXISTING	EVALUATED
Zone(s)	CGO	CGO
Use	Place of Worship/Vacant Land	Consolidated Storage
Total Gross Acreage	10.72	10.72
Limit of Detailed Site Plan	-	5.56 acres*
Parcel(s)	1	1
Gross Floor Area (GFA)	-	157,500 sq. ft.

Note: *The proposed development consists of a single building located on the vacant portion of Parcel C (Condominium Plat – Phase East Unit Two), with the remainder of Parcel C to retain its current use as a place of worship.

C. Location: The subject DET is located in the northeast quadrant of the intersection of US 301 (Robert Crain Highway) and MD 4 (Pennsylvania Avenue). The subject property is 10.71 acres and is located on Tax Map 102 in Grids B1 and B2. The property consists of one parcel, known as Parcel C, recorded in the Prince George’s County Land Records in Plat Book REP 193, Plat 70, approved on March 7, 2002. Parcel C consists of two land condominium units. The submitted site plan shows the condominium plat boundary line, denoting the area subject to this DET as Condominium Plat – Phase East Unit Two. The site is also within the 2013 *Approved Subregion 6 Master Plan* (master plan) and *Sectional Map Amendment* (SMA).

D. Proposed Uses: The subject DET proposes development to serve a consolidated storage use. Consolidated storage uses are not permitted in the CGO Zone. Pursuant to County Council Bill CB-11-2023, however, the Council provided a transition period to allow such uses in the CGO Zone subject to compliance with certain use specific standards,

Use Specific Standards for Consolidated storage uses are contained in Section 27-5102(f)(4)(A). In order to issue a use and occupancy permit for a consolidated storage use, the Department of Permitting, Inspections, and Enforcement will be required to find the following;

1. Use Specific Standards for Consolidated Storage as a Permitted Principal Use

The DET is in conformance with the use specific standards for consolidated storage in Section 27-5102(f)(4)(A) of the Zoning Ordinance. The following discussion is offered:

- (i) The subject property shall front on and have direct vehicular access to an existing street with sufficient capacity to accommodate the type and amount of traffic expected to be generated by the use.**

Access to the facility is proposed from Chevy Drive, a dedicated public street with a right-of-way (ROW) width of 70 feet. The applicant will construct an extension of Chevy Drive, in order to provide access to the site.

The approved PPS for Parcel C included the calculation of a trip-cap, based on the use of an automobile dealership. It was established that the site would generate 36 AM and 46 PM vehicular trips. Since the PPS approval, the automobile dealership was repurposed into a place of worship use that is currently operational.

The subject application proposes to construct a consolidated storage facility that will generate 14 AM and 24 PM peak-hour vehicular trips. Therefore, the existing church and proposed storage facility combined will generate a total of 35 AM and 45 PM vehicular trips and would not exceed the trip-cap established with the prior approval.

- (ii) The exterior and architectural façade of the building shall be compatible with the prevailing architecture and appearance of other development in the surrounding neighborhood.**

The proposed architecture of the consolidated storage building is consistent with the existing architecture of nearby development, including the neighboring place of worship (The Sanctuary at Kingdom Square), and other commercial/industrial uses across US 301. The architecture will include a muted color palette with a mix of brick, glass, and masonry paneling.

- (iii) No entrances to individual consolidated storage units shall be visible from a street or from adjoining land in any Rural and Agricultural or Residential base zone, Transit-Oriented/Activity Center base or PD zone, or the CN, CS, or CGO zones, or from land approved for a residential or commercial use.**

Entrances to all consolidated storage units are located within the building and will not be visible from a street or any adjoining developments.

- (iv) Entrances to individual consolidated storage units shall be either oriented toward the interior of the development or completely screened from view by a solid wall, with landscaping along the outside thereof.**

All storage units will be located within the proposed building. Entrances to the individual storage units will not be visible from outside of the building.

- (v) For consolidated storage units having direct access to areas outside the building, there shall be provided driveways and**

areas between buildings for vehicular access, loading, and unloading. Sufficient width shall be provided to permit a moving vehicle to safely and efficiently pass a vehicle parked adjacent to an individual consolidated storage unit. In no case shall a width of more than 25 feet be required.

All storage units will be located within the proposed building, with no direct access to areas outside of the building.

- (vi) In the IE Zone, the expansion of an existing consolidated storage use within a building shall be limited to a maximum of 50 additional individual units and shall not be located within one-half mile of another consolidated storage use in the IE Zone. However, this Subsection shall not apply to a consolidated storage use expansion constructed pursuant to an approved preliminary plan of subdivision, final plat, and detailed site plan, where the consolidated storage use is buffered from view from any public right-of-way. The required Technical Staff Report prepared and submitted to the administrative record for the detailed site plan application shall include a current, countywide inventory of the locations, dates of approval, and any conditions of approval for consolidated storage uses located on property within one-half mile of the boundaries of the property on which the proposed consolidated storage use will be located.**

The subject property is not located within the IE Zone; therefore, this finding is not applicable.

- (vii) In the CGO Zone, the property owner shall set aside of minimum of 1,500 square feet of gross floor area of commercial/retail/office space at ground level or above ground level at zero base rent to be leased as a business incubator or Community Non-Profit Space, as defined in Section 27-2500 of this Code, subject to the following:**

- (aa) If the Community Non-Profit Space is located above ground level, the property owner shall ensure that space is handicapped accessible, and shall provide adequate signage so that the public can locate the space.**

- (bb) Occupancy and use of the Community Non-Profit Space shall be subject to a Community Benefit Agreement executed by the property owner and Community Non-Profit Organization, as approved by the District Council. Said Community Benefit Agreement shall be binding on all successors, heirs, and assigns of the property.**

The DET shows the location of a 1,500-square-foot community non-profit/business incubator space to be located on the ground floor.

(viii) Property in the IE Zone that was rezoned from the I-3 Zone, and that is adjacent to land in the RE Zone, shall not develop with Consolidated Storage uses.

(aa) The property owner shall ensure that the Community Non-Profit tenant access to at least one (1) large storage unit on the property.

The subject property is not located within the IE Zone; therefore, this finding is not applicable.

- E. Surrounding Uses:** The site is bounded to the north by Chevy Drive and undeveloped land beyond in the Commercial, Service (CS) Zone; to the south by MD 4 and commercial/industrial uses beyond in the CS Zone; to the east by undeveloped land in the CS Zone; and to the west by a place of worship and US 301 with commercial/industrial uses beyond in the Industrial, Heavy (IH) Zone.
- F. Previous Approvals:** The property is subject to Preliminary Plan of Subdivision (PPS) 4-01023, which was approved on July 12, 2001, and the resolution was adopted on September 6, 2001 (PGCPB Resolution No. 01-140). The application was for the consolidation of Parcel A, Parcel 9, and Parcel 56 into one parcel (known as Parcel C) for the development of a 13,725-square-foot addition to an existing car dealership, for a total site gross floor area (GFA) of 49,835 square feet. This total site GFA has since been increased, through various building permit approvals, to its current GFA of 55,510 square feet and has been used as a place of worship since 2017.

The property received an automatic certificate of adequacy (ADQ) associated with PPS 4-01023, pursuant to Section 24-4503(a)(1) of the Prince George's County Subdivision Regulations, which became effective April 1, 2022, and is valid for twelve years from that date, subject to the expiration provisions of Section 24-4503(c).

Prior to 2013, Condominium Plat – Phase East Unit Two, the subject of this DET, was zoned Light Industrial (I-1), while Condominium Plat – Phase West Unit One was zoned Commercial Miscellaneous (C-M). Pursuant to the SMA, all of Parcel C was rezoned to the Commercial Shopping Center (C-S-C) Zone. The rezoning appears as SMA Change Number 24 (page 238).

On November 29, 2021, the Prince George's County District Council approved Council Resolution CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the subject property from the C-S-C Zone to the CGO Zone, effective April 1, 2022.

On March 28, 2023, the District Council adopted Council Bill CB-011-2023 for the purpose of prohibiting consolidated storage in certain Non-Residential and Transit-Oriented/Activity Center Base Zones of Prince George's County; providing a limited transition period, subject to additional development requirements; defining community non-profit space; and specifying that existing uses shall not be deemed

nonconforming. The Council Bill also noted, in Section 3, that any proposed development of a consolidated storage use located outside I-95/495 (Capital Beltway) that has completed a pre-application neighborhood meeting for a special exception or DET pursuant to Section 27-3402 of the Zoning Ordinance, prior to April 1, 2023, may be reviewed and decided in accordance with the use regulations in effect prior to the effective date of this Ordinance. Prior to the effective date of the council bill, a consolidated storage use was permitted by right in the CGO Zone. The applicant held a pre-application neighborhood meeting for a DET on December 19, 2022.

The site is also the subject of an approved Stormwater Management (SWM) Concept Plan (36928-2022-00), which shows the use of a submerged gravel wetland. The SWM concept plan was approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on August 7, 2023, and expires on August 7, 2026.

- G. Design Features:** Parcel C contains two condominium plats, noted as Condominium Plat – Phase West Unit One and Condominium Plat – Phase East Unit Two. Phase West Unit One is 5.16 acres and contains an existing place of worship building and associated parking. The proposed development will be located on Phase East Unit Two, which contains 5.56 acres. A 6-foot-high board fence and landscaping is proposed, to separate the two uses.

The applicant proposes to construct a three-story, 157,500-square-foot, consolidated storage facility. The building will be 38 feet high and is proposed to include approximately 1,350 individual storage units of varying sizes. All units will be accessed from inside the building. Access to the facility is proposed from Chevy Drive. A 30-foot-wide drive aisle connects Chevy Drive to the parking area. Visitors will access the parking/loading area by continuing through a mechanized gate. Entry can only be granted by entering a security code into a keypad. Further south, along Chevy Drive, there will be a second gated entrance that will provide access to the SWM facility only.

- 1. Architecture.** The DET shows the proposed, 38-foot high, flat-roofed building, located in the northern quadrant of Parcel C. The building will be constructed of red brick, concrete masonry, glass panels, and Exterior Insulation and Finish System paneling in multiple shades of red, brown, black, and tan. Additional contrast is provided through roofline height variations in the northeast and southwest corners of the building. Parapets and mullions are additional examples of architectural details included on all façades of the building. The north and east building elevations (facing Chevy Drive) and the parking area feature multiple storefront windows and door system sections. There will be seven entry doors located along the east building elevation. The primary entrances are identified by door systems with storefront windows, between two brick columns. A red awning is also provided over these two entry doorways. The other entry doors are conveniently placed near parking spaces. The south and west building elevations, facing the neighboring existing place of worship and MD 4, features additional transparent glass treatment. Behind the glass will be colored wall panels in lighted display boxes. These panels will create the

appearance of individual storage units and are for display purposes only. They will not provide access to an individual unit.



Figure 1: North Building Elevation Facing Chevy Drive

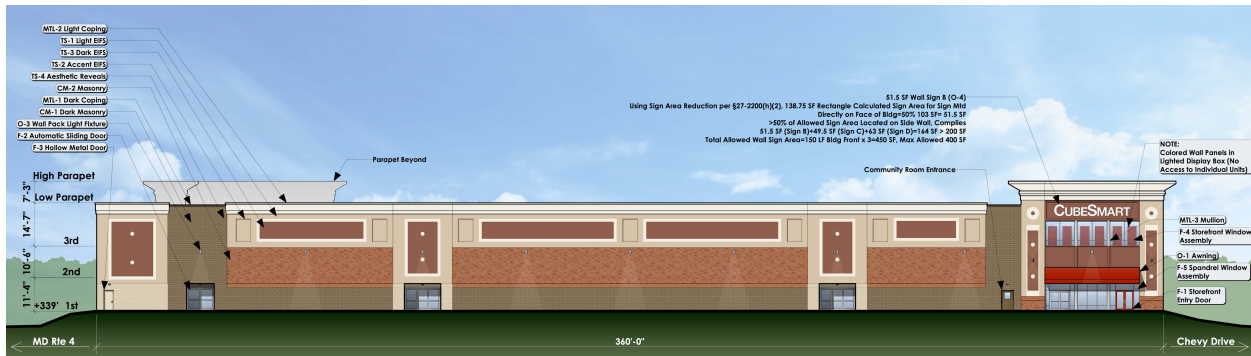


Figure 2: East Elevation Facing Parking Area



Figure 3: South Elevation Facing MD 4 Exit Ramp

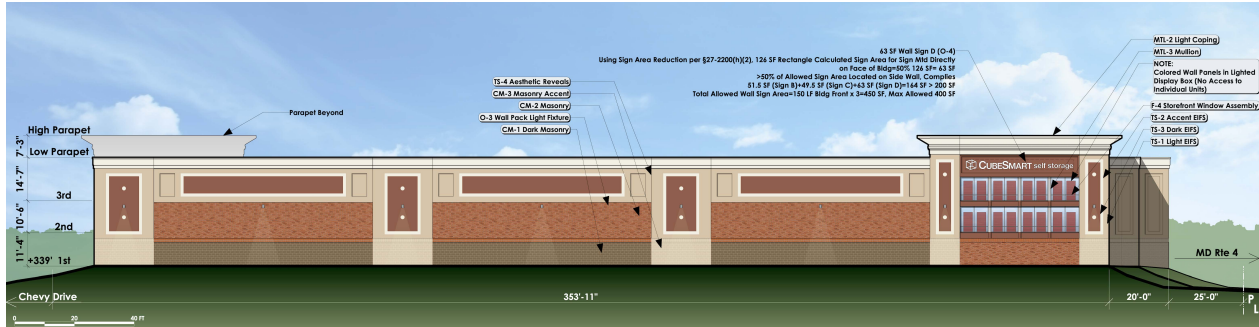


Figure 4: West Elevation Facing Neighboring Place of Worship

2. **Parking.** A surface parking lot is proposed on the north side of the consolidated storage building. There is one vehicular access point proposed off Chevy Drive. Three U-style bicycle racks will be placed near the first building entrance. The parking required and proposed for the development project has been provided.

3. **Signage.** The applicant proposes a total of five signs; to include four wall mounted signs, to be located on each building façade, and one freestanding sign, to be provided near the site entrance. No signage details were included for the proposed freestanding sign, and the necessary conditions have been included herein.

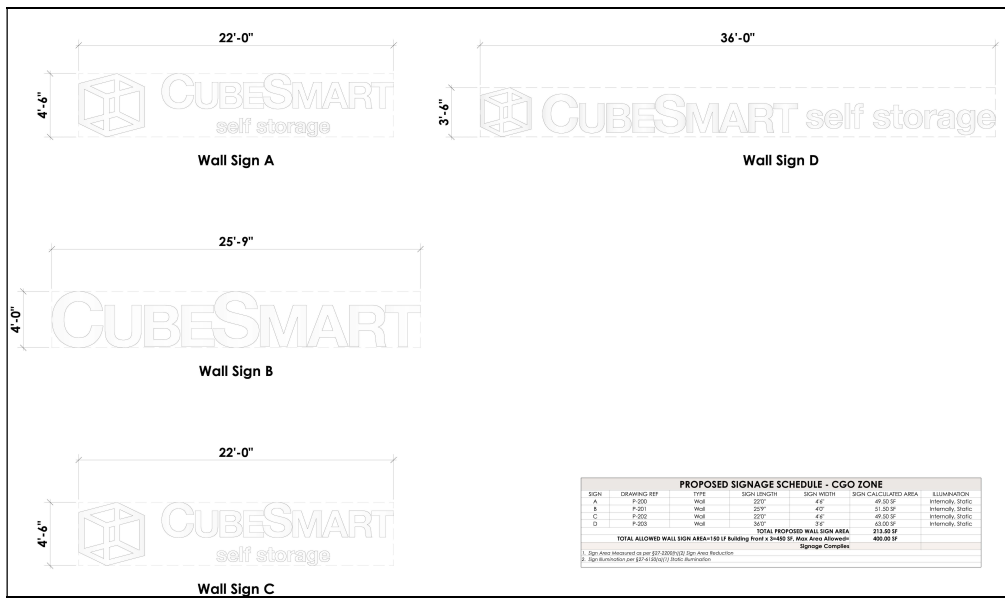


Figure 5: Wall Mounted Signage Details

4. **Lighting.** The applicant will provide lighting throughout the surface parking lot and on all sides of the proposed consolidated storage building. A photometric plan and lighting details have been provided.

III. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ZONING ORDINANCE

A. Detailed Site Plan Decision Standards (Section 27-3605(e))

- (1) **The proposed development represents a reasonable alternative for satisfying the applicable standards of this Subtitle, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;**

The applicable standards of this subtitle consist of standards applicable in the CGO Zone – Intensity and Dimensional Standards (Section 27-4203(d)(2)); and applicable Development Standards (Part 27-6).

1. **Standards Applicable in Commercial, General, and Office Zones Intensity and Dimensional Standards**

The DET is in conformance with the applicable commercial, general, and office intensity and dimensional standards of the Zoning Ordinance. The subject application proposes an industrial use that falls within the “Other Uses” category of the CGO Zone. Therefore, there are either no intensity and dimensional standards or the requirement is zero. There is no requirement for maximum density, net lot area, lot width, maximum lot coverage, and maximum building height. There is a requirement of zero for the minimum front, side, and rear yard depths.

2. **Applicable Development Standards**

The DET is consistent with the applicable standards in Part 27-6 of the Zoning Ordinance. The following discussion is offered:

a. **Section 27-6200 Roadway Access, Mobility, and Circulation**

The DET is in conformance with the applicable standards in Section 27-6200 of the Zoning Ordinance. The DET demonstrates sufficient vehicular, pedestrian, and bicycle access and circulation.

The site is subject to the 2009 *Countywide Master Plan of Transportation* (MPOT). Access and circulation systems associated with this development have been designed to provide access to available travel modes including pedestrian, bicycle, and vehicular. Access is provided from Chevy Drive, an existing road with a 70-foot ROW that terminates with a cul-de-sac. Chevy Drive provides access to US 301. The other access point, along Chevy Drive, is to access the SWM facility. The portion of the site that fronts Chevy Drive will have a 5-foot-wide concrete sidewalk, within the ROW, which will connect to the site’s interior

sidewalk system. The internal pedestrian circulation system is designed to allow pedestrian walkway access to the development's building and parking areas. The Chevy Drive Road frontage will be marked with a shared bicyclist roadway or an unseparated bike lane. In addition, bicycle racks are provided near the main entrances.

The 31-foot-wide access driveway connecting with the public street as well as the parking lot, drive aisles, and circulation associated with parking, are designed to accommodate appropriate circulation of emergency vehicles, garbage trucks, delivery vehicles, service vehicles, and passenger motor vehicles within the development. The drive aisles separating the parking areas will be a minimum of 22 feet wide.

b. Section 27-6300 Off-Street Parking and Loading

The DET is in conformance with the applicable standards in Section 27-6300 of the Zoning Ordinance, including parking and bicycle parking requirements and standards.

The parking requirements for a consolidated storage use is one space per 3,000 square feet of rentable storage area, four spaces per 1,000 square feet of office space, and two spaces per resident manager. A total number of 51 parking spaces is required for the proposed development. A total of six bicycle spaces will also be provided. The bicycle racks will be installed on a paved surface and located in a visible, well-lit area, conveniently accessible to the primary entrances of the building. The three U-style bicycle racks will be located less than 50 feet from the two main entrance doors.

Loading spaces are not required for consolidated storage uses. Pursuant to Section 27-5101 of the Zoning Ordinance, a consolidated storage use is categorized within the warehouse and freight movement uses, principal use category. In Table 27-6310(a), under Warehouse and Freight Movement Uses, consolidated storage is listed as an exemption, which indicates there is no loading space requirement. However, the applicant has provided five spaces that are labeled as loading spaces. These spaces cannot be considered conventional loading spaces, as the dimensions provided do not meet the minimum loading berth size requirements of 12 feet wide by 45 feet long, as specified in Section 276310(b). A condition has been included herein to state that these five loading spaces shall be renamed as oversized parking areas and would then contribute to the parking tabulation. The proposed size of these spaces as 12 feet wide by 33 feet long is appropriate

for the use. The facility will be utilized primarily by individuals, families, or businesses with single vehicles, and smaller berths will not make the operation of the use detrimental, nor impede the continued operation of any of the surrounding uses.

An additional condition has been provided requiring the applicant to provide details of the existing parking layout for the neighboring place of worship, which is also located on the subject property.

c. **Section 27-6400 Open Space Set-Asides**

The DET is in conformance with the applicable standards in Section 27-6400 of the Zoning Ordinance. The DET shows 1.4 acres of open space set-aside, exceeding the required five percent (0.28 acre). The woodland conservation area is being used to meet this requirement, as shown on the submitted tree conservation plan.

d. **Section 27-6500 Landscaping**

The DET is in conformance with the applicable standards in the Landscape Manual, including Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.8, Building Frontage Landscape Requirements; Section 4.9, Sustainable Landscaping Requirements; and Section 4.11, Requirements for Nonresidential and Mixed-Use Development.

The required schedules have been provided and technical corrections are proposed in the Recommendation section of this technical staff report. However, for portions of Section 4.9, the applicant has requested alternative compliance, which is recommended for approval and is discussed in further detail in Finding III, B.

e. **Section 27-6600 Fences and Walls**

The DET is in conformance with the applicable standards in Section 27-6600 of the Zoning Ordinance, including fence and wall heights, locations, and appearance.

f. **Section 27-6700 Exterior Lighting**

The DET submission includes a photometric plan and is in conformance with the applicable standards in Section 27-6700 of the Zoning Ordinance, including the

maximum illumination measured in foot-candles at ground-level at the lot lines.

g. **Section 27-6800 Environmental Protection and Noise Controls**

An approved Natural Resources Inventory Equivalency Letter (NRI-222-2022) was submitted with the application. An equivalency letter was approved for this project because the site has an approved and implemented Type II Tree Conservation Plan (TCPII-137-01), and the proposed site plan does not result in significant changes to the previously approved limits of disturbance shown on the TCPII.

Section 27-6805 requires an approved grading, erosion, and sediment control plan. Subtitle 32, Division 2, of the Prince George's County Code also requires the approval of an erosion and sediment control plan. The TCPII must reflect the ultimate limits of disturbance (LOD). The LOD should not only include the installation of permanent site infrastructure but also the installation of all temporary infrastructure, including erosion and sediment control measures. Prior to certification of the TCPII, a copy of the erosion and sediment control technical plan must be submitted so that the ultimate LOD for the project can be verified and shown on the TCPII.

Section 27-6809 requires all applications to conform to the requirements pertaining to unsafe land in Subtitle 24, Section 24-4300, of the Prince George's County Code Subdivision Regulations. According to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, soils present within the project area include Galestown-Urban land complex, Collington-Wist complex, and Udorthents, highway. Marlboro clays are present on the eastern portion of the site; however, it does not appear that the Marlboro clay would impact the slope stability due to the proposed site design.

h. **Section 27-61100 Industrial Form and Design Standards**

The DET is in conformance with the applicable standards in Section 27-61100 of the Zoning Ordinance for the consolidated storage building, including the location of off-street parking areas, building façade materials, and articulation as shown on the consolidated storage architectural elevations. The front elevation, facing Chevy Drive, has been designed to mimic a front building façade and includes design features such as large storefront windows, colored wall panels with lighted display boxes, masonry columns, and an awning for further articulation.

i. **Section 27-61200 Neighborhood Compatibility Standards**

The subject application is exempt from this section as it does not fit the criteria outlined in Section 27-61202(a)(1), which states the following:

- (1) Unless exempted as provided in Section 27-61202(b), Exemptions, below, these standards apply to:**
- (A) Any new townhouse, multifamily, nonresidential, or mixed-use development when located on land adjacent to, or across a street or alley from, existing single-family detached dwellings, two-family dwellings, or vacant lands in the RE, RR, RSF-95, and RSF-65 zones (single-family residential zones);**
 - (B) Any new multifamily, nonresidential, or mixed-use development when located on land adjacent to, or across a street or alley from, existing townhouse dwellings;**
 - (C) Any expansion of an existing townhouse, multifamily, nonresidential, or mixed-use building located on land abutting or across a street or alley from existing single-family detached dwellings, two-family dwellings, or vacant lands in a single-family residential zone, where the expansion increases the building's gross floor area by 50 percent or more; and**
 - (D) Any expansion of an existing multifamily, nonresidential, or mixed-use building located on land abutting or across a street or alley from existing townhouse dwellings where the expansion increases the building's gross floor area by 50 percent or more.**

The proposed development is not located adjacent to or across a street/alley from any existing residential dwellings, or vacant land zoned for single-family residential. The development also does not include the expansion of an existing building.

j. **Section 27-61300 Agricultural Compatibility Standards**

The subject application is exempt from this section because it is not adjacent to an ongoing agricultural use or activity in the Reserved Open Space, Agriculture and Preservation, and Agricultural-Residential base zones.

k. **Section 27-61400 Urban Agriculture Compatibility Standards**

The subject application is exempt from this section because it is not adjacent to on-going urban agriculture use.

l. **Section 27-61500 Signage**

The applicant proposes a total of five signs; to include four wall mounted signs, to be located on each building façade, and one freestanding sign, to be provided near the site entrance. The wall mounted signs will range in size from 101 square feet to 130 square feet. Sign A will be approximately 4.6 feet high by 22 feet wide, Sign B will be approximately 4 feet high by 25.9 feet wide, Sign C will be approximately 4.6 feet high by 22 feet wide, and Sign D will be approximately 3.6 feet high by 36 feet wide. All four wall mounted signs will feature lettering of the tenant's name and be internally illuminated.

No signage details were included for the proposed freestanding sign. Conditions have been provided herein requiring the applicant to replace the freestanding sign with a gateway sign, in accordance with the requirements of Section 27-61506(c), and to revise the signage schedule to separately list the gateway sign.

m. **Section 27-61600 Green Building Standards**

The applicant provided in their statement of justification that the following green building best practices were integrated throughout the development:

- 1) Support walkable areas in appropriate places
- 2) Support multiple modes of mobility
- 3) Conserve energy
- 4) Conserve water resources
- 5) Protect water quality
- 6) Promote a healthy landscape

Additional details were not provided on how the proposed development achieves the stated green building best practices. The statement of justification also references a

green building standards table located on the cover sheet of the DET. This table was not provided.

The proposed development of more than 75,000 square feet of nonresidential development requires the provision of four points from the Green Building Point System in Table 27-61603(b). A condition has been included herein, requiring the applicant to provide a table demonstrating conformance with this standard.

Based on the analysis herein, the proposed development, if revised as conditioned, will represent a reasonable alternative for satisfying the applicable standards of Subtitle 27, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

(2) The proposed development complies with all conditions of approval in any development approvals and permits to which the detailed site plan is subject;

PPS 4-01023 contains conditions that must be satisfied at the time of DET approval and certification. If the application is revised as conditioned herein, the conditions of approval in PPS 4-01023 will be satisfied.

PPS 4-01023 included a trip-cap of 36 AM and 46 PM peak-hour vehicular trips (Transportation Finding 7) for the entirety of Parcel C. A trip generation memo (TRIS-DET-2022-017) was provided by the applicant that included all existing and proposed development on Parcel C. At the time of PPS analysis, the resolution included the calculation of a trip-cap based on the use of an automobile dealership and established that the site would generate 36 AM and 46 PM vehicular trips.

Since the approval, the building housing the automobile dealership has been repurposed for a place of worship use that is currently operational. Based on the most recent Institute of Transportation Engineers – Trip Generation Manual, a place of worship of this square footage is estimated to generate 21 AM and PM weekday peak-hour trips and 561 total trips on Sundays.

The subject application proposes to construct a consolidated storage facility that will generate 14 AM and 24 PM peak-hour vehicular trips. Therefore, the existing church and the proposed storage facility combined will generate a total of 35 AM and 45 PM vehicular trips and would not exceed the trip-cap established with the prior approval.

1. Preliminary Plan of Subdivision 4-01023

The site is the subject of PPS 4-01023 which was approved on July 12, 2001 (PGCPB Resolution No. 01140), for the consolidation of Parcel A, Parcel 9, and Parcel 56, into one parcel known as Parcel C.

The approved development consisted of a 13,725-square-foot addition to an existing car dealership, for a total site GFA of 49,835 square feet. The total site GFA has since been increased through various building permit approvals to its current GFA of 55,510 square feet. The property has been used as a place of worship since 2017. The subject DET proposes the development of a single consolidated storage building, on an approximately 5.56-acre vacant portion of Parcel C.

PPS 4-01023 was approved with seven conditions. The conditions relevant to the review of this DET are listed below in bold text. Staff analysis of the project's conformance to the conditions follows each one, in plain text:

PPS 1. Prior to issuance of building permits, the applicant shall conduct a signal warrant study to be reviewed by the State Highway Administration at the intersection of US 301 and Chevy Drive. If the signal is deemed to be warranted and approved by the SHA, it shall be installed at the applicant's expense.

Signalization at this intersection has been provided and currently exists. Chevy Drive connects to US 301 at a four-way, signalized, intersection.

PPS 2. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept approval 8329131-2000-00.

The previous SWM Concept Plan approval 8239131-2000-00 did not require any additional SWM features for the development associated with PPS 4-01023.

A new SWM Concept Plan (36928-2022-00) has been approved, to account for the additional impervious surface resulting from the proposed consolidated storage facility on Phase East Unit Two.

PPS 4. All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

The applicant has included this condition as General Note 11 on the DET. This condition will be further reviewed at the time of the building permit.

PPS 6. Prior to the approval of building permits, the site shall be connected to the public sewer system unless

alternative timing is approved by the Health Department.

This DET proposes a public sewer connection for the proposed development, in conformance with this condition.

PPS 7. The property shall connect to the public water supply system upon availability. At that time, the applicant shall determine the disposition of the existing well on site and provide that information to the Health Department.

This DET proposes a public water connection for the proposed development, in conformance with this condition.

(3) The proposed development demonstrates the preservation and/or restoration of the regulated environmental features in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-4303(D)(5) of Subtitle 24: Subdivision Regulations;

This site contains regulated environmental features (REF) that are required to be preserved and/or restored to the fullest extent possible. The on-site REF includes areas of 100-year floodplain which are depicted on the TCPII. The entirety of the 100-year floodplain is located on Phase West Unit One of Parcel C, which is not proposed to be revised with this DET. The existing building, located on Phase West Unit One, was built in 1970 and expanded in the early 2000s. This portion of the property was not subject to current floodplain and SWM requirements.

Phase East Unit Two does not contain floodplain; however, the TCPII depicts the LOD within floodplain located along Chevy Drive. The proposed work within the floodplain for Chevy Drive, depicted on TCPII-137-01-01, is consistent with the previously approved floodplain impacts approved with 4-01023, TCPI-016-01, and TCPII-137-01. Technical requirements related to the floodplain within the ROW for Chevy Drive will be approved by DPIE, which will also determine if a floodplain waiver is required.

Based on the design information currently available and the LOD shown on the TCPII, the regulated environmental features on the subject property have been found to be preserved and/or restored to the fullest extent possible.

(4) Proposed development located within a Planned Development (PD) zone shall be in conformance with the PD Basic Plan and PD Conditions of Approval that apply to that development;

The DET is not within a Planned Development Zone; therefore, this finding is not applicable.

(5) The proposed development conforms to an approved Tree Conservation Plan, if applicable;

The DET has a companion TCPII-137-01-01, which staff recommends be approved, with conditions, as included herein.

(6) The development in the detailed site plan (minor and major) shall be consistent with the General Plan and shall conform to the relevant goals, policies, and strategies of the Area Master Plan or Sector Plan, applicable Functional Master Plans, and the Growth Policy Map as it relates to centers in the 2014 General Plan, *Plan Prince George's 2035*, for the subject property and its surrounding area (unless the subject property has been rezoned pursuant to a Zoning Map Amendment subsequent to the adoption of the relevant Area Master Plan, Sector Plan, or Functional Master Plan);

This DET is consistent with the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035), and conforms to the relevant goals, policies, and strategies of the master plan.

This application is in the Established Communities Growth Policy Area. “Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the need of the existing residents are met” (page 20). The proposed consolidated storage facility is consistent with Plan 2035 because the scale and intensity of the use is similar to the commercial character of the surrounding uses and also the lack of residential uses in the immediate vicinity of the subject property.

This DET application is also consistent with the master plan. Prior to 2013, Condominium Plat – Phase East Unit Two Condominium Plat – Phase East Unit Two, the subject of this DET, was zoned I-1. Pursuant to the master plan’s SMA, all of Parcel C was rezoned to the C-S-C Zone. The rezoning appears as SMA Change Number 24 (page 238). The future land use map within the master plan recommends commercial land use for the subject site. Commercial future land use is described as “retail and business areas, including employment uses such as office and service uses” (page 40). The development proposal promotes the goals and strategies of the master plan and will not substantially impair any of the recommendations of the master plan.

(7) The development proposed in a detailed site plan for infrastructure complies with applicable regulations of PART 27-6: Development Standards, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety,

welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge; and

This application is not a DET for infrastructure; therefore, this finding is not applicable.

(8) Places of worship located on a lot between one (1) and two (2) acres in size shall also meet the following standards:

(A) The minimum setback for all buildings shall be twenty-five (25) feet from each lot line;

(B) When possible, there should be no parking or loading spaces located in the front yard; and

(C) The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased.

The DET does not propose a place of worship. Therefore, this finding is not applicable.

B. Request for Alternative Compliance from the 2018 *Prince George's County Landscape Manual*.

Alternative compliance is requested from the Landscape Manual, Section 4.9, Sustainable Landscaping Requirements.

Location

The 10.71-acre property is located at the northeast quadrant of US 301 and MD 4 and is identified as Parcel C. The site is also subject to a land condominium plat that created Condominium Plat – Phase West Unit One and Condominium Plat – Phase East Unit Two. Phase West Unit One contains an existing building that was built in 1970 and expanded in the early 2000s. Condominium Plat – Phase East Unit Two contains a grass area, formerly used as a vehicle storage area, and 2.27 acres of woodland.

The property is located within the geography previously designated as the Developing Tier of Plan 2035, as found in Prince George's County Planning Board Resolution No. 14-10 (Prince George's County Council Resolution CR 26 2014).

Background

DET-2022-017 seeks to construct a 157,500-square-foot consolidated storage facility on Phase East Unit Two. The applicant requests alternative compliance from Section 4.9 as follows:

Section 4.9, Sustainable Landscaping Requirements

Justification of Recommendation

The applicant is requesting alternative compliance from the requirements of Section 4.9(e)(6), which requires that trees proposed in fulfillment of the requirements of the Landscape Manual not be planted on slopes steeper than 3:1.

The proposed development is on sloped land and requires grading to accommodate the development. Approximately three trees are proposed to be planted on 2:1 slopes south of the proposed consolidated storage building in fulfillment of Section 4.2, Requirements for Landscape Strips Along Streets. Approximately eight trees are proposed to be planted on 2:1 slopes east of the proposed parking area, in fulfillment of Section 4.11, Requirements for Nonresidential and Mixed-Use Development.

Under normal compliance with Section 4.9(e)(6), these 11 trees would not be permitted to be counted towards Landscape Manual requirements. The applicant's proposal is to allow these trees to be counted, as they will create a more effective Section 4.2 buffer. The proposed trees are at a higher elevation than MD 4 and would provide a more effective Section 4.2 screening of the proposed consolidated storage building from the road. Full compliance with the Landscape Manual requirements for Section 4.11 plantings would require additional clearing of woodland to reduce the steepness of the slope. By providing plantings on 2:1 slopes, the applicant is proposing to meet the intent of Section 4.11 and to preserve existing woodland.

The majority of the 2:1 slopes are only four linear feet in width, which is less impactful to tree health, compared to a prolonged slope. The applicant has proposed alternative planting techniques, specific to steep slopes, which are provided in a detail on the landscape plans. American sycamore (*platanus occidentalis*) and willow oak (*quercus phellos*) are proposed to be planted in these areas. As stated in Condition 1, the Alternative Compliance Committee finds that trees planted in these areas must be specifically adapted to steep slopes. After addressing Condition 1, the Alternative Compliance Committee finds the applicant's proposal to be equally effective as normal compliance with Section 4.9 due to the more effective Section 4.2 buffer and the preservation of existing woodland.

Recommendation

The Alternative Compliance Committee recommends approval of Alternative Compliance ACL-2023-008 from the 2018 *Prince George's County Landscape Manual* for Section 4.9, Sustainable Landscaping Requirements with the following condition:

1. Replace the tree species for 2:1 slope planting areas with one designated as having a slope habitat as found in the National Park Service, U.S. Fish & Wildlife Service publication *Native Plants for Wildlife Habitat and Conservation Landscaping: Chesapeake Bay Watershed* (as updated periodically) *or* provide further justification that American sycamore and willow oak are appropriate species for these areas.

IV. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 1993 PRINCE GEORGE'S COUNTY WOODLAND AND WILDLIFE HABITAT CONSERVATION ORDINANCE

This property is subject to the provisions of the 1993 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO). The woodland conservation threshold (WCT) for this 10.71-acre property is 15 percent of the net tract area, or 1.29 acres. The total woodland conservation requirement, based on the amount of clearing proposed, is 1.39 acres. The woodland conservation requirement is proposed to be satisfied with 1.40 acres of on-site woodland preservation. A revision to the approved TCPII-137-01 was submitted with this DET and requires minor revisions to be found in conformance with the WCO.

Approved NRI-222-2022 was also submitted with this DET application. An equivalency letter was approved for this project because the site has an approved and implemented TCPII-137-01, and the proposed site plan does not result in significant changes to the LOD of the previously approved TCPII. No revisions are required for conformance to the NRI.

V. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE PRINCE GEORGE'S COUNTY TREE CANOPY COVERAGE ORDINANCE

The site is subject to the requirements of the Prince George's County Tree Canopy Coverage Ordinance. Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit. Properties zoned CGO are required to provide a minimum of ten percent of the gross tract area in TCC. The overall legal lot has a gross tract area of 10.71 acres and, as such, a TCC of 1.07 acres, or 46,609 square feet, is required. The submitted landscape plan does not include a TCC worksheet. A condition has been included in the Recommendation section of this report requiring this prior to certification of the DET.

VI. REFERRAL COMMENTS

The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference, and major findings are summarized, as follows:

- A. **Community Planning**—In a memorandum dated November 27, 2023 (Lutz to Lockhart), the Community Planning Division indicated that master plan conformance is required for this application. Pursuant to Section 27-3605(e)(6) of the Zoning Ordinance, this DET application is consistent with Plan 2035 and conforms to the relevant goals, policies, and strategies of the master plan. A summary of the analysis of Plan 2035 and the master plan is found in Finding III. A.
- B. **Transportation Planning**—In a memorandum dated December 4, 2023 (Daniels to Lockhart), the Transportation Planning Section provided a review of conditions attached to prior approvals, compliance with the MPOT, and review of the applicable Part 27-6 development standards, which are incorporated into the findings above. There are no master plan facilities that impact the subject site. The MPOT's Complete Streets element reinforces the need for multimodal transportation. The Transportation Planning Section determined that the vehicular,

pedestrian, and bicycle access and circulation for this plan is acceptable and consistent with the site design guidelines, pursuant to Section 27.

- C. **Environmental Planning**—In a memorandum dated December 4, 2023 (Meoli to Lockhart), the Environmental Planning Section included a discussion of relevant previous conditions of approval and demonstrated conformance with the master plan and applicable sections of the Zoning Ordinance.

Approved NRI-222-2022 was submitted with the application. An equivalency letter was approved for this project because the site has an approved and implemented TCPII-137-01. In addition, the proposed site plan does not result in significant changes to the limits of disturbance as shown on the previously approved TCPII.

This site contains REF that are required to be preserved and/or restored to the fullest extent possible under Section 27-6808 of the Zoning Ordinance. The on-site REF includes areas of 100-year floodplain, which are depicted on the TCPII plan. The entirety of the 100-year floodplain is located on Phase West Unit One, which is not proposed to be revised with this DET.

Approved SWM Concept Plan 36928-2022-00 was submitted with the DET material, which shows the use of a submerged gravel wetland. The SWM concept plan was approved by DPIE on August 7, 2023, and expires on August 7, 2026.

- D. **Subdivision**—In a memorandum dated December 4, 2023 (Bartlett to Lockhart), the Subdivision Section provided a review of conditions attached to prior approvals and noted technical revisions to the general notes on the DET coversheet, which have been included as conditions in the Recommendation section of this technical staff report.
- E. **Historic Preservation**—In a memorandum dated December 4, 2023 (Stabler to Lockhart), the Historic Preservation Section indicated that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites, indicates the probability of archeological sites within the subject property is low. A Phase I archeology survey is not recommended. The subject property does not contain, and is not adjacent to, any designated Prince George’s County historic sites or resources.
- F. **Permit Review**—In a memorandum dated December 4, 2023 (Jacobs to Lockhart), the Permit Review Section indicated one technical correction needed to the DET, which has been included as a condition in the Recommendation section of this technical staff report.
- G. **Prince George’s County Department of Parks and Recreation (DPR)**—In an email dated October 19, 2023 (Thompson to Lockhart), DPR indicated the proposed development will have no impact to existing or future Maryland-National Capital Park and Planning Commission (M-NCPPC) owned parkland.

- H. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated November 17, 2023 (Giles to Lockhart), DPIE offered numerous comments that were provided to the applicant and will be addressed in their separate permitting process.
- I. **Washington Suburban Sanitary Commission (WSSC)**—In comments dated November 13, 2023 (Wright to Lockhart), WSSC offered numerous comments that were provided to the applicant and will be addressed in their separate permitting process.
- J. **Prince George’s County Health Department**—In a memorandum dated October 25, 2023 (Adepoju to Lockhart), the Health Department indicated that they had completed a desktop health impact assessment review of the DET and the alternative compliance to the landscaping plan request for the Upper Marlboro Self Storage facility to be located at 5300 Crain Highway. They provided comments regarding the Aquifer recharge area, pedestrian circulation, noise impacts, and minimizing dust during the demolition and construction phases of the project.
- K. **Prince George’s County Fire/EMS Department**—In an email dated November 13, 2023 (Reilly to Lockhart), the Fire/EMS Department indicated that the location of the proposed fire department connection (FDC) and fire hydrants should be shown. The FDC must be on the front, address side, of the building within 200 feet of a fire hydrant as hose is laid by the fire department. Hydrants must be provided within 500 feet of the most remote portion of the building as hose is laid by the fire department. The applicant provided a revised site plan dated November 22, 2023, addressing the comments.
- L. **Citizen Input**—At the time of the writing of this technical staff report, the Prince George’s County Planning Department has not received any written correspondence from citizens for this subject application.

VII. RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DET-2022-017, Alternative Compliance ACL-2023-008, and Type II Tree Conservation Plan TCPH-137-01-01 for Upper Marlboro Self Storage, subject to the following conditions:

1. Prior to certification of this detailed site plan, the applicant shall:
 - a. Provide a separate plan sheet that shows the existing conditions for the entirety of Parcel C. Details shall include all existing structures and parking layouts.
 - b. Revise General Note 1 to reference the subject property as Parcel C, Plat Book REP 193, Plat 70. Include the acreage for Parcel C.

- c. Revise General Note 18 to state that public utility easements are shown, as per Plat Book REP 193 Plat 70.
 - d. Revise General Note 18 to state that public utility easements are shown, as per Plat Book REP 193 Plat 70.
 - e. Add a note on the Property Exhibit sheet that the “Phase West Unit One” condominium unit is not included in DET-2022-017.
 - f. Show the existing 10-foot-wide public utility easement along MD 4 (Pennsylvania Avenue) in accordance with Plat Book REP 193 Plat 70.
 - g. Remove General Note 9 as no loading spaces are required.
 - h. Rename the five loading spaces as oversized parking spaces. Add these spaces to the parking tabulation located in General Note 7.
 - i. Correct the signage detail sheet to note the correct code section for Sign Area Reduction, as 27-2200(j)(2).
 - j. Replace the proposed consolidated storage freestanding sign with a gateway sign, in accordance with Section 27-61506(c) of the Prince George’s County Zoning Ordinance.
 - k. Revise the signage schedule to include the gateway sign. The schedule should state the maximum sign area, height and location permitted, and what is provided, in accordance with Section 27-61505 of the Prince George’s County Zoning Ordinance.
 - l. Provide the location of the gateway sign.
 - m. Provide a Green Building Point System table demonstrating conformance with Section 27-61603 of the Prince George’s County Zoning Ordinance.
 - n. Revise the landscape plan as follows:
 - (1) Replace the tree species for 2:1 slope planting areas with one designated as having a slope habitat as found in the National Park Service, U.S. Fish & Wildlife Service publication Native Plants for Wildlife Habitat and Conservation Landscaping: Chesapeake Bay Watershed (as updated periodically) *or* provide further justification that American sycamore and willow oak are appropriate species for these areas.
2. Prior to certification of this detailed site plan, the Type II tree conservation plan shall be revised as follows:
- a. Revise General Note 9 to include that this project is subject to the 1993 Woodland Conservation and Tree Preservation Ordinance.

- b. Revise the proposed 38-foot contour line along the southeastern corner of the proposed parking lot to be consistent with the approved stormwater management concept plan.
3. Prior to certification of Type II Tree Conservation Plan, TCPII-137-01-01, a copy of the erosion and sediment control technical plan must be submitted so that the ultimate limits of disturbance for the project can be verified and shown on the TCPII.

UPPER MARLBORO SELF STORAGE

Detailed Site Plan

Alternative Compliance ACL-2023-008

Type II Tree Conservation Plan TCPII-137-01-01

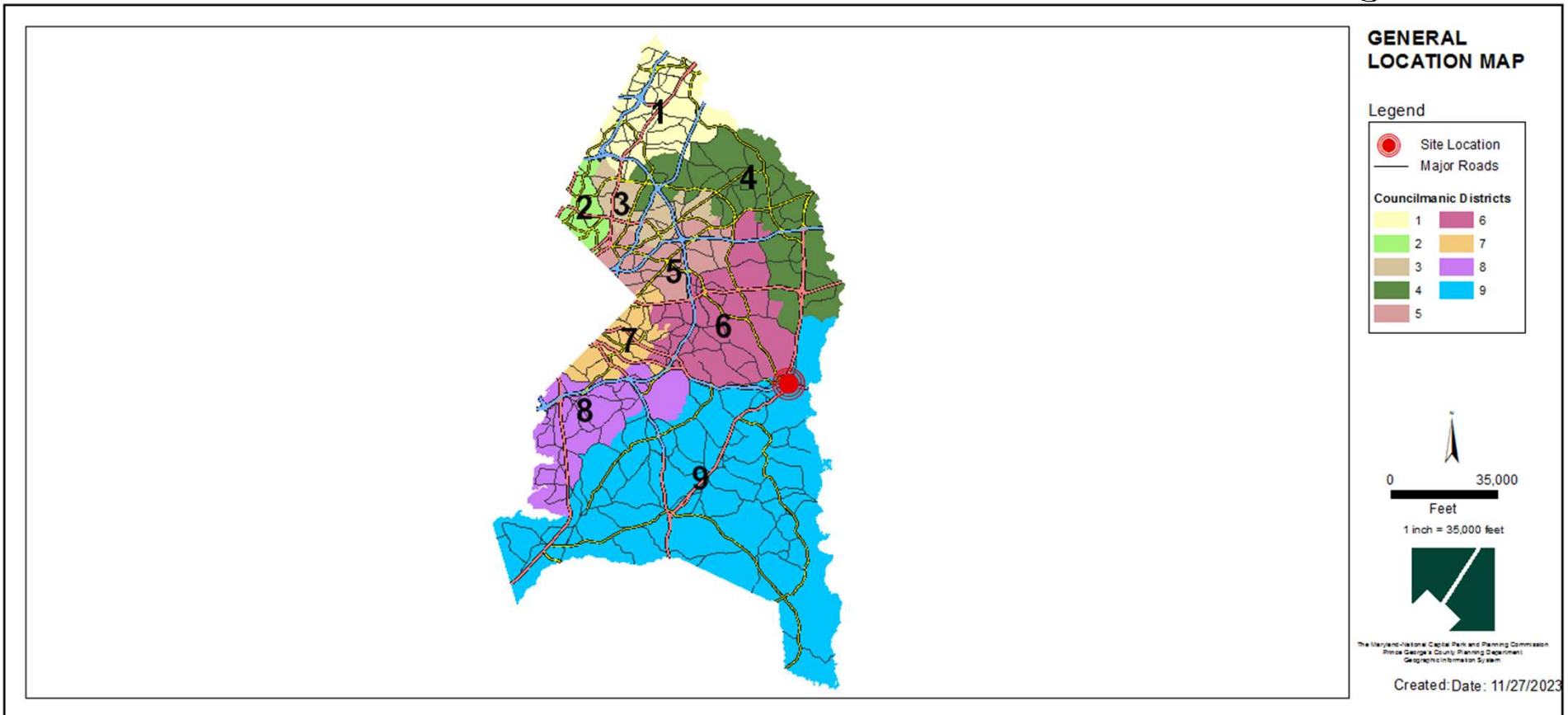
Staff Recommendation: APPROVAL with conditions



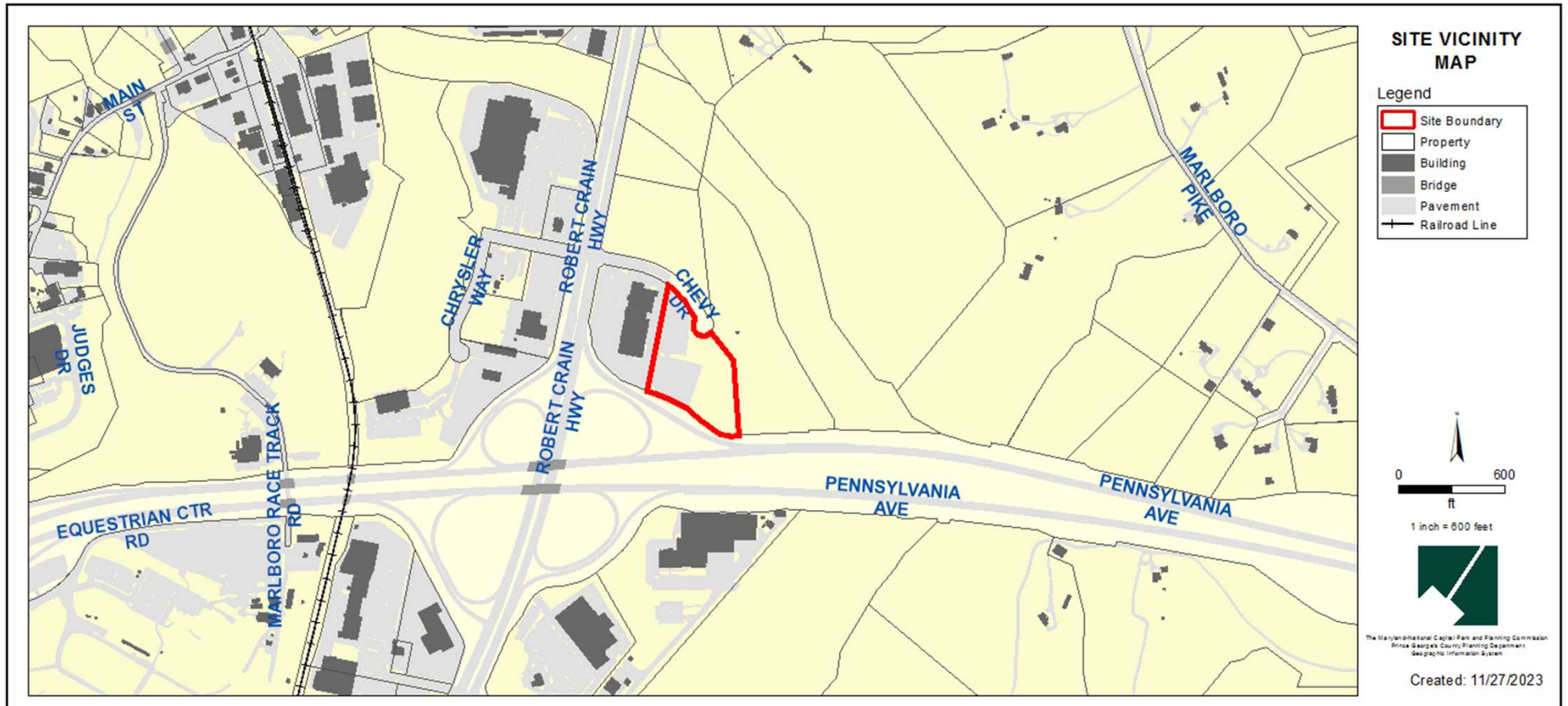
GENERAL LOCATION MAP

Council District: 09

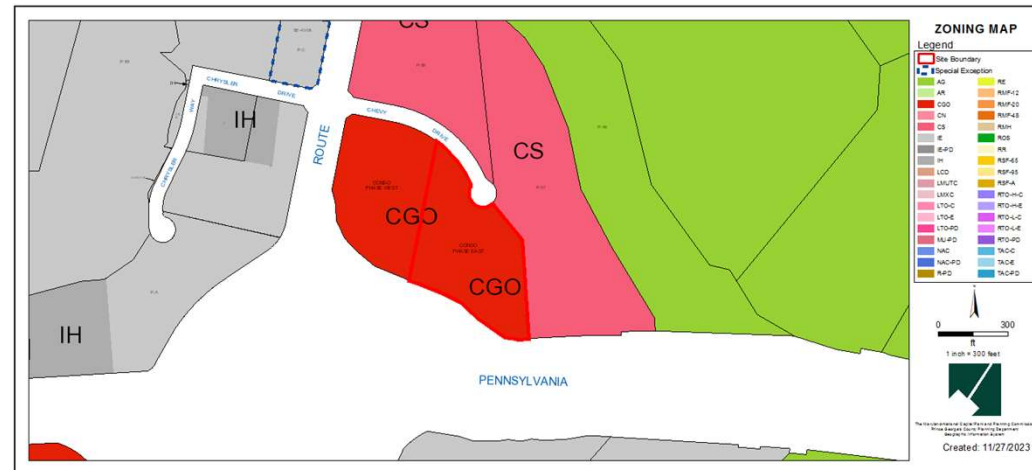
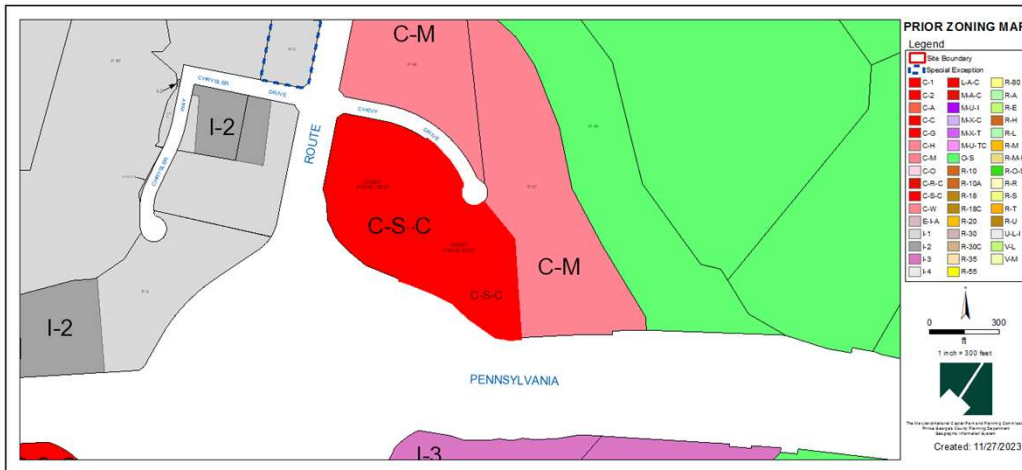
Planning Area: 079



SITE VICINITY MAP



ZONING MAP (PRIOR AND CURRENT) Property Zone: CGO (Prior C-S-C)



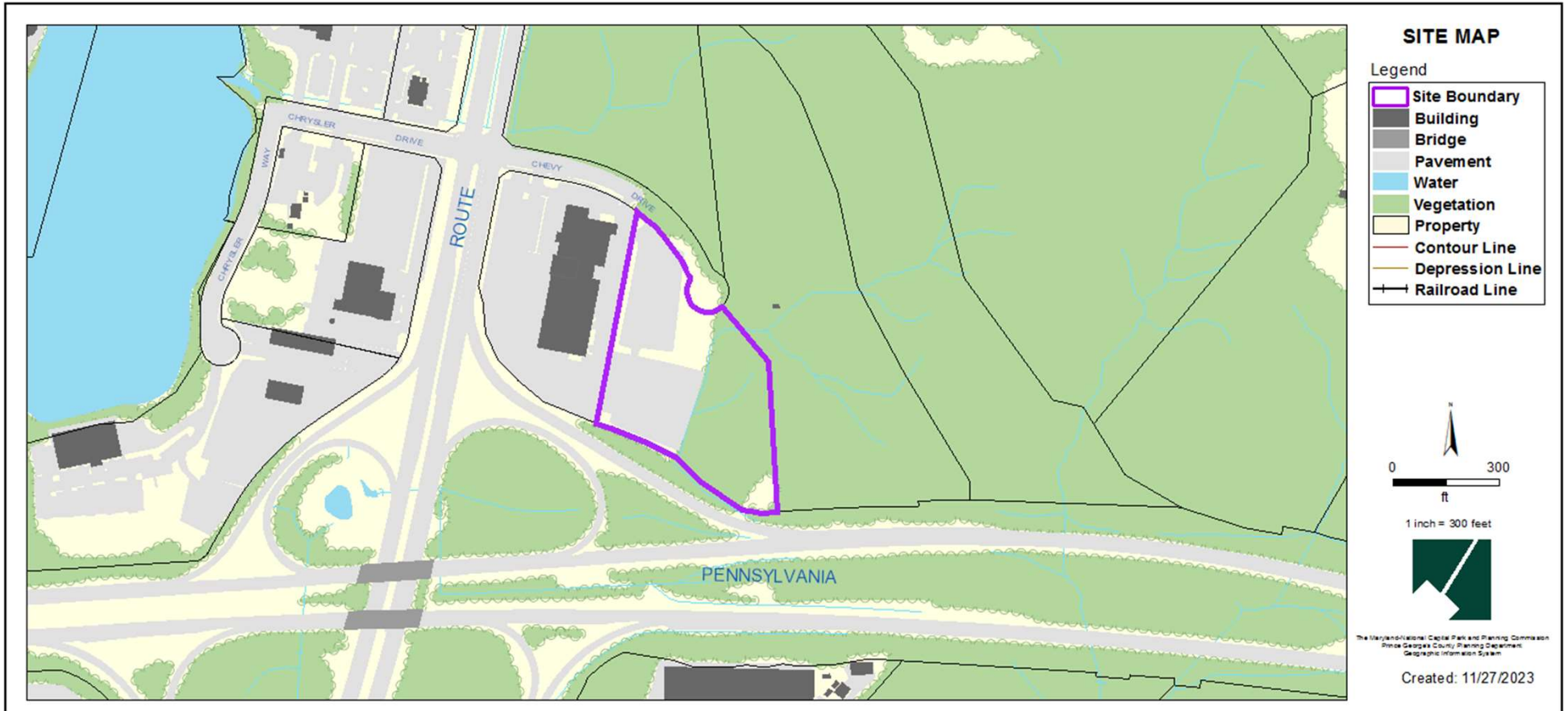
OVERLAY MAP (PRIOR AND CURRENT)



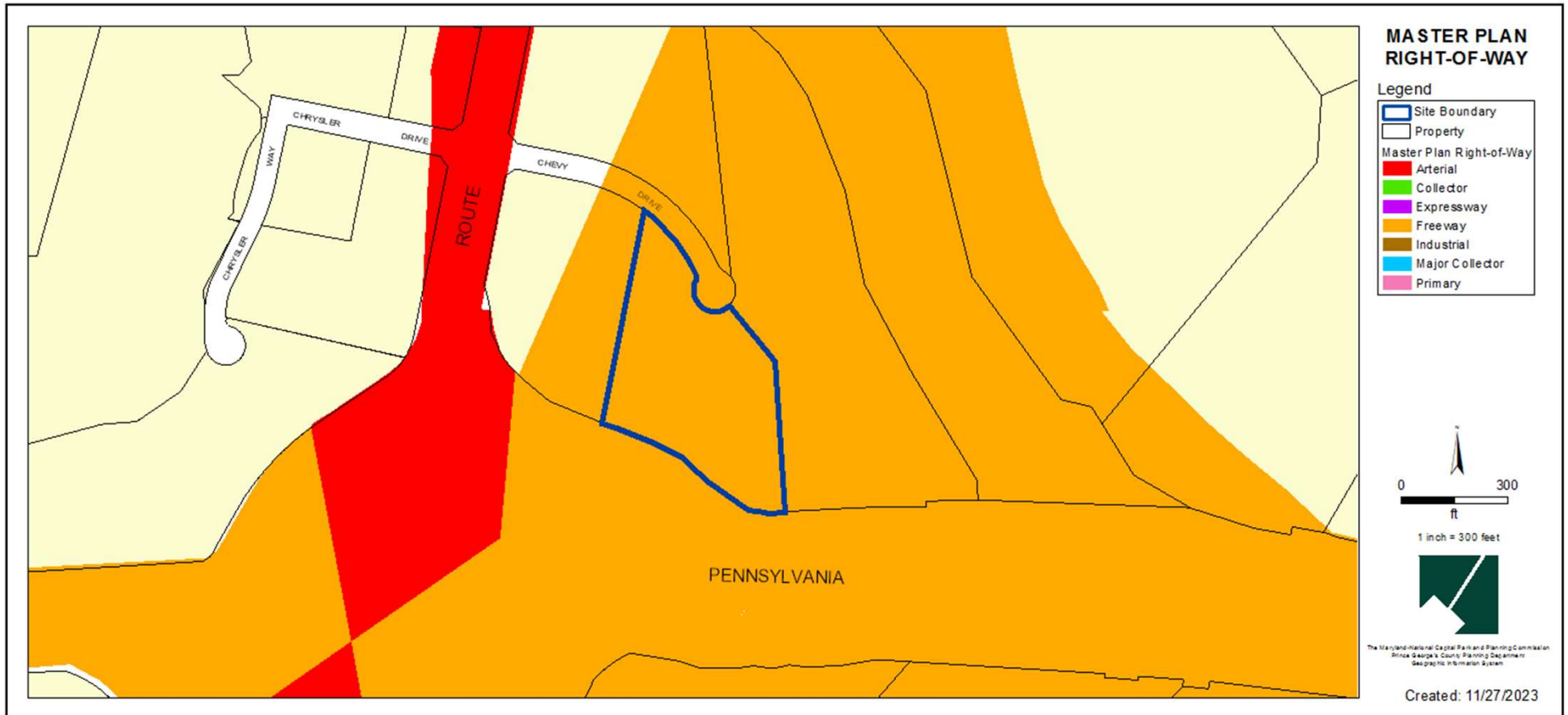
AERIAL MAP



SITE MAP



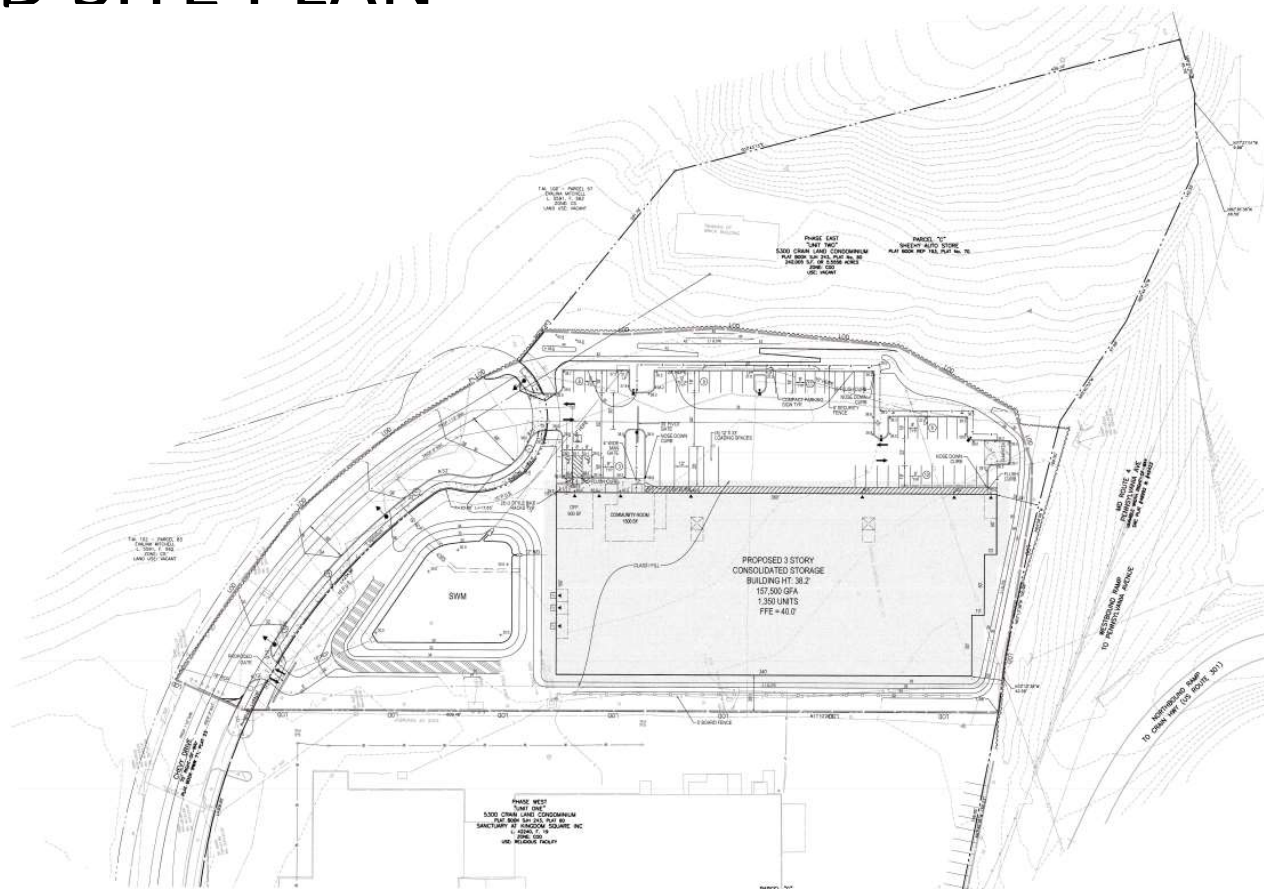
MASTER PLAN RIGHT-OF-WAY MAP



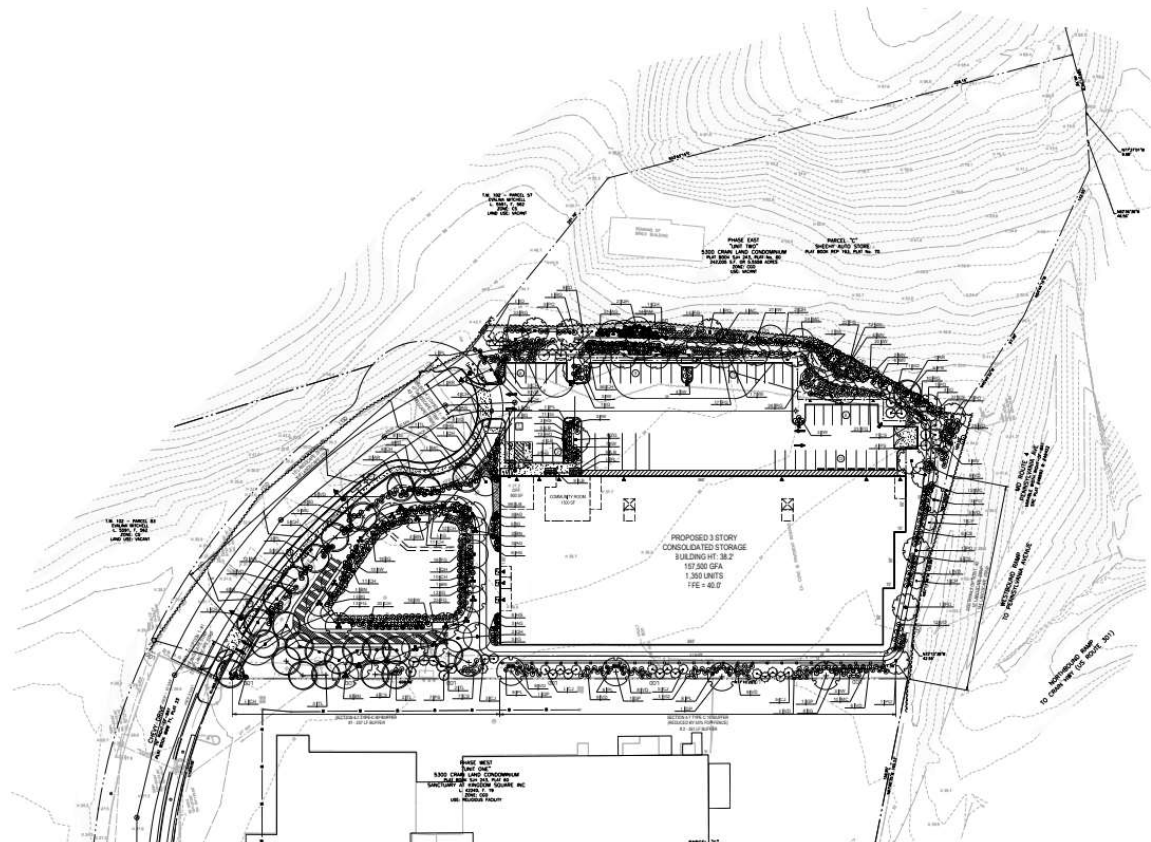
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



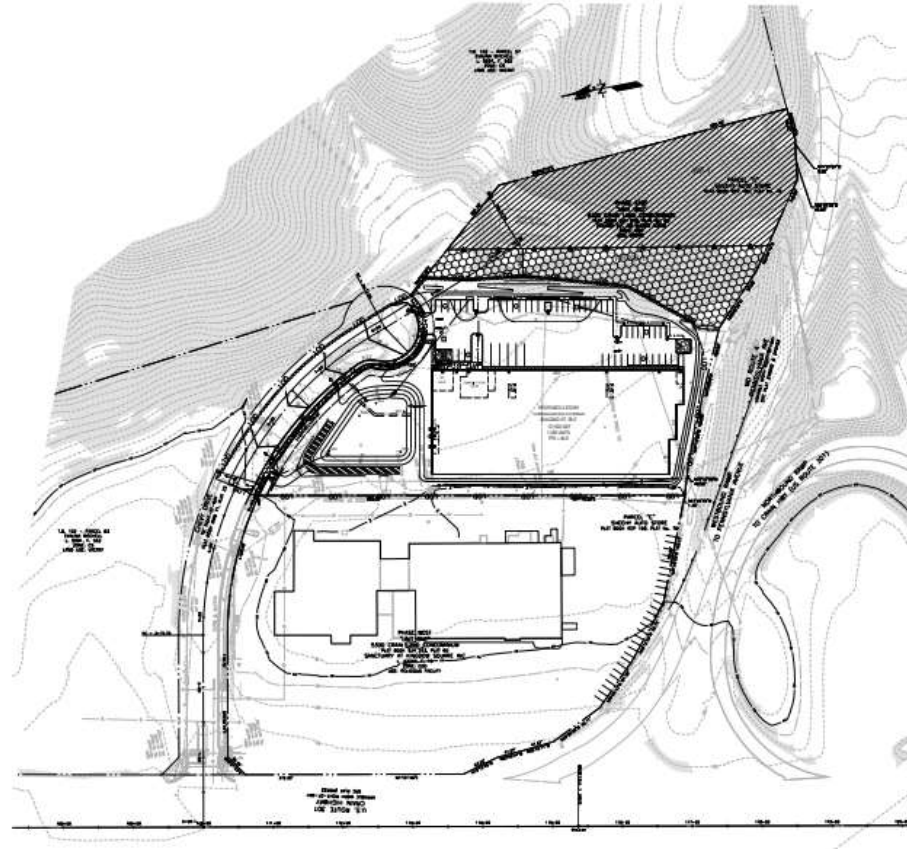
DETAILED SITE PLAN



LANDSCAPE PLAN



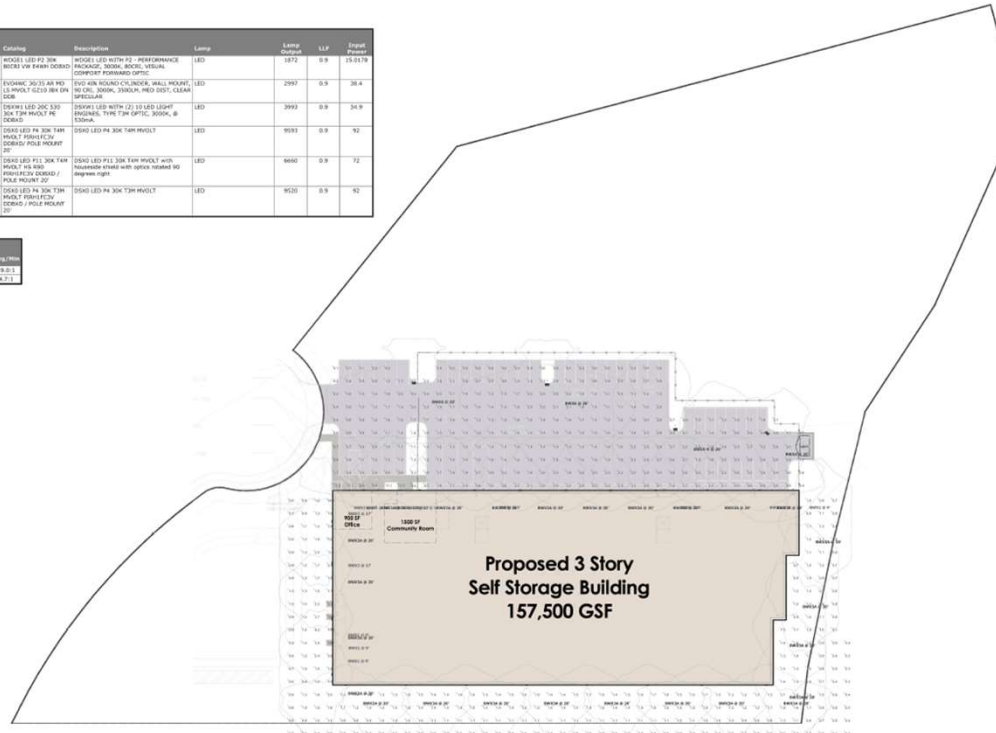
TYPE II TREE CONSERVATION PLAN



PHOTOMETRIC PLAN

Schedule	Label	QTY	Manufacturer	Coloring	Manufacturer	Label	Lamp Output	LLP	Footcandle
BWX1	02	1	Lithonia Lighting	ROCKE LED P2 30K ROCKE VUE BRAN DORAD	ROCKE LED WITH P2 - HIGH PERFORMANCE ROCKAZ, 3000K, 4000L, VETRAL CONCEPT PERFORMANCE OPTIC	LED	2972	0.9	25.5/1.78
BWX2	4	4	Custom Architectural Lighting	EVANOR 30235 AR HD L3 1/2 INCH 1/2 INCH BR BR DOR	EVG 4IN ROUND COLUMBIA WALL MOUNT BR/BL, 3000K, 3000K, HD VOLT, CLEAR OPTICAL	LED	2797	0.9	24.4
BWX3A	25	25	Lithonia Lighting	ESQW1 LED 200 530 30K T3M PHOUL PE DORAD	ESQW1 LED WITH 1/2 1/2 LED LIGHT ENGINEER, T3M OPTIC, 3000K, B T300K	LED	3793	0.9	34.9
BWX4	1	1	Lithonia Lighting	DS40 LED P4 30K T4M PHOUL FROULFCZY DORAD P40E PHOUL DOR	DS40 LED P4 30K T4M HVOLT	LED	9193	0.9	92
BWX5-R	1	1	Lithonia Lighting	DS40 LED P11 30K T4M PHOUL FRS ASD PHOULFCZY DORAD J PHOUL PHOUL DOR	DS40 LED P11 30K T4M HVOLT WITH NOURISON EXHAUST WITH OPTIC INSTALLED 90 DEGREE LIGHT	LED	8050	0.9	72
BWX6	2	2	Lithonia Lighting	DS40 LED P4 30K T3M PHOUL FROULFCZY DORAD P40E PHOUL DOR	DS40 LED P4 30K T3M HVOLT	LED	9520	0.9	92

Statistic	Symbol	Area	Per	Area/Min	Area/Max
Footcandle	+	1.8	1.02	0.18	0.18
Building Footcandle	+	1.4	1.02	0.18	0.18



FRONT ELEVATION FACING CHEVY DRIVE (N)



bwdarchitects
 PLANNING + ARCHITECTURE + PROPERTY VISIONING

P-200
 SHEET 1 OF 7
 07/19/2023

Front Elevation Facing Chevy Drive (N)
Upper Marlboro Self Storage - Prince George's Co, MD
Upper Marlboro Community Team Project

Generation Properties, LLC

SIDE ELEVATION ALONG LOADING (E)



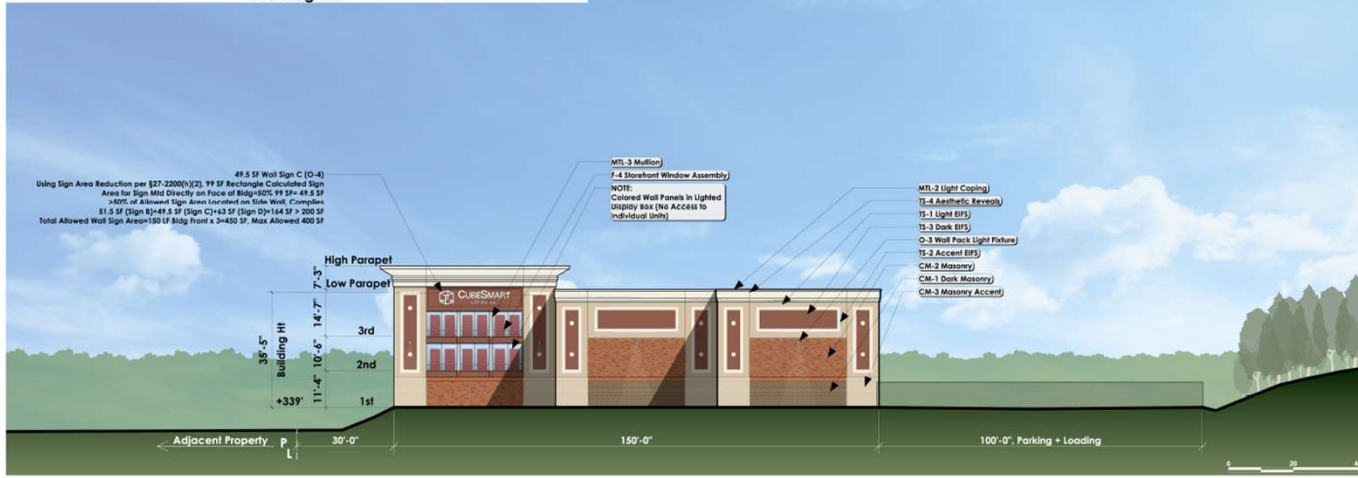
bwdarchitects
 PLANNING • ARCHITECTURE • PROJECT MANAGEMENT

P-201
 SHEET 2 OF 7
 07/19/2023

Side Elevation along Loading (E)
 Upper Marlboro Self Storage - Prince George's Co, MD
Architect: bwdarchitects.com

Generation Properties, LLC

REAR ELEVATION FACING ROUTE 4 EXIT RAMP (S)



SIDE ELEVATION ALONG ADJACENT PROPERTY (W)



bwdarchitects
 PLANNING • ARCHITECTURE • PROPERTY VISUALIZATION

P-203
 SHEET 4 OF 7
 07/19/2023

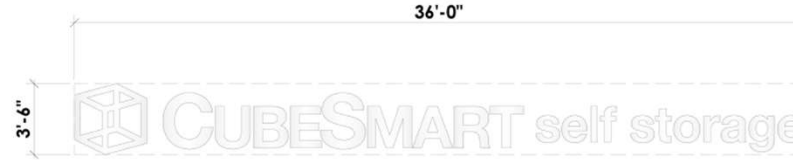
Side Elevation along Adjacent Property (W)
 Upper Marlboro Self Storage - Prince George's Co, MD

Generation Properties, LLC

PROPOSED SIGNAGE



Wall Sign A



Wall Sign D



Wall Sign B



Wall Sign C

PROPOSED SIGNAGE SCHEDULE - CGO ZONE						
SIGN	DRAWING REF	TYPE	SIGN LENGTH	SIGN WIDTH	SIGN CALCULATED AREA	ILLUMINATION
A	P-200	Wall	22'	4'	49.50 SF	Internally, Static
B	P-201	Wall	25'9"	4'	51.50 SF	Internally, Static
C	P-202	Wall	22'	4'	49.50 SF	Internally, Static
D	P-203	Wall	36'	3'	63.00 SF	Internally, Static
TOTAL PROPOSED WALL SIGN AREA					213.50 SF	
TOTAL ALLOWED WALL SIGN AREA=150 LF Building Front x 3=450 SF. Max Area Allowed=					400.00 SF	
Signage Complies						

1. Sign Area Maximum per § 27-293(c)(2) Sign Area Distribution.
 2. Sign Illumination per § 27-615(a)(1) Static Illumination

STAFF RECOMMENDATION

APPROVAL with conditions

- DET-2022-017
- ACL-2023-008
- TCPH-137-01-01

Major/Minor Issues:

- None

Applicant Required Mailings:

- Informational Mailing: 5/25/2023
- Acceptance Mailing: 09/26/2023

STATEMENT OF JUSTIFICATION
DETAILED SITE PLAN (DET-2022-017)
5300 CRAIN LAND CONDO
UPPER MARLBORO SELF STORAGE

The owner of the property forming the subject matter of this application is Chetwood Redevelopment, LLC. The applicant for this Detailed Site Plan is GP Upper Marlboro LLC ("Applicant"). The Applicant is the contract purchaser of the subject property and is a subsidiary of Generation Properties, LLC. The members of Generation Properties, LLC have substantial experience in the development, construction and operation of industrial, commercial and residential properties in Prince George's County and other surrounding counties in Southern Maryland.

PROPERTY

The property forming the subject matter of this application comprises approximately 5.55 acres located generally in the northeast quadrant of the intersection of US Route 301 and MD Route 4. It is vacant and undeveloped. The property is the subject of a final plat of subdivision recorded among the Land Records of Prince George's County at Plat Book REP 193, Plat 70. A copy of this plat is attached as Exhibit "A." This plat had as its subject matter approximately 10.7101 acres which is identified as Parcel C. In 2015, Parcel C was the subject of a condominium plat recorded among

the Land Records of Prince George's County at Plat Book SJH 243, Plat 60. A copy of this condominium plat is attached as Exhibit "B." As shown on Exhibit "B," Parcel C became subject to two land condominium units identified as "Unit One" and "Unit Two." The subject property comprises that land area depicted as "Unit Two" (the "Property").

The Property is presently vacant and undeveloped. An aerial photograph outlining the Property in blue is attached as Exhibit "C." As depicted on Exhibit "C," the land area to the north and east of the Property is wooded and undeveloped. The land area immediately west of the Property, which is identified as condominium "Unit One" on Exhibit "B," is improved with a church known as the Sanctuary at Kingdom Square. The church building was formerly used as a car dealership. Farther west, across US 301, are various commercial and industrial uses. To the south, across MD 4, are additional commercial and industrial uses. The Property is currently zoned CGO (Commercial, General Office). A copy of the current Zoning Map is attached as Exhibit "D." As depicted on Exhibit "D," the land area surrounding the intersection of US 301 and MD 4 is within commercial and industrial zoning classifications. These zoning classifications correspond to the existing land uses in the surrounding area.

As can be seen from a review of Exhibit "B," there is a roadway known as Chevy Drive located north of the Property and

which extends east from US 301. Chevy Drive is a dedicated public right-of-way extending east from its intersection with US 301. While Chevy Drive is only paved from its intersection with US 301 to the Property's northwest boundary, the dedication area extends farther east, where it terminates in a cul-de-sac. Exhibit "C" also depicts the limits of construction of Chevy Drive.

BACKGROUND AND HISTORY

As noted above, the Property is one of two land condominium units comprising what is now identified as Parcel C. Land condominium "Unit One" was the subject of a Final Plat of Subdivision recorded in 1968 among the Land Records of Prince George's County in Plat Book WWW 71, Plat 23. A copy of this Final Plat is attached as Exhibit "E". As can be seen on Exhibit "E," the land area subject to the Final Plat comprised 5.8928 acres identified as Parcel A. It is worth noting that this Final Plat resulted in the dedication of Chevy Drive to public use. Parcel A was subsequently developed and operated as a car dealership. At that time, the Property consisted of two unsubdivided deed parcels identified as Parcel 9 and Parcel 56. In 1999, Parcel A, Parcel 9 and Parcel 56 came under common ownership. In 2001, the then owner filed a Preliminary Subdivision Plan application (4-01023). The purpose of Preliminary Plan 4-01023 was to construct an addition to the car dealership, and to consolidate Parcel A, Parcel 9 and Parcel 56 into a single lot. This consolidation resulted in the

creation of Parcel "C" as depicted on the Final Plat of Subdivision attached as Exhibit "A."

Prior to 2013, the Property was zoned I-1 (Light Industrial), while land condominium "Unit One" was zoned C-M (Commercial Miscellaneous). The Property is included within the Subregion 6 Master Plan area. Pursuant to the 2013 Subregion 6 Master Plan and Sectional Map Amendment ("SMA"), all of Parcel C was rezoned to the C-S-C (Commercial Shopping Center) Zone. The rezoning appears as SMA Change Number 24. Copies of the relevant excerpts from the SMA text document are attached as Exhibit "F." The discussion within Exhibit "F" states that the rezoning was intended to encourage commercial redevelopment of the site. Finally, and as noted above, the Property is now zoned CGO. The Property transitioned to the CGO Zone when the new Zoning Ordinance took effect on April 1, 2022. The CGO Zone is the successor to the prior C-S-C Zone.

DEVELOPMENT PROPOSAL

This Detailed Site Plan application seeks approval to construct and operate a consolidated storage facility. The Applicant is processing this Detailed Site Plan application pursuant to the provisions of the current Zoning Ordinance. When the new Zoning Ordinance was adopted pursuant to CB-13-2018, a consolidated storage facility was permitted as a matter of right in the CGO Zone. The new Zoning Ordinance did not become effective

until April 1, 2022 when a Countywide Map Amendment rezoning all property in the County also became effective. On March 7, 2023, the Prince George's County Council, sitting as the District Council, adopted CB-11-2023. That bill prohibited consolidated storage in certain zones, including the CGO Zone. However, several developers testified during the consideration of CB-11-2023 and indicated that they had expended considerable funds in preparing applications for consolidated storage facilities based upon their good faith reliance on the new Zoning Ordinance's Use Table permitting that use. The Applicant was one of the stakeholders who testified to that effect during the consideration of CB-11-2023. As a result of that testimony, when the District Council adopted CB-11-2023, it determined to add certain grandfathering provisions. One of those grandfathering provisions appeared as Section 3 and related to properties located outside the Capital Beltway. Section 3 provided as follows:

SECTION 3. BE IT FURTHER ENACTED that any proposed development of a consolidated storage use located outside I-95/I-495 (the "Capital Beltway") that has completed a Pre-Application Neighborhood Meeting for a Special Exception or a Detailed Site Plan pursuant to Section 27-3402, prior to April 1, 2023, may be reviewed and decided in accordance with the use regulations in effect prior to the effective date of this Ordinance.

The Property is located outside of the Beltway. The Applicant in this case satisfied the requirement to complete its Pre-Application Neighborhood Meeting prior to April 1, 2023. In fact,

the Pre-Application Neighborhood Meeting for this Detailed Site Plan occurred on December 19, 2022 at 6:30 p.m. in a virtual format. A copy of the sign message which was posted providing notice of the Pre-Application Neighborhood Meeting is marked Exhibit "G" and attached hereto. Further, a written summary of the Pre-Application Neighborhood Meeting which includes several exhibits including the Affidavit of Mailing of notice of the Pre-Application Neighborhood Informational Meeting are also filed as a separate attachment with this Application. These exhibits establish that the Pre-Application Neighborhood Meeting occurred prior to April 1, 2023. Therefore, this Detailed Site Plan Application may proceed to be considered and acted upon.

DESCRIPTION OF PROJECT

The building is proposed to be three stories in height and include approximately 157,500 square feet of gross floor area. It is proposed to include approximately 1,350 individual storage units of varying sizes. The Applicant will construct the consolidated storage facility and maintain ownership of the facility. However, the Applicant plans to enter into a management agreement with CubeSmart, a national consolidated storage operator, to operate the facility.

The proposed building is roughly rectangular in shape. The northeast corner of the building, which will face the Property's

access driveway, will include an office on the ground floor with a retail sales area. Retail sales items will include such things as boxes, tape, staples, locks and other items which may be needed by patrons. Within the office, an administrative staff person will be on duty Monday through Saturday between the hours of 9:00 a.m. and 6:00 p.m., and on Sundays between the hours of 11:00 a.m. and 3:00 p.m., to tend to the business affairs of the facility. The north façade will generally front along Chevy Drive. The west façade of the building will face toward the Sanctuary at Kingdom Square Church. The south façade will face toward the MD 4 exit ramp. The east façade will face the proposed parking and loading area.

Access to the facility is proposed from Chevy Drive. As noted above, Chevy Drive is a dedicated public street with a right-of-way width of 70 feet. Chevy Drive connects to US 301 at a four-way signalized intersection. Patrons desiring to visit the facility will enter Chevy Drive via this intersection. At a point approximately 350 feet from the US 301 access, Chevy Drive begins to curve in a southerly direction. Patrons will continue along Chevy Drive until they reach the cul-de-sac. At this point, they will turn into a 30-foot wide drive aisle which provides access to the proposed parking compound. Upon entering the parking compound, there will be seven regular spaces and two handicapped spaces located immediately adjacent to the office/retail component of the

building. As noted above, the office/retail component is located in the northeast corner of the building. Doors will be located on the east façade of the office component. An awning will cover this entrance to the building.

In order to obtain access to the parking and loading area, patrons will need to continue past the office/retail parking area. As depicted on the Site Plan and Elevations, access to the parking and loading area is restricted behind decorative aluminum fencing with a mechanized gate. This gate can only be accessed by entering a security code into a keypad. As shown on the lighting details included with this application, safe lighting will be provided within the parking and loading areas and around the building. As noted above, a manager/administrator will be in the office Monday through Saturday between the hours of 9:00 a.m. and 6:00 p.m., and on Sundays between the hours of 11:00 a.m. and 3:00 p.m. Patrons will be able to access the facility via the keypad gate seven days a week between the hours of 6:00 a.m. and 10:00 p.m. The building will not be accessible outside of these hours.

Patrons desiring to access the parking and loading area will proceed past the security gate in a southerly direction. Here, there will be twenty-eight (28) standard parking spaces and seven 12' x 45' loading spaces. The orientation and location of parking and loading spaces is clearly depicted on the Site Plan. All travelways and parking spaces will be delineated with painted

striping. Access doors into the building will be located in the general vicinity of the parking and loading spaces. Elevators will be located inside the building and will afford patrons the opportunity to transport storage materials to units within the building. Once loading operations are concluded, vehicles will exit along the access driveway.

As noted above, the building is proposed to be three stories in height. Within the first floor in the northeast corner of the building, there will be approximately 1,200 gross square feet of floor area allocated to a small office with associated retail sales. The balance of the building will be devoted to individual consolidated storage units. All units will be accessed solely from inside the building. No individual units will have exterior access. The Applicant is proposing to provide approximately 1,350 individual storage units.

Color elevations which depict the proposed building have been filed with this application. The Applicant and CubeSmart have expended substantial effort and commitment toward providing an architectural style which very much presents as an office building. High quality building materials are proposed to be incorporated into the facility. When viewing the building from its east façade, the structure will consist of a combination of red brick, masonry, transparent glass panels, and EIFS paneling. The exact orientation of materials is depicted on the elevation drawings. As can be seen

on the elevations, the north façade includes a similar mix as the east façade to enhance the aesthetic quality of the building. A red awning is also provided above the entrance to the office. Red is the CubeSmart corporate color and is used as an accent treatment.

The façade elements of the office space are carried around from the north to the east elevation. The west and south elevations are composed of masonry and EIFS paneling which is complimented by the presence of additional brick treatment. It should be noted that additional transparent glass treatment is provided on the west and south facades. Behind the glass will be colored wall panels in lighted display boxes. These panels create the appearance of individual units and are provided for aesthetic purposes. They will not provide access to individual units. The building includes parapet/cornice rooflines which further enhance the architectural appearance. Finally, additional contrast is provided through roofline height variations in the northeast and southwest corners of the building.

A signage plan has also been filed with this application. A total of 5 signs are proposed. There will be one wall mounted sign located on each building façade. A freestanding sign will also be provided near the entrance to the Property. The signage on the east façade will read "CUBESMART" in white letters. The four remaining signs will read "CUBESMART self storage" and will also

incorporate the CubeSmart logo. The exact location and details of each sign are more particularly depicted on the sign plan submitted with this application.

Substantial landscaping is also proposed for the site. All proposed landscaping is shown on the Landscape Plan filed as part of the Site Plan package. The Landscape Plan includes a planting schedule and identification of proposed landscaping to be installed.

MASTER PLAN CONFORMANCE

As noted above, the Property was previously zoned I-1 under the prior Zoning Ordinance. In 2013, the Prince George's County Council, sitting as the District Council, approved the Subregion 6 Master Plan and Sectional Map Amendment ("SMA"). The Property was included within the properties rezoned as part of the SMA. Upon adoption thereof, the Property was rezoned from the I-1 Zone to the C-S-C Zone (see Exhibit "F"). In addition to the SMA rezoning, the Subregion 6 Master Plan also contains a Future Land Use Map, a copy of which is attached as Exhibit "H." This map recommends commercial development of the Property. The new CGO Zone for the Property conforms with the commercial land use recommendation contained in the Subregion 6 Master Plan. Significantly, consolidated storage is permitted in the CGO Zone. Given the zoning history of the Property, and the fact that the applicable Master Plan recommends commercial development for the

Property, The Applicant submits that its development proposal promotes the underlying goals and strategies of the Master Plan and will not substantially impair any of the recommendations of the Master Plan.

PRINCE GEORGE'S 2035 GENERAL PLAN CONFORMANCE

Development of the Property with uses permitted in the CGO Zone is also in conformance with the recommendations of the Prince George's 2035 General Plan. The Generalized Future Land Use Map, found on page 101 of the text document and attached hereto as Exhibit "I," recommends the Property for commercial development. The existing CGO zoning classification conforms in general to the Future Land Use Map set forth in Plan 2035. The Property is also within Tier 1 of the Sustainable Growth Act which supports development. Finally, it is also designated in the Established Communities Growth Area under the 2035 General Plan. Given the above, the Applicant submits that this application is in conformance with the recommendations of the Prince George's 2035 General Plan.

MARYLAND SMART GROWTH ACT CONFORMANCE

The Maryland Smart Growth Act lists four goals for proper growth:

- (a) Support existing communities by targeting resources to support development in areas where infrastructure exists;**

As previously mentioned, the Property is located in Sustainable Growth Tier I. Although no longer effective, the 2002 General Plan designated the Property within the Developing Tier. The Property is located within an existing community with substantial development and infrastructure. It is located in proximity to US Route 301, a major north/south thoroughfare, and MD Route 4, a major east/west thoroughfare. It is further located in an area with existing commercial and industrial development, and is just outside the limits of the Town of Upper Marlboro.

(b) Save our most valuable natural resources before they are lost forever;

The proposal will concentrate a low-intensity use on a relatively small infill lot which has long been envisioned for commercial development. It will be developed utilizing and implementing sound planning concepts and will help to preserve undeveloped land by limiting sprawl.

(c) Save taxpayers from the high cost of building infrastructure to serve development that has spread far from our traditional population centers; and

As noted above, the Property is located in a developed area which is already served by existing infrastructure. In fact, the Property is located just beyond the limits of the Town of Upper Marlboro, which is one of the County's traditional population

centers. Therefore, taxpayers will not be burdened with the cost of building infrastructure to serve the proposed development.

- (d) Provide Marylanders with a high quality of life, whether they choose to live in a rural community, suburb, small town or city.**

This application will allow a development which will provide a needed service for area residents. The proposal involves a use which is permitted in the CGO Zone. As abovementioned, the CGO zoning classification for the Property conforms with the recommendations of the applicable planning documents.

ZONING ORDINANCE DETAILED SITE PLAN CRITERIA

Pursuant to Section 27-3605(a)(1) of the Zoning Ordinance, a Detailed Site Plan must be approved prior to issuance of a building permit for any development, unless the development is among the exemptions listed in Section 27-3605(a)(2). Section 27-3605(a)(2)(O) provides that nonresidential development consisting of less than 25,000 square feet of gross floor area is exempt from the Detailed Site Plan requirement. Given that the proposed consolidated storage facility will exceed 25,000 square feet, approval of a Detailed Site Plan is necessary.

The Detailed Site Plan submittal requirements are enumerated in Section 27-3605(c)(5). Section 27-3605(c)(5)(F)(ix) requires the filing of a statement of justification detailing:

- (aa) How the property conforms to the requirements of the Zoning Ordinance and Subdivision Regulations, as applicable, including all conditions of approval in any**

development approvals and permits to which the detailed site plan is subject;

This project conforms to the requirements of the Zoning Ordinance by proposing a use of the Property which is permitted in the CGO Zone. The site plan and landscape plan submitted with this application further demonstrate conformance with all applicable requirements of the Zoning Ordinance and Landscape Manual, including but not limited to setbacks, yard requirements, building height, parking and loading standards, etc. Conformance with prior conditions of approval is discussed in greater detail below with respect to the Detailed Site Plan decision standards found in Section 27-3605(e).

(bb) How the proposed design preserves and restores the regulated environmental features in a natural state to the fullest extent possible, in accordance with the requirements of Subtitle 24: Subdivision Regulations;

An approved Natural Resource Inventory and Type 2 Tree Conservation Plan have been submitted with this application. The development will not disturb any regulated environmental features, as none are present on site.

(cc) How any land intended for public use, but not proposed to be in public ownership, will be held, owned and maintained for the indicated purpose (including any proposed covenants or other documents); and

This provision is inapplicable as there is no land intended for public use as part of this proposal.

(dd) How the development proposed in the detailed site plan can exist as a unit capable of sustaining an environment of continuing quality and stability.

This proposal will certainly provide a quality and stable environment. First, it proposes a use which is permitted in the CGO Zone. The zoning of the Property, and the proposed use of the Property, are both consistent with the recommendations of applicable planning documents. The building will be constructed using the highest quality building materials and will provide a needed service to community residents. Finally, the Property will be owned and operated by entities with substantial experience, both locally and nationally, in the operation of consolidated storage facilities.

In addition to the above criteria, there are also Detailed Site Plan Decision Standards found in Section 27-3605(c). This Section provides that a Detailed Site Plan may only be approved if the following standards are met:

(1) The proposed development represents a reasonable alternative for satisfying the applicable standards of this Subtitle, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;

As can be seen from a review of the Site Plan package filed with this application, the proposed development conforms to all applicable Zoning Ordinance requirements. The building architecture is attractively designed and construction materials

are of the highest quality. Ample parking and landscaping are provided, as is a safe and efficient system of circulation and access. In short, the proposal will provide area residents with a needed service which is permitted in the CGO Zone.

- (2) The proposed development complies with all conditions of approval in any development approvals and permits to which the detailed site plan is subject;**

There are no prior conditions which impact the review and approval of this Detailed Site Plan.

- (3) The proposed development demonstrates the preservation and/or restoration of the regulated environmental features in a natural state, to the fullest extent possible, in accordance with the requirements of Section 27-4303(D)(5) of Subtitle 24: Subdivision Regulations;**

The project has an approved Stormwater Management Concept Plan (#36928-2022). A copy of the approved Stormwater Management Concept Plan and Approval Letter are included in this application. It also has a Natural Resources Inventory Equivalency Letter, and Type 2 Tree Conservation Plan, copies of which have been submitted with this application. All applicable environmental regulations will be addressed as part of the development of this project.

- (4) Proposed development located within a Planned Development (PD) zone shall be in conformance with the PD Basic Plan and PD Conditions of Approval that apply to that development;**

This provision is inapplicable as the Property is not located within a Planned Development (PD) Zone.

- (5) The proposed development conforms to a Tree Conservation Plan, if applicable;**

The Property is the subject of an approved Type 2 Tree Conservation Plan, a copy of which is submitted with this application.

(6) The development in the detailed site plan (minor and major) shall be consistent with the General Plan and shall conform to the relevant goals, policies, and strategies of the Area Master Plan or Sector Plan, application Functional Master Plans, and the Growth Policy Map as it relates to centers in the 2014 General Plan, *Plan Prince George's 2035*, for the subject property and its surrounding area (unless the subject property has been rezoned pursuant to a Zoning Map Amendment subsequent to the adoption of the relevant Area Master Plan, Sector Plan, or Functional Master Plan;

Conformance and consistency to both the Subregion 6 Master Plan and General Plan 2035 have been discussed hereinabove. This Application is clearly consistent with the goals and policies of both the Master Plan and the General Plan.

(7) The development proposed in a detailed site plan for infrastructure complies with applicable regulations of PART 27-6: Development Standards, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge; and

This provision is inapplicable as this is not a Detailed Site Plan for Infrastructure.

(1) Places of worship located on a lot between one (1) and two (2) acres in size shall also met the following standards:

(A) The minimum setback for all buildings shall be twenty-five (25) feet from each lot line;

(B) When possible, there should be no parking or loading spaces located in the front yard; and

- (C) The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased.**

This provision is inapplicable as no place of worship is proposed on the Property.

ZONING ORDINANCE USE SPECIFIC STANDARDS

Many uses in the new Zoning Ordinance are subject to additional criteria known as "Use Specific Standards." The Use Specific Standards applicable to consolidated storage facilities are found in Section 27-5102(f)(4)(A). That Section provides as follows:

(A) Consolidated Storage

- (i) The subject property shall front on and have direct vehicular access to an existing street with sufficient capacity to accommodate the type and amount of traffic expected to be generated by the use.**

As discussed above, the Property will be accessed from Chevy Drive. The Applicant will be constructing an extension of Chevy Drive to provide access to the site. Chevy Drive connects to US 301, which is a major north/south thoroughfare. Given the nature of consolidated storage facilities, only minimal traffic is expected to be generated. The Applicant submits that Chevy Drive, and by extension US 301, has sufficient capacity to accommodate the traffic which will be generated by the proposed development.

- (ii) The exterior and architectural façade of the building shall be compatible with the prevailing architecture**

and appearance of other development in the surrounding neighborhood.

As depicted on the elevations submitted with this application, the proposed building will be constructed using high quality building materials. For example, the proposed façade will also include a mix of brick, glass, masonry and EIFS paneling. Other features will include roofline height variations and parapet/cornice roof designs which will enhance the building's appearance.

- (iii) No entrances to individual consolidated storage units shall be visible from a street or from adjoining land in any Rural and Agricultural or Residential base zone, Transit-Oriented/Activity Center base or PD zone, or the CN, CS, or CGO zones, or from land approved for a residential or commercial use.**

Each storage unit will be located within the proposed building, and entrances to individual units will not be visible from outside the building. Thus, this criterion is satisfied.

- (iv) Entrances to individual consolidated storage units shall be either oriented toward the interior of the development or completely screened from view by a solid wall, with landscaping along the outside thereof.**

See above response.

- (v) For consolidated storage units having direct access to areas outside the building, there shall be provided driveways and areas between buildings for vehicular access, loading, and unloading. Sufficient width shall be provided to permit a moving vehicle to safely and efficiently pass a vehicle parked adjacent to an individual consolidated storage unit.**

In no case shall a width of more than 25 feet be required.

See above response.

- (vi) In the IE Zone, the expansion of an existing consolidated storage use within a building shall be limited to a maximum of 50 additional individual units and shall not be located within one-half mile of another consolidated storage use in the IE Zone. However, this Subsection shall not apply to a consolidated storage use expansion constructed pursuant to an approved preliminary plan of subdivision, final plat, and detailed site plan, where the consolidated storage use is buffered from view from any public right-of-way. The required Technical Staff Report prepared and submitted to the administrative record for the detailed site plan application shall include a current, countywide inventory of the locations, dates of approval, and any conditions of approval for consolidated storage uses located on property within one-half mile of the boundaries of the property on which the proposed consolidated storage use will be located.

This provision is inapplicable as the Property is not zoned IE.

(vii) In the CGO Zone, the property owner shall set aside of minimum of 1,500 square feet of gross floor area of commercial/retail/office space at ground level or above ground level at zero base rent to be leased as a business incubator or Community Non-Profit Space, as defined in Section 27-2500 of this Code, subject to the following:

(aa) If the Community Non-Profit Space is located above ground level, the property owner shall ensure that space is handicapped accessible, and shall provide adequate signage so that the public can locate the space.

(bb) Occupancy and use of the Community Non-Profit Space shall be subject to a Community Benefit Agreement executed by the

property owner and Community Non-Profit organization, as approved by the District Council. Said Community Benefit Agreement shall be binding on all successors, heirs, and assigns of the property.

The Applicant, who will soon be the Property owner, plans to set aside a minimum of 1,500 sq. feet of gross floor area on the ground level of the building to be used as either a business incubator or community non-profit space. At this time, the Applicant is planning to enter into an agreement with the Sanctuary at Kingdom Square Church to provide the community space for church use. The Applicant will enter into a Community Benefit Agreement with the Church to commemorate the terms and conditions surrounding use of the 1,500 sq. feet of floor area.

(viii) Property in the IE Zone that was rezoned from the I-3 Zone, and that is adjacent to land in the RE Zone, shall not develop with Consolidated Storage uses.

This provision is inapplicable since the Property is not zoned IE.

(cc) The property owner shall ensure that the Community Non-Profit tenant access to at least one (1) large storage unit on the property.

The Applicant will provide one (1) large storage unit for use by the Community Non-Profit tenant.

Based on the foregoing, the Applicant submits that this proposal conforms with Section 27-5102(f)(4)(A), Use Specific Standards for consolidated storage facilities.

ZONING ORDINANCE DEVELOPMENT STANDARDS

In addition to the foregoing, projects must also conform to the requirements of Part 27-6: Development Standards. The Applicant's civil engineer has prepared a matrix/appendix titled "Development Standards Conformance Matrix". That document has been filed as an attachment to this Application. The Applicant submits that document establishes conformance to all applicable development standards.

PRIOR CONDITIONS OF APPROVAL

The Property is the subject of a Preliminary Subdivision Plan (4-01023) approved in 2001. All conditions of approval in PPS 4-01023 were met and satisfied prior to construction of the existing improvements on Condominium Land Unit One. Therefore, the Applicant believes that these conditions are not applicable to the instant proposal. Nonetheless, the conditions which could potentially be deemed applicable are addressed below:

Condition 2: Development of this subdivision shall be in accordance with the approved Stormwater Management Concept approval #8329131-2000-00.

As noted above, the Property is the subject of an updated and approved Stormwater Management Concept Plan (#36928-2022). The Property will be developed in accordance therewith.

Condition 4: All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

The proposed consolidated storage facility will be developed in accordance with Condition 4.

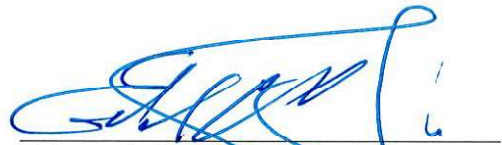
Condition 6: Prior to the approval of building permits, the site shall be connected to the public sewer system unless alternative timing is approved by the Health Department.

Condition 7: The property shall connect to the public water supply system upon availability. At that time the applicant shall determine the disposition of the existing well on site and provide that information to the Health Department.

The project will connect to the public water and sewer system.

CONCLUSION

In view of all of the above, the Applicant submits that the proposed consolidated storage facility meets the requirements for approval of a Detailed Site Plan. The Applicant therefore requests that this Detailed Site Plan application be approved as submitted.



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Appendix – Demonstration of Conformance

This narrative demonstrates how the Upper Marlboro Self Storage/Phase East “Unit Two”-5300 Crain Land Condominium Detailed Site Plan (DET-2022-017) conforms to Prince George’s County zoning code Part 27-6 Development Standards.

Sec. 27-6200 Roadway Access, Mobility, and Circulation

27-6202. Consistency with Plans

The Detailed Site Plan has been designed to comply with Sec. 27-6200 Roadway Access, Mobility, and Circulation and is consistent with the transportation goals, objectives, and actions in the County’s General Plan, the Approved Countywide Master Plan of Transportation, and Approved Subregion 6 Master Plan and Sectional Map Amendment.

27-6203. Multimodal Transportation System

Access and circulation systems associated with this development have been designed to provide access to available travel modes including pedestrian, bicycle, and vehicular. A 5-foot concrete sidewalk is proposed within the Chevy Drive right-of-way along the property’s road frontage. The nearest public transit is The Bus route 53 located north at the intersection of Crain Highway and Marlboro Pike.

The project site fronts Chevy Drive, an existing urban commercial road with a 70 foot right-of-way and terminates with a cul-de-sac. Chevy Drive provides access to Robert S. Crain Highway (US Route 301). The portion of the site that fronts Chevy Drive will have a 5 foot concrete sidewalk within the right-of-way and will connect to the site’s interior sidewalk system.

The Chevy Drive Road frontage will be marked with a shared bicyclist roadway or an unseparated bike lane.

27-6204. Circulation Plan or Site Plan Required

The Detailed Site Plan has been designed to comply with the requirements of Sections 27-6205 through 27-6208 and required parking in Section 27-6303.

27-6205. Developer Responsible for On-Site Street Improvements

The proposed sidewalk to be constructed within the Chevy Drive right-of-way shall be bonded, constructed and maintained in accordance with the standards for design and construction defined in Subtitle 23: Roads and Sidewalks and Bowie and Vicinity 2006 Approved Master Plan and Sectional Map.

27-6206. Vehicular Access and Circulation

(a) Definition of Street Functional Classification

No public streets are proposed.

(b) Vehicular Accessway Classifications

(1) Connectivity

The proposed 31 foot access driveway connects to Chevy Drive and follows the standards of design and construction as defined in the Prince George’s County Specifications and Standards for Roadways and Bridges and in Subtitle 23: Roads and Sidewalks.

(c) Required Vehicular Access and Circulation

The driveway connecting with the public street, as well as the parking lot, drive aisles, and circulation associated with parking, loading are designed to accommodate appropriate circulation of firefighting and other emergency vehicles, garbage trucks, delivery vehicles, service vehicles, and passenger motor vehicles within the development, as defined by the standards in Subtitle 23: Roads and Sidewalks (see attached vehicle turning exhibit).

(d) Vehicular Access Management

(1) Limitation on Direct Access Along Arterial and Collector Streets

No access is offered to Arterial or Collector Streets.

(2) Limitation on Direct Driveway Access along Other Streets

(A) One direct driveway access point is proposed to provide vehicular access to the Chevy Drive right-of-way.

(B) To protect the function, safety, and efficiency of travel the number of vehicular access points along the public street follows County and municipal access standards.

(l) Driveway Layout and Design

(1) Driveway Width

The driveway serving this development complies with the minimum width standards. The minimum proposed two-way driveway width is 24 feet wide.

(2) Dead-End Driveway Length

See truck turning exhibit for demonstration of adequate fire truck turn around.

(3) Driveway Intersections

(A) Alignment

The driveway intersection with Chevy Drive is 380 feet from the nearest adjacent driveway.

(B) Proximity to Adjoining Land

The driveway intersection is spaced more than two feet from the adjoining property line. The driveway radius does not encroach on the adjacent property and doesn't interfere with safe use of a driveway on the adjoining property.

(C) Medians in Driveway Entrances

No medians are proposed.

(m) Vehicle Stacking Space

(1) For Drive-through and Related Uses

No drive-through is proposed.

(2) For Vehicular Parking Area (Parking Lot) Entrance Driveways

A 25 foot stacking lanes is provide between the edge of the street right-of-way and entrances into off-street parking areas in accordance with the minimum stacking lane distance established in Table 27-6206(m)(2).a: Minimum Stacking Lane Distance for Vehicular Parking Area Entrance Driveway

27-6207. Pedestrian Access and Circulation

(a) Required Pedestrian Access

(1) General Pedestrian Access

An internal pedestrian circulation system of sidewalks is provided to permit safe, convenient, efficient, and orderly movement of pedestrians from the origin to destination points within the development and community-wide pedestrian circulation system.

- (A) The primary entrance(s) of principal buildings (or the buildable area of lots, for subdivisions);
- (B) Off-street parking bays.
- (C) Not applicable
- (D) Common use areas.

(2) Sidewalks Required

- (A) No new roads are proposed.
- (B) A 5 foot sidewalk is proposed along the road frontage within the existing Chevy Drive right-of-way.

(b) Pedestrian Connectivity

- (1) The internal pedestrian circulation system is designed to allow pedestrian walkway access to development's building and parking areas. The proposed sidewalk along Chevy Drive provides connectivity between the site and the adjoining community.

27-6208. Bicycle Access and Circulation

(a) Required Bicycle Access

(1) Internal and Adjoining Bicycle Access

Internal bicycle circulation is provided such that bicycle access to the development's primary use is safe, convenient, and intuitive, specifically by providing the following, in coordination with the Department of Public Works and Transportation, State Highway Administration, or a municipality with jurisdiction over the streets.

- (A) Bicycle parking facilities required by Section 27-6309, Bicycle Parking Standards, in areas near the primary entrance(s) of principal buildings for bicycle storage.
- (B) Connection to the road system is provided.

(2) Required Bikeway Network Improvements

Not applicable

(b) Bicycle Connectivity Between Developments

Not applicable

(c) General Bikeway Layout and Design

(1) Off-Street Bicycle Facilities

Not applicable

(2) On-Street Bicycle Facilities

Not applicable

Sec. 27-6300 Off-Street Parking and Loading

27-6303. Parking Plan or Site Plan Required

The site plan has been prepared to meet the requirements for circulation and parking in accordance with sections 27-6204 and 27-6307(a).

27-6304. General Standards for Off-Street Parking and Loading Areas

(a) Use of Parking and Loading Areas

(1) General

Off-street parking areas are to be used solely for the parking of licensed motorized vehicles in operating condition. Parking spaces and loading berths are not to be used for the display of goods for sale or the sale, lease, storage, dismantling, or service of any vehicles, boats, motor homes, campers, mobile homes, building materials, equipment, or supplies.

(2) Identified as to Purpose and Location

Off-street parking areas and off-street loading areas are marked with painted lines and have wheel stops, and signs to identifying parking space types and loading berths.

(b) Surfacing

(1) General

(A) All off-street parking and loading areas shall be surfaced with asphalt and will be maintained in a smooth, well-graded, clean, orderly, and dust-free condition.

(c) Location and Arrangement

(1) Safe and Convenient Access

(A) Off-street parking spaces and loading berths have adequate, unobstructed means for the ingress and egress of vehicles, and connect to a public street.

(B) Off-street parking areas are arranged so no parking or maneuvering incidental to parking shall occur on a public street or sidewalk.

(C) Off-street parking areas are arranged so an automobile may be parked or un-parked without having to move another automobile.

(D) Off-street loading are arranged so no loading berth extends into the required aisle of a parking lot.

(2) Backing onto Streets Prohibited

Off-street parking and loading are arranged so that no vehicle is required to back out from such areas directly onto a street.

(d) Markings

(1) Off-street parking areas and space, and each off-street loading area is identified by surface markings that are arranged to provide for orderly and safe loading, unloading, and parking of vehicles. Such markings include directional arrows and signs for disabled-designated areas are illustrated on the Detailed Site Plan.

(2) Two-way accesses into parking facilities will be identified by directional arrows.

(e) Exterior Lighting

Lighted off-street parking and loading areas shall comply with the standards of Section 27-6700, Exterior Lighting, see Photometric Plan.

(f) Wheel Stop Requirements

(1) Off-street parking areas comply with the landscaping standards of the Landscape Manual.

(2) Not applicable

(3) Wheel stops shall be made of concrete and are six feet in length and are at least six inches height.

(g) Accessible Parking for Persons with Physical Disabilities

Off-street parking spaces for persons with physical disabilities are specifically designated, located, and reserved in accordance with the standards in the Federal Americans with Disabilities Act Accessibility Guidelines (see Typical Handicap Parking Space Detail on the Detail Sheet).

(h) Maintained In Good Repair

(1) Maintained at All Times

All off-street parking and loading areas shall be maintained in safe condition and good repair at all times so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding land.

(i) Large Vehicular Use Areas (300 or More Spaces)

Not applicable

27-6305. Off-Street Parking Space Standards

(a) Minimum Number of Off-Street Parking Spaces

The minimum number of off-street parking spaces are provided in accordance with Table 27-6305(a), Minimum Number of Off-Street Parking Spaces, see parking table in Detailed Site Plan general notes.

4. Maximum Number of Off-Street Parking Spaces

The number of proposed off-street parking spaces does not exceed 140% of the number of required off-street parking spaces.

5. Electric Vehicle (EV) Charging Stations

Not applicable

6. Driveways Used to Satisfy Standards

Not applicable

7. Visitor Parking

Not applicable

8. Parking of Vehicles Owned or Used by the Occupants of the Premises or Their Bona Fide Guests

Not applicable

27-6306. Dimensional Standards for Parking Spaces and Aisles

1. General

Standard vehicle parking spaces (9'x18' min.), compact parking spaces (9'x16' min.) and parking lot aisles (22' min.) comply with the minimum dimensional standards established in Table 27-6306(a), Minimum Dimensional Standards for Parking Spaces and Aisles (see parking space dimensions on the Detailed Site Plan).

2. Smaller Parking Spaces for Tandem Parking and Certain Uses

Not applicable

2. Vertical Clearance

Off-street parking spaces have a minimum overhead clearance of 7 feet for vehicle parking, with a minimum overhead clearance of 8.5 feet for van-accessible parking.

3. Compact Parking Spaces

- a. The number of compact car spaces does not exceed one-half of the standard parking spaces (see General Notes on Detailed Site Plan).
- b. Compact car spaces are marked with a sign (see Detailed Site Plan).

27-6309. Bicycle Parking Standards

1. Bicycle Racks or Lockers Required

(1) Bike racks have been provided to accommodate bicycle spaces to meet or exceed this standard, see Detailed Site Plan general note for provided bicycle parking.

2. Bike Parking Rack or Locker Location

- a. Bicycle racks are provided on a paved surface and located in visible, well-lighted areas conveniently accessible to the primary entrances of the principal building. At least four of the required spaces serving nonresidential development shall be located within 50 feet of the main entrance to the use. They shall be located where they do not interfere with pedestrian traffic and are protected from conflicts with vehicular traffic.
- b. Not applicable
- c. Not applicable
- d. Bicycle parking spaces are placed at least three feet away from the associated structure to allow sufficient room for parking. Bicycle racks are to be installed to allow for at least 30 inches of spacing between each rack.

27-6310. Loading Area Standards

(a) Minimum Number of Off-Street Loading Berths

The minimum number of loading berths for the principal uses is provided in accordance with Table 27-6310(a): Minimum Number of Off-Street Loading Berths, see Detailed Site Plan general notes.

(b) Dimensional Standards for Loading Areas

Loading berths 12 feet wide and 45 feet long are provided.

(c) Location of Loading Areas

- (1) Loading areas are placed in the rear of the building and are screened in accordance with the Landscape Manual (see Figure 27-6310(c): Loading Area Configuration).
- (2) Loading areas are located adjacent to the building's loading doors, in an area that promotes their practical use.
- (3) Loading areas are located and designed so vehicles using them can maneuver safely and conveniently to them from a public street and complete loading without obstructing or interfering with any public rights-of-way, parking spaces, parking lot aisles, or pedestrian pathways.
- (4) Adjoining land is zoned LCD (Legacy Comprehensive Design).

Sec. 27-6400 Open Space Set-Asides

27-6403. Amount of Open Space Set-Asides Required

This Open Space Set-Aside standard for this development is 5%. The woodland conservation area is being used to meet this requirement. See Detailed Site Plan general notes for required and provided Open Space-Set-Aside and Tree Conservation Plan II (TCP2) for square footage of Open Space-Set-Aside provided.

27-6406. Design Standards for Open Space Set-Asides

Land used as an open space set-aside complies with the following design standards:

1. **Location**
Open space is located to be readily accessible and usable by occupants and users of the development.
2. **Configuration**
 - a. Open space set-asides located and organized to accommodate the woodland conservation area.

Sec. 27-6500 Landscaping

This development complies with the requirements of the Prince George's County Landscape Manual (see Landscape and Lighting Plan for landscape requirements related to this site and demonstration of conformance). An Alternative Compliance Waiver is requested to allow required plantings on slopes less than 2:1, see Alternative Compliance Waiver narrative.

Sec. 27-6600 Fences and Walls

27-6602. General Standards

(a) General

- (1) The proposed fence is located outside of the public right-of-way.
- (2) The proposed fences is offset from the adjoining property line.
- (3) The fences is located in a Buffer Yard.
- (4) Not applicable

(b) In Utility Easements

The proposed fence is not located within a utility easement.

(c) Within Required Landscaping Areas

The fence will be installed within required landscaping areas.

(d) Avoidance of Traffic Hazards

The proposed fence is not within the triangle formed by the intersection of the street lines and points on the street lines 25 feet from the intersection.

27-6603. Height Standards

3. General

The proposed fencing is 6 feet tall, see Fence Detail on Detailed Site Plan Detail Sheet.

27-6604. Materials

1. General

The proposed fence screening the property is constructed with pressure treated wood and the fencing and gate used for security is electro-statically plated black aluminum.

27-6606. Appearance

1. Finished Side to Outside

The fence will be installed so that the more "finished" side of the fence faces the exterior of the lot.

2. Compatibility of Materials along a Single Lot Side

Not applicable

3. Fence and Wall Landscaping

Not applicable

27-6607. Fence and Wall Construction

The proposed fences will comply with all applicable Building Code requirements.

27-6608. Gates

The proposed gate is for vehicular access to the site. A keypad will be provided to allow property users secure access to the loading area of this development and will automatically close.

Sec. 27-6700 Exterior Lighting

27-6706. General Standards for Exterior Lighting

(a) Hours of Illumination

Proposed exterior lighting will be extinguished by 11:00 P.M. or within one hour of the closing of the establishment open latest, whichever occurs last. For the purposes of this paragraph, lighting "necessary for security" shall be construed to mean the amount of exterior lighting necessary to provide an average of 2.5 foot-candles of light, with a maximum of 3 foot-candles of light at any point, in the following areas: possible points of entry or exit into a structure, illumination of exterior walkways, or illumination of outdoor storage areas. Lighting activated by motion sensor devices is strongly encouraged.

(b) Shielding with Full Cut-off Fixtures

All exterior luminaries, including security lighting, are to be full cut-off fixtures that are directed downward.

- (1)** All exterior lighting and indoor lighting visible from outside are to be designed and located so that the maximum illumination measured in foot-candles at ground level at a lot line shall not exceed 1.0 and all exterior light fixtures shall generate at least 80 lumens per watt of energy consumed.

(c) Maximum Illumination Levels

All exterior lighting and indoor lighting visible from outside areas are to be designed and located so that the maximum illumination measured in foot-candles at ground level at a lot line shall no exceed 1.0 and all exterior light fixtures shall generate at least 80 lumens per watt of energy consumed.

(d) Maximum Height

The maximum height of exterior light fixtures, whether mounted on poles, walls, or by other means, shall not exceed 16 feet in height, see Photometric Exhibit for light fixture heights.

27-6707. Lighting Design Standards for Specific Uses and Site Features

4. **Awnings**

Not applicable

5. **Canopies**

Lighting under the canopies shall be designed so as not to create glare off-site.

6. **Sports and Performance Venues**

Not applicable

7. **Wall Pack Lights**

Wall packs on the exterior of the building will be fully shielded (e.g., true cut-off type bulb or light source not visible from off-site) to direct the light vertically downward and be of low wattage (100 watts or lower), , see Photometric Exhibit for wall pack detail and locations.

8. **Pedestrian Lighting**

Not applicable

Sec. 27-6800 Environmental Protection and Noise Controls

27-6802. Natural Resource Inventory (NRI)

A Natural Resource Inventory Equivalency Letter (NRI-222-2022) in conformance with the Environmental Technical Manual, is submitted with this application.

27-6803. Trees and Vegetation

A Tree Conservation Plan (TCP2137-01) and Landscape and Lighting Plan with Tree Canopy Coverage is submitted with this application.

27-6804. Floodplain Management

Not applicable

27-6805. Erosion and Sedimentation Control

This development is subject to a Grading, Erosion, and Sediment Control Plan and will comply with subtitle 32 division 2 Grading, Drainage and Erosion and Sediment Control.

27-6806. Stormwater Management

A Stormwater Management Concept Plan and response letter is submitted with this application.

27-6807. Chesapeake Bay Critical Area

This project is not within the CBCAO Zone.

27-6808. Regulated Environmental Features

There are no regulated environmental features located on-site.

27-6809. Unsafe Lands

This application conforms to the requirements pertaining to unsafe land in Section 24-4300, Environmental Standards, of Subtitle 24: Subdivision Regulations.

27-6810. Noise Control

- (a) The proposed land use is not listed in Table 27-6810.
- (b) Not applicable

Sec. 27-61102 Industrial Form and Design Standards

(j) Building Orientation

(1) Single-Building Development

The single building is oriented, so that a primary patron entrance faces the street.

(2) Multi-Building Development

Not applicable

(3) Accessory Uses and Structures

Not applicable

(k) Façade Articulation

(1) Wall Plane Horizontal Articulation

The façade is articulated with wall offsets, changes in façade color and material to visually interrupt the wall plane horizontally such that the width of uninterrupted façade does not exceed 60 feet.

(2) Vertical Articulation

Vertical walls have changes in wall surface plane, façade color and material to visually interrupts the wall plane vertically such that the height of the uninterrupted façade does not exceed 30 feet.

(3) Roof Line Variation

The façade includes variations in roof planes and/or height of a parapet at least every 100 feet of roofline length along the façade.

(4) Entrance

The principal building has a clearly defined, highly visible primary entrances for occupants and patrons that incorporates a canopy and display window to emphasize the importance of the entrance:

- (5) The street-facing façade at ground level floor doesn't include overhead doors, sliding glass doors, removable panels, or similar type of doors.

(l) Building Façade Materials

Corrugated metal siding or similar metal siding, unfinished or untreated tilt-up concrete panels, or standard single- or double-tee concrete systems are used as a primary exterior façade material (see Architectural Plans).

(m) Location of Loading and Service Areas

Loading and service areas are separated from patron parking, pedestrian areas, and main drive aisles, and are located a minimum of 200 feet from any abutting single-family detached dwellings, two-family dwellings, or vacant lands in a residential single-family zone (the RE, RR, RSF-95, and RSF-65 zones).

(n) Off-Street Parking Location

No more than 60 percent of the off-street parking spaces are located in surface parking lots between the front building façade and the street it faces.

27-61203 Neighborhood Compatibility Standards

Based upon the applicability/exemptions found in 27-61203(a) and (b), it is our position that the project is exempt from the neighborhood compatibility standards. Section 27-62103(a)(1)(A) and (B) states that these standards apply to new nonresidential/mixed-use development which is “adjacent to or across a street or alley from” existing single family detached dwellings, two-family dwellings, townhomes, or vacant land in the RE, RR, RSF-65 and RSL-95 zones. Base upon the definition of “adjacent” in Section 27-2500, it is our position that these standards are not applicable and need not be addressed. However, this position is vulnerable to a contrary interpretation from staff.

2. Building Height and Setbacks

- (1)** The project site is located at the end of a cul-de-sac and is not within a standard block. The proposed building setback follows Section 27-4203(d)(2) Intensity and Dimensional Standards and is in conformance with the Landscape Manual.
- (3)** There are no adjoining Single-Family Dwellings or Two-Family Dwellings, and adjacent vacant land is zoned CS.
- (4)** The proposed building is not over three stories in height.

3. Building Orientation

The front of the building is oriented toward the street from which it derives its street address.

(b) Building Design

There are no adjoining Single-Family Dwellings or Two-Family Dwellings, and adjacent vacant land is zoned CS.

(c) Building Materials

a. Transparency

There are no adjoining Single-Family Dwellings or Two-Family Dwellings, and adjacent vacant land is zoned CS.

(2) Exterior Materials

There are no adjoining Single-Family Dwellings or Two-Family Dwellings, and adjacent vacant land is zoned CS.

5. Multi-Building Placement

There are no adjoining Single-Family Dwellings or Two-Family Dwellings, and adjacent vacant land is zoned CS.

6. Off-Street Parking

There are no adjoining Single-Family Dwellings or Two-Family Dwellings, and adjacent vacant land is zoned CS.

7. Other Site Features

a. Loading, Service, Recycling Collection, and Refuse Collection Areas

There are no adjoining Single-Family Dwellings or Two-Family Dwellings, and adjacent vacant land is zoned CS. Loading and refuse collection is located in the rear of the property and is screened with walls and plantings.

b. Drive-Through Service Facilities

Not applicable

c. Exterior Lighting

- i.** Exterior lighting fixtures have a maximum height of 16 feet and illumination does not exceed 0.5 foot candle at the lot line.
- ii.** Not applicable.

iii. Exterior lighting shall be extinguished by 10:00 p.m. or within one hour after closing, whichever occurs first.

d. **Signage Standards**

There are no adjoining Single-Family Dwellings or Two-Family Dwellings, and adjacent vacant land is zoned CS. Proposed signage is building mounted and one monument sign.

e. **Open Space Set-Asides**

Required open space set-asides is met within the woodland conservation area, see Detailed Site Plan and Tree Conservation Plan II (TCT2) for area of Open Space Set-Aside provide.

f. **Natural Features**

There are no regulated natural features found on-site.

8. **Operational Standards**

There are no adjoining Single-Family Dwellings or Two-Family Dwellings, and adjacent vacant land is zoned CS.

Sec. 27-6150 Signage

27-61504 General Standards

4. **Illumination**

a. **Static Illumination**

Proposed wall mounted signs and monuments sign will be statically illuminated in accordance with this section, see with true white street fighter heavy weight led modules, see Signage Analysis plan sheets P-501 and P-502.

b. **Animated Illumination**

No animated signs are proposed.

5. **Materials**

Building mounted channel letter signs are made of aluminum and acrylic.

6. **Digital Display**

Not applicable.

7. **Signs Within Proposed Right-of-Way**

Not applicable.

27-61505 Standards for Specific Sign Types

Two building mounted wall signs are proposed.

Location: Wall signs are set back more than 10 feet from the right-of-way and less than 50 percent of the sign area is on a side wall.

Height (maximum): The signs are not above the roofline or parapet.

Area (maximum): The combined sign areas are less than the maximum 400 square feet.

Other Standards: The signs don't protrude more than 12 inches from the wall.

Sec. 27-61600 Green Building Standards

27-61601. Purpose and Intent

This development has the following green building features to protect and conserve resources, support a healthy lifestyle for citizens, reduce greenhouse gas emissions, and ensure a high quality of life for County residents. Specifically, this Section is intended to ensure development practices:

- (c) Support walkable areas in appropriate places;
- (d) Support multiple modes of mobility;
- (e) Conserve energy;
- (f) Conserve water resources;
- (g) Protect water quality;
- (h) Promote a healthy landscape;

27-61603. Green Building Standards

(e) Minimum Amount of Points Required

This development is required to have a minimum 4 Green Building Points.

(c) Documentation Required

See Green Building Standards table on Detailed Site Plan for documentation on how this development will satisfy the green building standards of this Section.



November 21, 2023
J-B210519460
WO-118460

ACL-2023-008

JUSTIFICATION FOR ALTERNATIVE COMPLIANCE

FOR

UPPRER MARLBORO SELF STORAGE

PHASE EAST "UNIT TWO" - 5300 CRAIN LAND CONDO

I. INTRODUCTION AND SITE DESCRIPTION

This request for an alternative compliance to Landscape Manual Section 4.9(e)(6) Sustainable Landscaping Requirements for the development of Phase East "Unite Two" of 5300 Crain Land Condo (243/60) in Upper Marlboro, Maryland. The property is part of Parcel C of Sheehy Auto Store, plat REP193/70.

The site is located at the end of a cul-de-sac on the south side of Chevy Drive approximately 550 feet north of Crain Highway (US Route 301). The subject property is zoned CGO (Commercial, General Office) and is comprised of approximately 5.5 acres.

The site is bound by Chevy Drive and a vacant Parcel to the north, the westbound ramp of Pennsylvania Avenue (MD Route 4) to the east and the adjoining unit 1 of 5300 Crain Land Condo to the south. Unit 1 is currently developed and is being used as a place of worship. On site forest conservation for this project is in the northern triangle and acts as a buffer with the adjoining property.

The applicant proposes to construct a three story, 157,500 square foot consolidated storage building. The applicant must therefore prepare a Landscape and Lighting Plan in conformance with Prince George's County Landscape Manual.

II. NATURE OF REQUEST

Under Section 4.9(e)(6) of the Landscape Manual planting on slopes steeper than 3:1 do not count toward the landscape manual requirements. The subject property is sloped and will require grading to accommodate the development. Limiting planting on slopes to 3:1 or less will require increasing the limit of disturbance and cause additional impact to the existing woodland on-site and provide a less effective landscape strip along the public right-of-way. Per section 32-151 Site Grades slopes of two to one or less are allowed on commercial sites.

The applicant proposes an alternative design that allows plantings on slopes 2:1 or less to be counted towards the Landscape Manual planting requirements. The area of slopes 2:1 or less



are proposed to be limited to a maximum of 8 feet in height. These slopes will be stabilized with turf and plantings will be installed in accordance with the slope planting slope planting detail.

The Landscape Manual Section 4.2-1 Requirements for Landscape Strips Along Streets requires planting along streets. The applicant elects to utilize Option 1 – Ten-foot Landscape Strip which requires a minimum of 1 shade tree and 10 shrubs per linear feet of street frontage. This development proposes to be fully compliant with this standard.

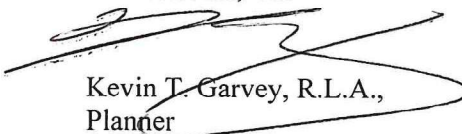
Portions of the landscape strip along the westbound ramp of Pennsylvania Avenue and remaining disturbed areas are on slopes 2:1 or less. By allowing the planting to occur on the slope the vegetation will be higher in elevation and create a more effective buffer from the adjoining right-of-way. These trees are identified, and their locations are shown on the landscape and lighting plan. Over time these planting areas mature to become woodlands. This alternative design will be equivalent or better than the Landscape Manual standard.

Section 4.11-1 Requirements for Nonresidential and Mixed-Use Development requires the planting of Green Areas at a rate of 1 planting unit per 1,000 square feet of green area provided. This development proposes to be fully compliant with this standard.

By allowing planting on slopes 2:1 or less in the area east of the parking lot the limit of disturbance will be reduced, and fewer trees will need to be removed. Allowing for preservation of existing woodland is an alternative design that is equivalent or better than the Landscape Manual standard.

We believe that by allowing plantings on slopes 2:1 or less will visually create a more impactful landscape strip along the west bound ramp of Pennsylvania Avenue and planting on slopes 2:1 or less east of the proposed parking lot will protect existing woodland provides an alternative design that is equivalent of better than the Sustainable Landscape Requirements of Section 4.94.9(e)(6) of the Landscape Manual. For these reasons we respectfully request that this Alternative Compliance from Sec. 4.9(e)(6) be granted to allow plantings on slopes 2:1 or less be counted toward meeting the landscape requirements.

Respectfully,
ATWELL, LLC
Mitchellville, MD



Kevin T. Garvey, R.L.A.,
Planner

G/5300Crain.11212023.sac

AFFIDAVIT

The purpose of this affidavit is to certify that, pursuant to *The Process Guidelines for Development Review Applications*, Pre-Application Neighborhood Meeting Informational Mailing letters regarding Detailed Site Plan (DET-2022-017), 5300 Robert S. Crain Highway, Upper Marlboro, Maryland 20772, were mailed to all adjoining property owners, registered associations, municipalities within a mile, and previous parties of record. The letters, dated November 18, 2022, were mailed on November 18, 2022.

A copy of the letter and a list of those parties receiving the letter are attached and marked as Exhibits "A" and "B."

I, Justin S. Korenblatt, solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.



Name

11/21/22

Date

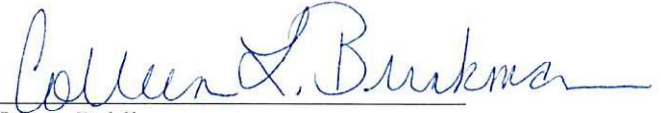
STATE OF MARYLAND

COUNTY OF PRINCE GEORGE'S,

ss:

I HEREBY CERTIFY that on this 21st day of November, 2022, before me, the subscriber, a Notary Public, for the State and County aforesaid, personally appeared Justin S. Korenblatt, being authorized to execute this Affidavit in accordance with the requirements of the Prince George's County Zoning Ordinance for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public

Colleen L. Brinkman
Notary Public

Prince George's County, Maryland
My Commission Expires: 06/06/2023

My Commission Expires: _____

[NOTARIAL SEAL]

Notice of Pre-Application Neighborhood Meeting

December 19, 2022 at 6:30 p.m.
(Developer Representative will be available to answer questions)

November 18, 2022

Dear Neighbor:

You are invited to a Pre-Application Neighborhood Meeting to review and discuss the development proposal for 5300 Crain Highway, Upper Marlboro, Maryland 20772. The property consists of 5.55± acres and is located generally in the northeast quadrant of the intersection of Robert S. Crain Highway (U.S. Route 301) and Pennsylvania Avenue (MD Route 4). The property is the subject of a final plat of subdivision recorded among the Land Records of Prince George's County at Plat Book REP 193, Plat 70. This plat had as its subject matter approximately 10.7101 acres which is identified as Parcel C. In 2015, Parcel C was the subject of a condominium plat recorded among the Land Records of Prince George's County at Plat Book SJH 243, Plat 60. Pursuant to the condominium plat, Parcel C became subject to two land condominium units identified as "Unit One" and "Unit Two." The subject property comprises land condominium "Unit Two." The property is zoned CGO (Commercial General Office). A copy of a Zoning Sketch Map depicting the boundaries of the property is attached. The Applicant is GP Upper Marlboro LLC. This Pre-Application Neighborhood Meeting is scheduled in accordance with the Prince George's County Planning Department's Pre-Application procedures for Application Number DET-2022-017.

Meeting Location

This meeting will be held virtually on December 19, 2022 at 6:30 p.m. Please join the meeting from your computer, tablet or smartphone at the link below:

<https://us02web.zoom.us/j/86859438053>

If you wish to schedule an in-person meeting, please contact the Applicant's attorney, Edward C. Gibbs, Jr., by email at egibbs@gibbshaller.com.

Purpose of the Meeting

The Pre-Application Neighborhood Meeting is intended as a way for the Applicant to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the Prince George's County Planning Department. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a development application has been submitted to the Planning Department, you may track its status at <http://www.mncppcapps.org/planning/DAMSWEB/default.cfm>.

What Happens During a Pre-Application Neighborhood Meeting?

During the Pre-Application Neighborhood Meeting, the applicant's representatives will present the proposed development to the community. This presentation will provide the applicant an opportunity to hear comments and concerns about the development proposal in order to resolve conflicts and outstanding issues, where possible. Pre-Application Neighborhood Meetings are opportunities for informal communication between applicants and the landowners and occupants of nearby lands, and other residents affected by development proposals. Participation in any preliminary, Pre-Application Neighborhood Meeting is for informational purposes only. **Any resultant participation and/or written summary of same shall not be part of the administrative record for any development application that may be filed and accepted.**

A Pre-Application Neighborhood Meeting is required because this project includes (check all that apply):

- A rezoning of a property (including ZMAs, Planned Developments, and CBCA)
- An application for Special Exception use
- A major departure per Section 27-3614(b)(2)
- A Preliminary Plan of Major Subdivision
- Construction, expansion, or alteration of townhouse and/or multifamily dwelling development of greater than ten (10) units
- Construction, expansion, or alteration of nonresidential development consisting of greater than a total of 25,000 square feet of gross floor area.
- Construction, expansion, or alteration of mixed-use development with greater than ten thousand (10,000) square feet of gross floor area and/or greater than ten (10) dwelling units
- A Pre-Application Neighborhood Meeting is option for this application, but the applicant has opted to hold one

The Applicant proposes the construction of a consolidated storage facility consisting of approximately 157,500 square feet of gross floor area. The building will be 3 stories (36 ± feet) in height and provide approximately 1,350 individual storage units. The building will front on and be accessed by Chevy Drive.

Existing number of dwelling units	0	Permitted	N/A	Proposed	N/A
Existing building square footage	0	Permitted	0	Proposed	157,500 sf
Existing number of stories	0	Permitted	0	Proposed	3
Existing building height	0	Permitted	0	Proposed	36± feet
Existing building depth	0	Permitted	0	Proposed	150± feet
Current zone	CGO		Proposed Zone	CGO	

Meeting Information:

Applicant: GP Upper Marlboro LLC c/o Edward C. Gibbs, Jr., Gibbs and Haller

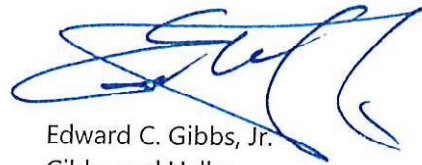
Contact information (email/phone): egibbs@gibbshaller.com / (301) 306-0033

Developer/Builder Information (if different from Applicant):

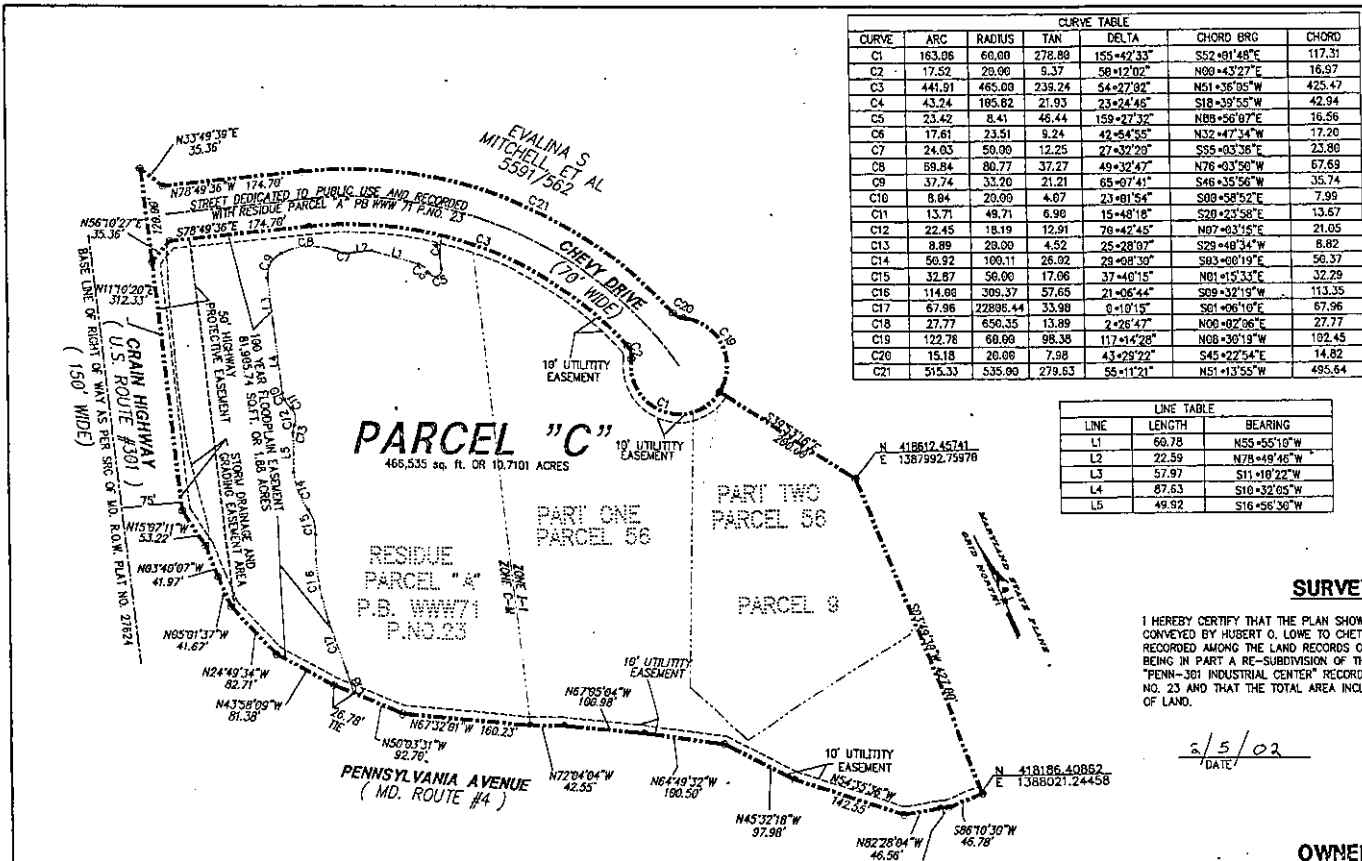
No government agency has reviewed this application. If you have questions about the Prince George’s County Zoning Ordinance, Subdivision Regulations or general development process in the County, please call the Public Information Services Counter at 301-952-3195, or contact the Planning Department via email at PPD-Infocounter@ppd.mncppc.org. You may also find information about the Prince George’s County Planning Department and on-going planning efforts at www.pgplanning.org.

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 mail to M-NCPPC, Development Review Division, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Please reference the subject application number.

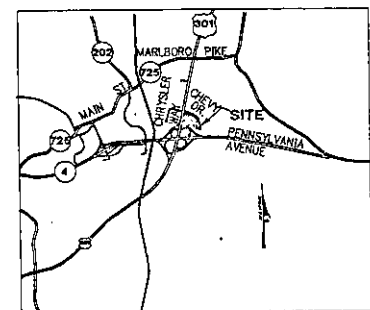
Sincerely,



Edward C. Gibbs, Jr.
Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
301-306-0033
egibbs@gibbshaller.com
Attorney for the Applicant



CURVE TABLE						
CURVE	ARC	RADIUS	TAN	DELTA	CHORD BRG	CHORD
C1	163.06	60.00	278.80	155+47.33"	S52+01'48"E	117.31
C2	17.52	20.00	9.37	30+12'02"	N00+43'27"E	16.97
C3	441.91	465.00	239.24	54+27'02"	N51+36'05"W	425.47
C4	43.24	185.82	21.93	23+24'46"	S18+39'55"W	42.94
C5	23.42	8.41	46.44	159+27'32"	N08+56'07"E	16.56
C6	17.61	23.51	9.24	42+54'35"	N32+47'34"W	17.20
C7	24.83	50.00	12.25	27+32'29"	S55+03'38"E	23.80
C8	69.84	80.77	37.27	49+32'47"	N76+03'28"W	67.69
C9	37.74	33.20	21.21	65+07'41"	S46+35'56"W	35.74
C10	8.84	20.00	4.67	23+01'54"	S08+58'52"E	7.99
C11	13.71	49.71	6.90	15+48'18"	S20+38'58"E	13.67
C12	22.45	18.19	12.91	76+42'45"	N07+03'15"E	21.05
C13	8.99	29.00	4.52	25+28'07"	S29+40'34"W	8.82
C14	50.92	100.11	26.02	29+08'39"	S03+00'19"E	56.37
C15	32.87	56.00	17.06	37+40'15"	N01+15'35"E	32.29
C16	114.96	309.37	57.65	21+06'44"	S09+32'19"W	113.35
C17	67.96	22898.44	33.98	0+10'15"	S01+06'10"E	67.96
C18	27.77	650.35	13.80	2+26'47"	N08+07'06"E	27.77
C19	122.78	60.00	98.38	117+14'28"	N08+30'13"W	102.45
C20	15.18	20.00	7.98	43+29'22"	S45+22'54"E	14.82
C21	515.33	535.90	279.63	55+11'21"	N51+13'35"W	495.64



VICINITY MAP (NOT TO SCALE)

LINE TABLE		
LINE	LENGTH	BEARING
L1	60.78	N55+55'10"W
L2	22.59	N78+49'46"W
L3	57.97	S11+10'22"W
L4	87.63	S10+32'05"W
L5	49.92	S16+56'30"W

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT, THAT IS A SUBDIVISION OF ALL OF THE LANDS CONVEYED BY HUBERT O. LOWE TO CHETWOOD FARM LTD PARTNERSHIP, BY DEED DATED OCTOBER 28, 1999, AND RECORDED AMONG THE LAND RECORDS OF PRINCE GEORGE'S COUNTY, MARYLAND IN LIBER 13442 AT FOLIO 387, BEING IN PART A RE-SUBDIVISION OF THE RESIDUE OF PARCEL A AS SHOWN ON A PLAT OF SUBDIVISION ENTITLED "FENWICK INDUSTRIAL CENTER" RECORDED AMONG SAID LAND RECORDS IN PLAT BOOK WWW 71 AT PLAT BOOK PAGE NO. 23 AND THAT THE TOTAL AREA INCLUDED IN THE PLAT OF SUBDIVISION IS 466,535 SQUARE FEET OF 10,7101 ACRES OF LAND.

2/5/02
DATE

Thomas W. Curtis
THOMAS W. CURTIS
PROFESSIONAL LAND SURVEYOR
MARYLAND NO. 21102

OWNER'S DEDICATION

CHETWOOD FARM LTD PARTNERSHIP, A VIRGINIA LIMITED PARTNERSHIP, OWNER OF THE PROPERTY SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HEREBY ADOPTS THIS PLAN OF SUBDIVISION, ESTABLISHES THE MINIMUM BUILDING RESTRICTION LINES, ESTABLISHES THE TEN (10) FOOT WIDE PUBLIC UTILITY EASEMENT ADJACENT, CONTIGUOUS, PARALLEL A'D CONCENTRIC TO ALL DEDICATED STREETS AS SHOWN HEREON, SUBJECT TO THE PROVISIONS OF A DOCUMENT ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" RECORDED AMONG SAID LAND RECORDS IN LIBER 3783 AT FOLIO 748 AND FURTHER CERTIFY:

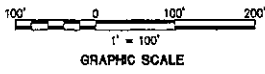
THERE ARE NO SUITS OF ACTION, LEASES, LIENS OR TRUSTS AFFECTING THE PROPERTY INCLUDED IN THIS PLAT OF SUBDIVISION.

PROPERTY MARKERS SHALL BE PLACED IN ACCORDANCE WITH SECTION 24-120 (b) (6) (F) (II) OF THE PRINCE GEORGE'S COUNTY CODE.

CHETWOOD FARM LIMITED PARTNERSHIP
Paul A. Sheehy
PAUL A. SHEEHY (GENERAL PARTNER)

Thomas W. Curtis
WITNESS

2/4/02
DATE



FILED

MAR 21 2002

OFFICE OF THE CLERK OF THE COURT
PRINCE GEORGE'S COUNTY, MARYLAND

WILES MENSCH CORPORATION
Planning, Engineering, Surveying, & Landscape Architecture
 11860 SUNRISE VALLEY DRIVE, VOICES (703) 391-7600
 SUITE 200, FAX (703) 264-0595
 RESTON, VIRGINIA 20191 info@wilesmensch.com

SHEEHY AUTO STORE
PARCEL C
 MARLBORO ELECTION DISTRICT NO.3
 PRINCE GEORGE'S COUNTY, MARYLAND
 SCALE: 1" = 100' DATE: OCTOBER 10, 2001

GENERAL NOTES

- DEVELOPMENT IS SUBJECT TO RESTRICTIONS SHOWN ON THE APPROVED TREE CONSERVATION PLAN (TCP-11/137/01) WHICH PRECLUDES ANY DISTURBANCE OR INSTALLATION OF STRUCTURES WITHIN THE SPECIFIED AREA. FAILURE TO COMPLY WITH AN APPROVED TREE CONSERVATION PLAN IS A VIOLATION REQUIRING MITIGATION UNDER THE WOODLAND CONSERVATION/TREE PRESERVATION POLICY, AND SUBTITLE Z5.
- PRIOR TO ISSUANCE OF BUILDING PERMITS, THE APPLICANT SHALL CONDUCT A SIGNAL WARRANT STUDY PER CONDITION 1 OF PGCPB RESOLUTION NO. 01-140.
- PRIOR TO APPROVAL OF THE BUILDING PERMIT, THE SITE SHALL BE CONNECTED TO PUBLIC SEWER SYSTEM UNLESS ALTERNATIVE TREATMENT IS APPROVED BY THE HEALTH DEPARTMENT.
- ALL COMMERCIAL STRUCTURES SHALL BE FULLY SPRINKLERED IN ACCORDANCE WITH NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 13 AND ALL APPLICABLE PRINCE GEORGE'S COUNTY LAWS.
- DEVELOPMENT OF THIS SUBDIVISION SHALL BE IN ACCORDANCE WITH THE APPROVED STORM DRAIN MANAGEMENT CONCEPT PLAN, APPROVAL NO. 8329131-2000-0 OR ANY REVISIONS THERETO.
- THE PROPERTY SHALL CONNECT TO THE PUBLIC WATER SUPPLY SYSTEM UPON AVAILABILITY, AT THAT TIME THE APPLICANT SHALL BACKFILL & SEAL THE EXISTING WELL IN ACCORDANCE WITH THE CODE OF MARYLAND REGULATIONS, COMAR 20.04.04.
- APPROVAL OF THIS PLAT IS BASED UPON A REASONABLE EXPECTATION THAT PUBLIC WATER AND SEWER SERVICE WILL BE AVAILABLE WHEN NEEDED AND IS CONDITIONED ON FULFILLING ALL OF THE WASHINGTON SUBURBAN SANITARY COMMISSION PROJECT # DA-3106A01 COMMITMENTS.

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION PRINCE GEORGE'S COUNTY PLANNING BOARD APPROVED <u>March 7, 2002</u> <i>Elizabeth Speduto</i> CHAIRMAN <i>Frances G. Buey</i> ASSISTANT SECRETARY	DEPARTMENT OF ENVIRONMENTAL RESOURCES PRINCE GEORGE'S COUNTY, MARYLAND APPROVED <u>February 25, 2002</u> <i>Sharon M. ...</i> DIRECTOR OR DESIGNER	RECORDED: <u>3-21-02</u> PLAT BOOK: <u>46P 143</u> PLAT NO.: <u>70</u>
---	---	--

TM 102 B1

4-01023 TM 102 B1&2 207 SE 13&14

C-M/ I-1

MSA SSU 1250-10929 413.59

Exhibit "A"

SJH243 60

SURVEYOR'S CERTIFICATE

I hereby certify that this plat is a condominium plat for the 5300 CRAIN LAND CONDOMINIUM (the "Site Condominium"). The land on which the Site Condominium is established is all of Parcel C as shown on the plat of subdivision entitled "SHEEHY AUTO STORE, PARCEL C" recorded among the Land Records of Prince George's County, Maryland in Plat Book REP 193, as Plat No. 70; also being all of the land described in a deed dated October 15, 1959 by and among Hubert O. Lowe and Chetwood Farm Limited Partnership and recorded among the Land Records of Prince George's County, Maryland in Liber 13442 at folio 387. This condominium plat has been prepared in accordance with the requirements of Title 11, Section 11-105 of the Real Property Article of the Annotated Code of Maryland (2010), as amended, and this plat together with the applicable wording of the Condominium Declaration is a correct representation of the Site Condominium, and the Land Units and common elements of the Site Condominium as constructed, to the extent applicable, can be determined from them.

Paul J. Cusibie
Property Line Surveyor
MD Reg. No. 382
Expiration Date: November 1, 2016

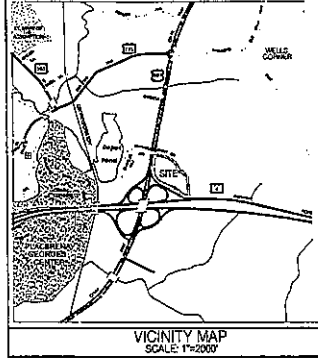
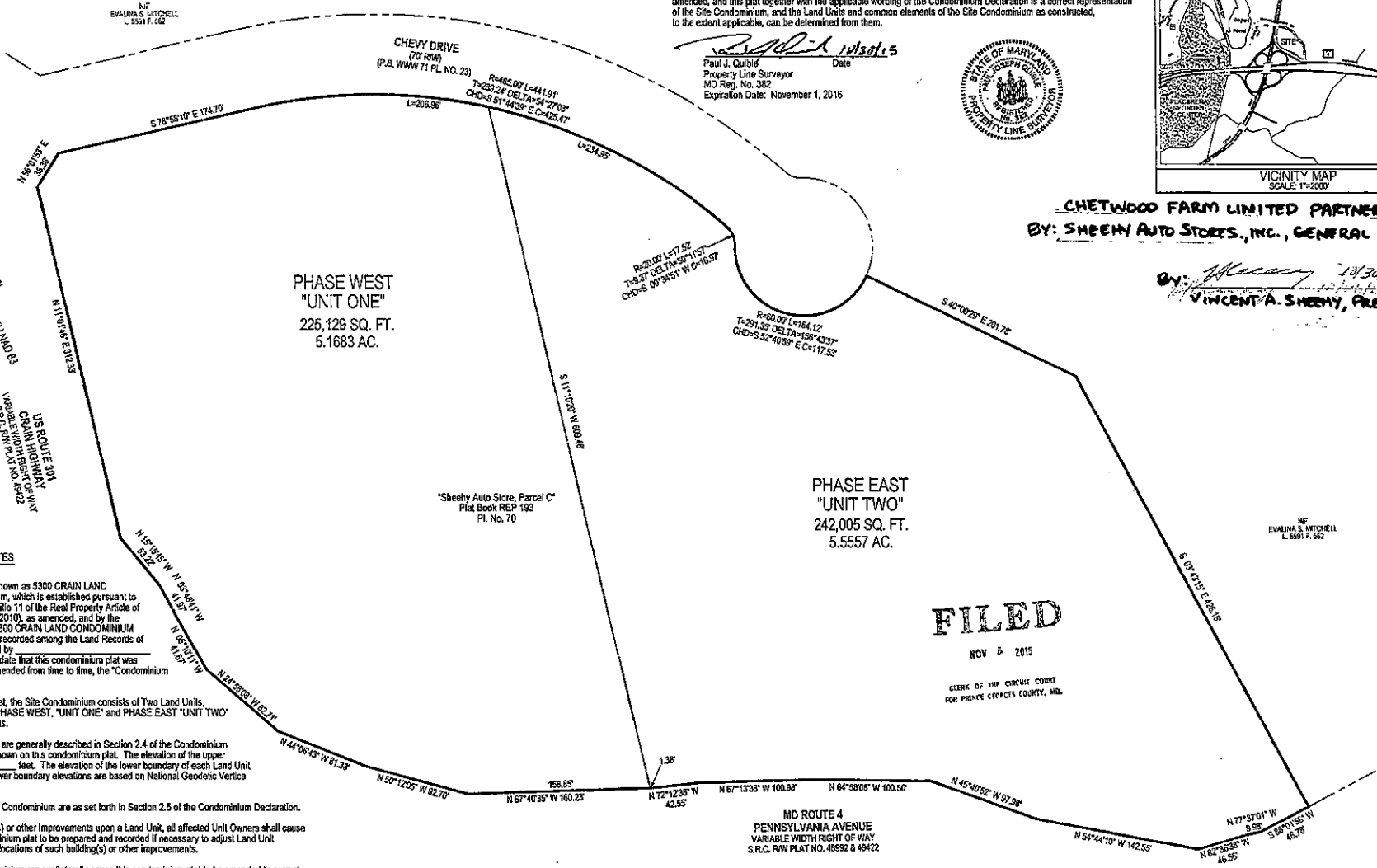


Exhibit "B"

CHETWOOD FARM LIMITED PARTNERSHIP
BY: SHEEHY AUTO STORES, INC., GENERAL PARTNER

Vincent A. Sheehy, President



NOTES

- 1. This plat is for the condominium known as 5300 CRAIN LAND CONDOMINIUM, Site Condominium, which is established pursuant to the Maryland Condominium Act, Title 11 of the Real Property Article of the Annotated Code of Maryland (2010), as amended, and by the Declaration of Condominium for 5300 CRAIN LAND CONDOMINIUM Site Condominium intended to be recorded among the Land Records of Prince George's County, Maryland by _____ on or about the same date that this condominium plat was recorded (as the same may be amended from time to time, the "Condominium Declaration").
- 2. As shown on this condominium plat, the Site Condominium consists of Two Land Units, which are designated hereon as PHASE WEST, "UNIT ONE" and PHASE EAST "UNIT TWO" and appurtenant common elements.
- 3. The dimensions of the Land Units are generally described in Section 2.4 of the Condominium Declaration and are specifically shown on this condominium plat. The elevation of the upper boundary of each Land Unit is _____ feet. The elevation of the lower boundary of each Land Unit is _____ feet. The upper and lower boundary elevations are based on National Geodetic Vertical Datum 29.
- 4. The common elements of the Site Condominium are as set forth in Section 2.5 of the Condominium Declaration.
- 5. Upon completion of any building(s) or other improvements upon a Land Unit, all affected Unit Owners shall cause such amendments to this condominium plat to be prepared and recorded if necessary to adjust Land Unit boundaries based on the as-built locations of such building(s) or other improvements.
- 6. The Declarant for the Site Condominium may unilaterally cause this condominium plat to be amended to correct any mathematical mistakes, inconsistencies, or scrivener errors, or any erroneous or incomplete information based upon any objectively verifiable fact.
- 7. Easements and other matters of record are not shown on this plat.

FILED

NOV 5 2015

CLERK OF THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MD.

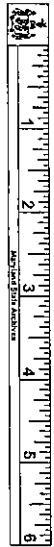
CONDOMINIUM PLAT
5300 CRAIN LAND
CONDOMINIUM

MARLBORO (3RD) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
SCALE 1" = 60' MARCH 2015



LANHAM OFFICE
4300 Forbes Boulevard, Suite 230 Lanham, MD 20706 P.301.794.7555 F.301.794.7656
Engineering // Surveying // Planning // Environmental Sciences www.solteszco.com

RECORDED 11/5/15
PLAT BOOK SJH243
PLAT NO. 60



P212813

MSA C2381-19902

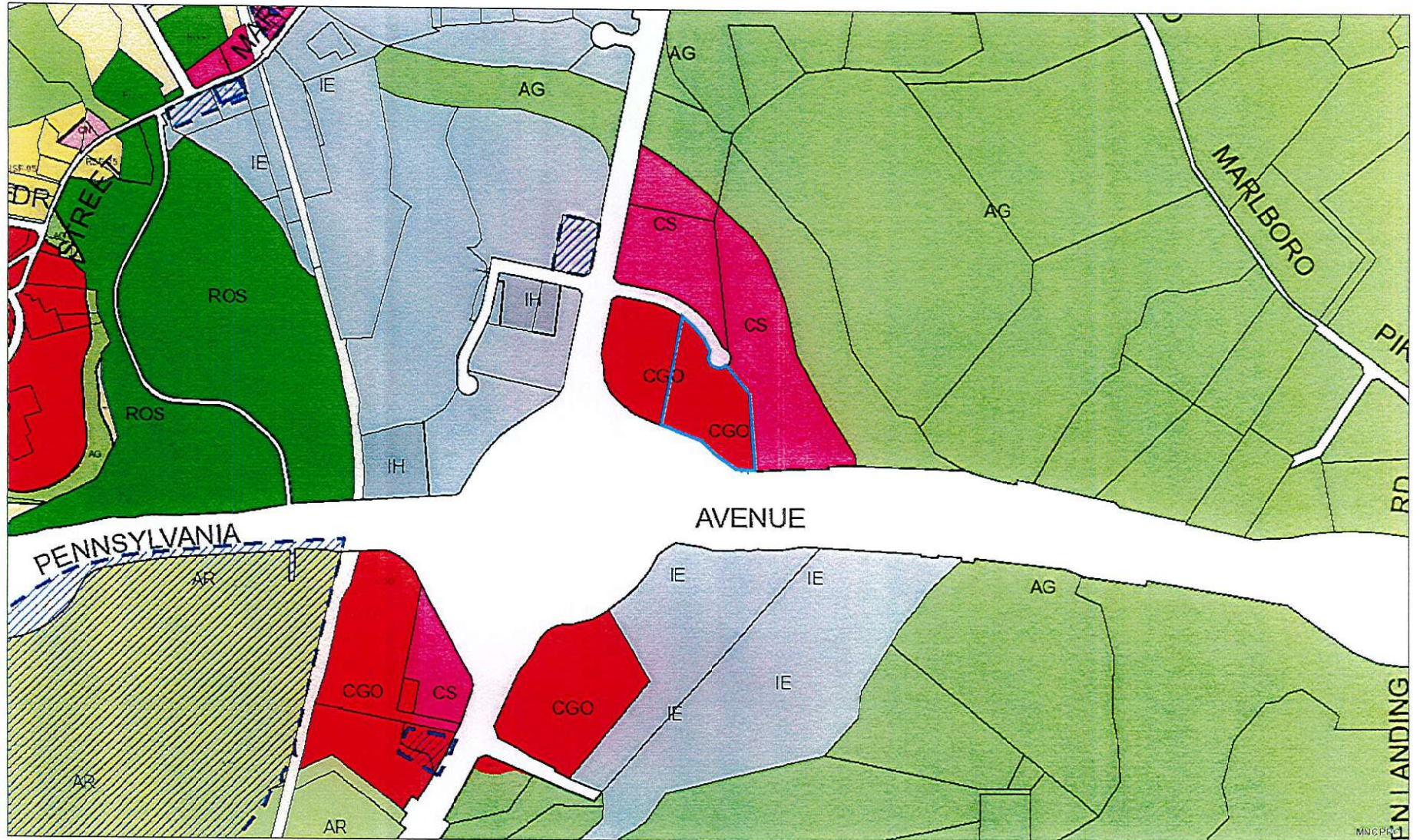
5300CRAINLANDSURVEY/PLAT/Condo/phase/phase.plat/Scale=60.0000 N/A User=POable/PLT/Date/plot/Perch=TEXT_SIB/01/09/2015 2:10:30 PM

Aerial Map



Data provided by Prince George's County Planning Department - 1

Zoning Map



Data provided by Prince George's County Planning Department - 1

6572

71-23

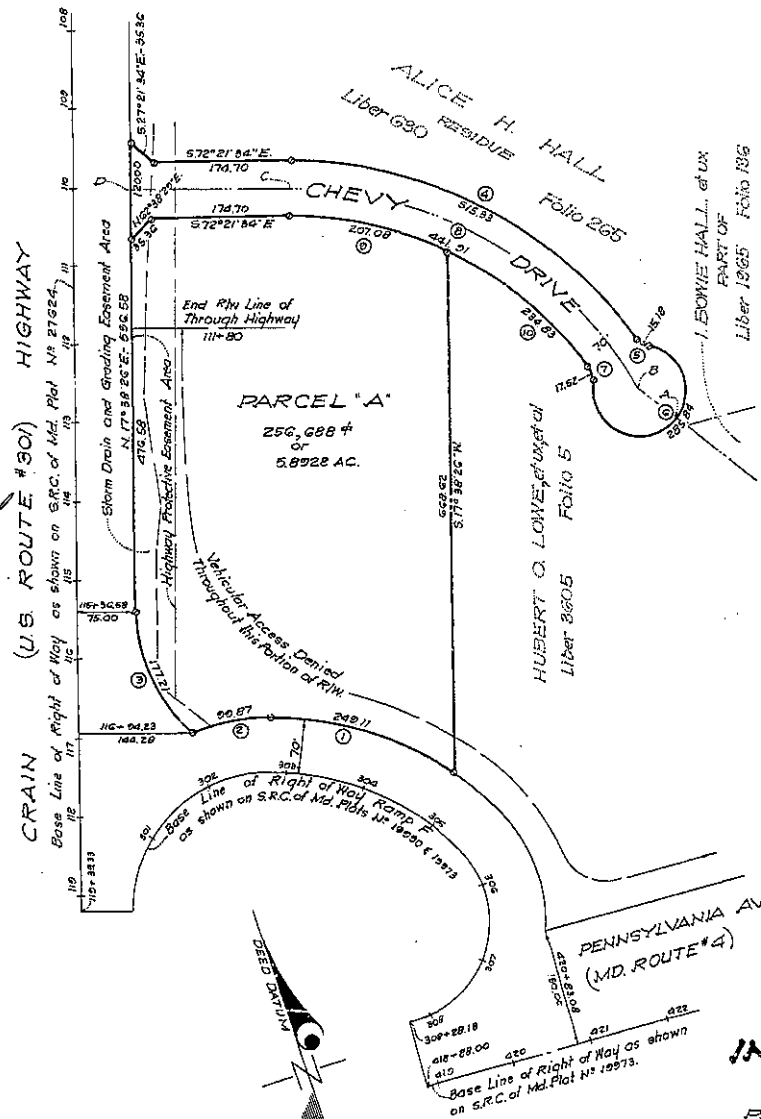
OWNER'S DEDICATION

We, Hubert O. Lowe and Mary C. Lowe, his wife, Robert Michael Rosenthal and Marion Rosenthal, his wife, as tenants in common and Alice H. Hall, widow, and not remarried, owners of the property shown hereon and described in the Surveyor's Certificate, hereby adopt this plan of subdivision, establish the minimum building restriction lines and dedicate the street to public use. There are no suits of action, leases, liens or trusts on the property included in this plan of subdivision, except a certain deed of trust and the parties in interest thereto have below indicated their assent.

September 11, 1968

Witness signatures: Ronald S. Beaton, Hubert O. Lowe; Myrtle M. Beaton, Mary C. Lowe; Robert Michael Rosenthal, Marion Rosenthal; John W. Mitchell, Alice H. Hall; Elvira E. Entjman, Mary H. Tucker; John W. Mitchell, R. Louis Hayes.

We hereby assent to this plan of subdivision.



SURVEYOR'S CERTIFICATE. I hereby certify that the plan shown hereon is correct. That it is (1) a subdivision of part of the lands conveyed by Alice H. Hall, widow, and not remarried, to Hubert O. Lowe and Robert Michael Rosenthal, by deed dated June 21, 1968 and recorded June 25, 1968 in Liber 3605 of Folio 5 (shown hereon as the area South of the line designated A, B, C, D and comprising 6.5768 acres of land) and (2) a subdivision of part of the lands conveyed by Matilda M. Duval, unmarried, to Clarence A. Hall and Alice H. Hall, by deed dated December 20, 1941 and recorded December 28, 1941 in Liber 630 of Folio 265 (shown hereon as the area North of the line designated A, B, C, D and comprising 0.6833 acres of land), all references made being to the Land Records of Prince Georges County, Maryland. That the total area included in this plan of subdivision is 7.2601 acres of land. And that iron pipes designated thus: (1), are in place as shown. September 11, 1968.

Thomas B. McNeill, Registered Land Surveyor Maryland #1732.

CURVE DATA table with columns: No, Radius, Delta, Arc, Tan, Chord, Bearing.

MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION PRINCE GEORGES COUNTY PLANNING BOARD APPROVED: March 26, 1969

HEALTH DEPARTMENT PRINCE GEORGES COUNTY, MD APPROVED: July 21, 1969

RECORDED: FLAT BOOK: PLAT NO.:

APPROVED ASSESSMENT OFFICE APR 11 1969

PARCEL "A" PENN-301 INDUSTRIAL CENTER MARLBORO DISTRICT PRINCE GEORGES COUNTY, MARYLAND SCALE: 1"=100' JULY, 1968.

BEN DYER ASSOCIATES, INC. ENGINEERS-SURVEYORS RIVERDALE, MARYLAND

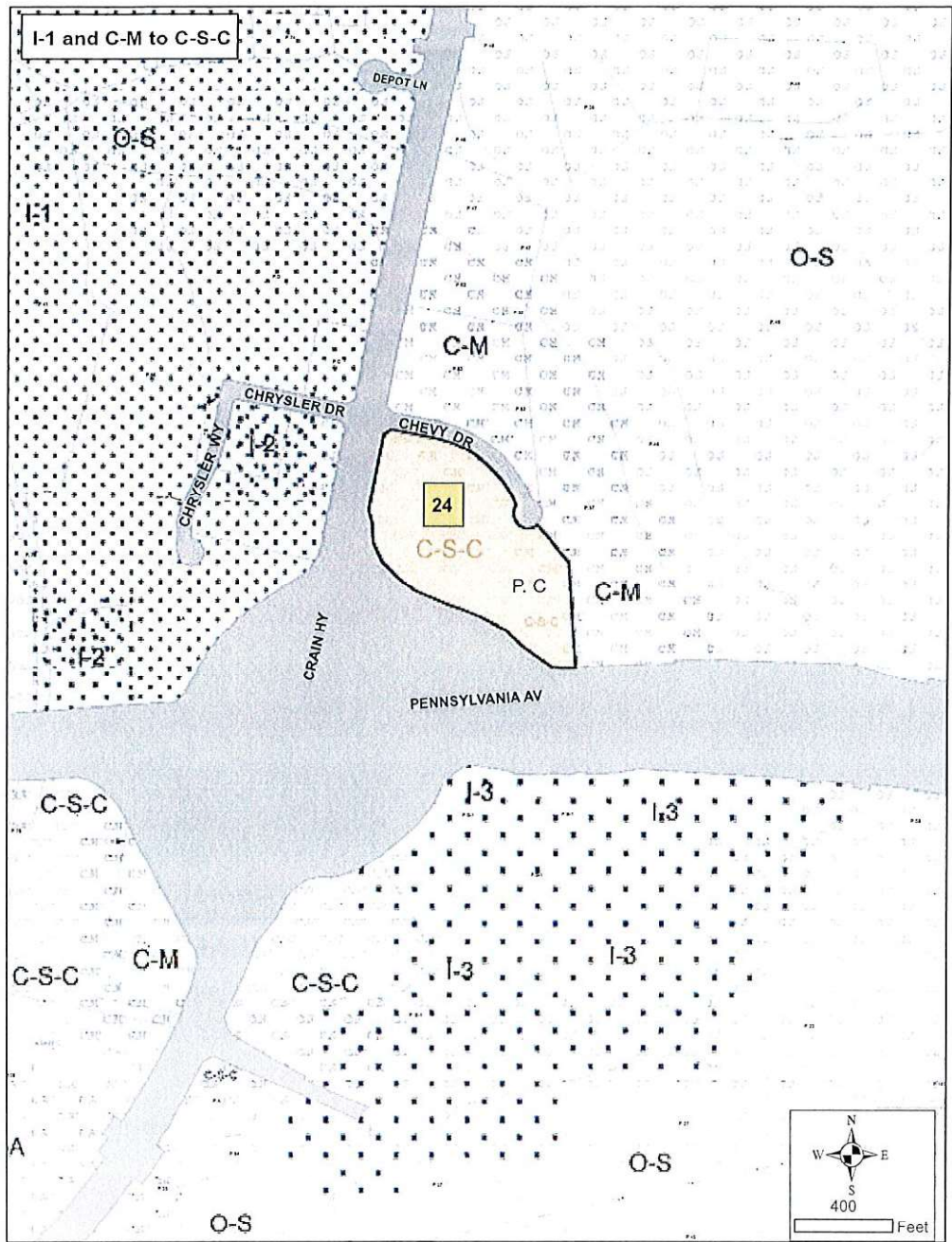
MSA SSU 12.50-10175

Change Number	Zoning Change	Area of Change	Approved SMA/ZMA/SE		200 Ft. Scale Index Map
			Number	Date	
24	I-1 and C-M to C-S-C	10.7 Ac.	SMA	5/24/1994	207SE13

Use and Location: Currently a car dealership located at 5300 SE Crain Highway (PA 79; Tax Map 102B2, and Parcel C).

Discussion: This property currently has a split I-1 (Light Industrial) and C-M (Commercial-Miscellaneous) zoning. A zoning change is recommended to consolidate this property into the C-S-C (Commercial Shopping Center) Zone and encourage commercial redevelopment of this site that is more appropriate for this key location.

Tax ID: 3433273



MEETING

Exhibit "G"

Proposed Development Detailed Site Plan Application Consolidated Storage Facility

Application: DET-2022-017

Applicant Contact Name: Edward C. Gibbs, Jr.
Phone: (301) 306-0033
Email: egibbs@gibbshaller.com

Neighborhood Meeting Information

12/19/2022
(Date)

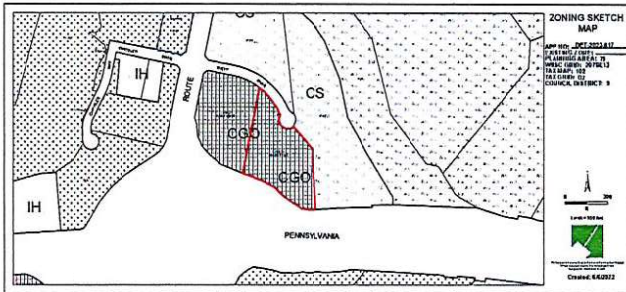
6:30:00 pm
(Time)

Virtual: <https://us02web.zoom.us/j/86859438053>
(Location)

**For more information about this project
or to share comments:**

301-699-CALL

or email Hearing.Request@ppd.mncppc.org



Add Image Here

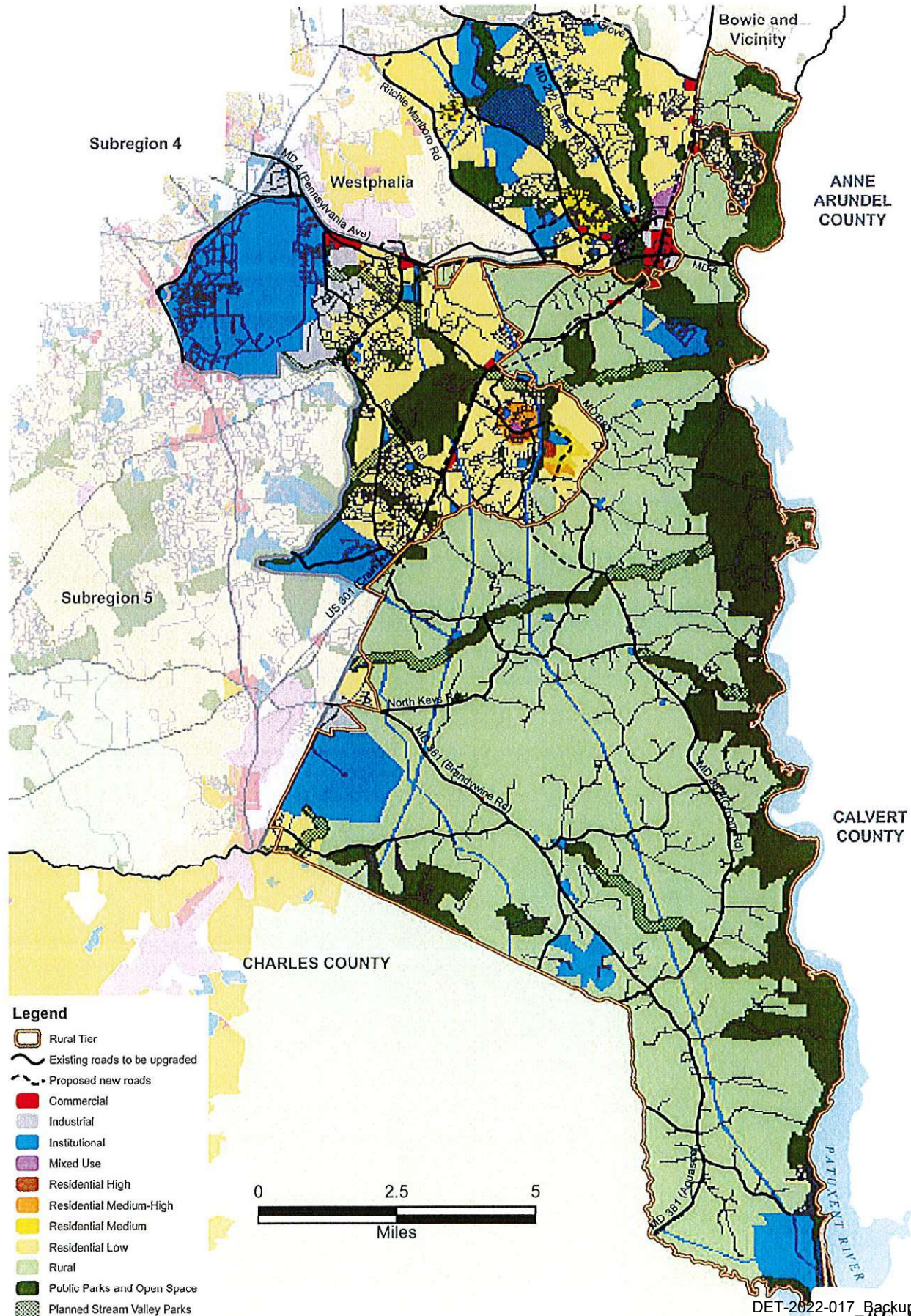
Become a Party of Record

To become a party of record submit your request online at <https://bit.ly/2M2DV2h> or by mail.

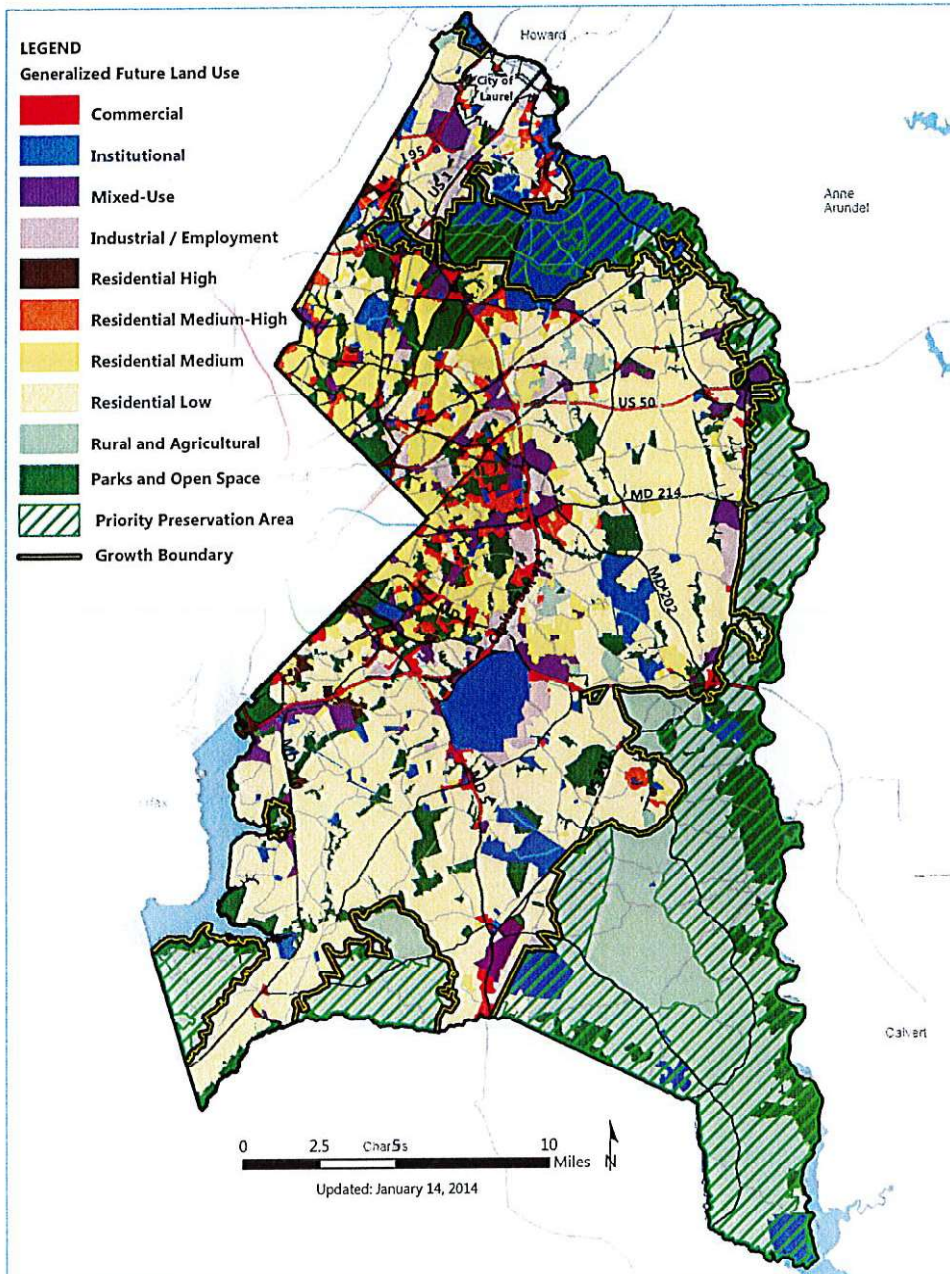
Prince George's County Planning Department
Development Review Division
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

The pre-application neighborhood meeting is intended to inform residents of nearby lands about a proposed development application, and to provide the applicant an opportunity to hear comments and concerns about the development proposal in order to resolve conflicts and outstanding issues, where possible.

No government agency has reviewed this application.



Map 10. Generalized Future Land Use Map



The Generalized Future Land Use Map is not a zoning map and is not intended to identify land uses and zoning for specific properties.

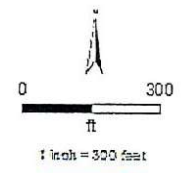
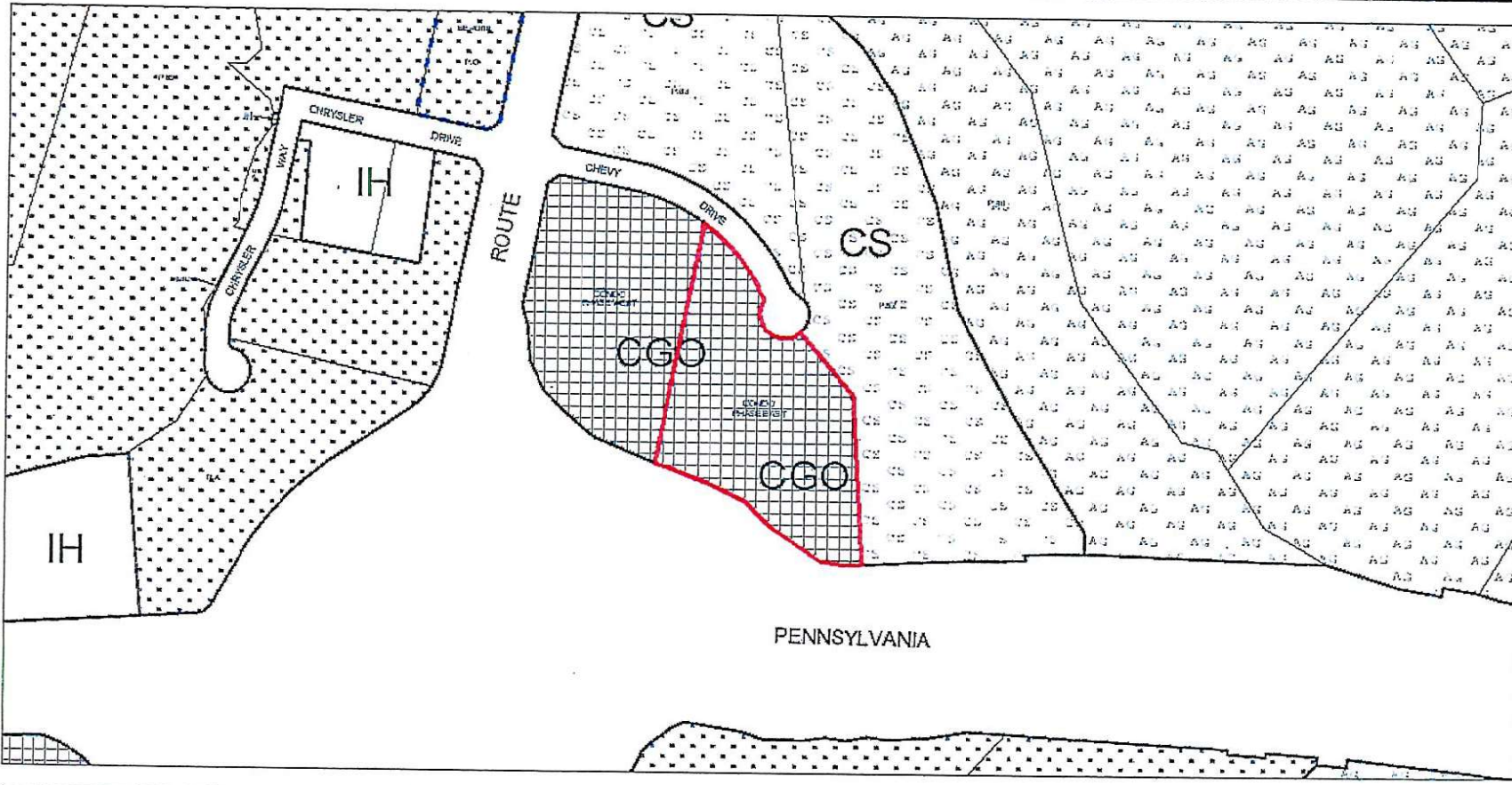
Source: M-NCPPC, 2014

This map generalizes future land use designations as shown in approved sector and master plans. It does not follow parcel boundaries, and its land use categories do not identify permitted uses or imply dimensional standards. By definition, this map should be interpreted broadly and is intended to provide a countywide perspective of future land use patterns. To identify the future land use designation for a specific property, please refer to the property's relevant approved sector or master plan.

“Exhibit “I”

ZONING SKETCH MAP

APP NO: DET-2022-017
EXISTING ZONE:
PLANNING AREA: 79
WSSC GRID: 207SE13
TAX MAP: 102
TAX GRID: B2
COUNCIL DISTRICT: 9



THE MICHIGAN STATE PLANNING DEPARTMENT
TRUCKEE CAMPUS PLANNING DEPARTMENT
GIS/PLANNING INFORMATION SYSTEMS

Created: 6/6/2022

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2023 Legislative Session

Bill No. CB-011-2023

Chapter No. 14

Proposed and Presented by Council Members Ivey, Dernoga, Blegay, Burroughs, Olson, Oriadha

Introduced by Council Members Ivey, Dernoga, Blegay, Burroughs, Olson, Oriadha, Hawkins

Co-Sponsors _____

Date of Introduction February 21, 2023

ZONING BILL

1 AN ORDINANCE concerning

2 Consolidated Storage

3 For the purpose of prohibiting Consolidated Storage in certain Non-Residential and Transit-
4 Oriented/Activity Center Base Zones of Prince George’s County; providing a limited transition
5 period subject to additional development requirements; defining community non-profit space;
6 and specifying that existing uses shall not be deemed nonconforming.

7 BY repealing and reenacting with amendments:

8 Sections 27-2500, 27-5101, 27-5102, and 5402,

9 The Zoning Ordinance of Prince George's County, Maryland,

10 being also

11 SUBTITLE 27. ZONING.

12 The Prince George's County Code

13 (2019 Edition; 2022 Supplement).

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
15 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
16 District in Prince George's County, Maryland, that Sections 27-2500, 27-5101, 27-5102, and 27-
17 5402 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of

1 the Prince George's County Code, be and the same are hereby repealed and reenacted with the
2 following amendments:

3 **SUBTITLE 27. ZONING.**

4 **PART 27-2. INTERPRETATION AND DEFINITIONS.**

5 **SECTION 27-2500. DEFINITIONS.**

6 **Sec. 27-2500. Definitions.**

7 (a) The following words, terms, and phrases, when used in this Ordinance, shall have
8 the meaning ascribed to them in this Section.

9 * * * * *

10 **Community Non-Profit Space**

11 Building space leased to a non-profit community service agency, social service, or arts
12 organization that is primarily available to the public for educational, recreational, community
13 service, social service, or other civic purposes, and not operated for profit.

14 * * * * *

15 **PART 27-5. USE REGULATIONS.**

16 **SECTION 27-5100. PRINCIPAL USES.**

17

27-5101. Principal Use Tables

(d) Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones

Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																			
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																			
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards	
							NAC	TAC		LTO		RTO-L		RTO-H					
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge	RMH			
Industrial Uses																			
Warehouse and Freight Movement Uses	Cold storage plant or distribution warehouse	X	X	X	SE	P	X	X	P	X	X	X	X	X	X	X	X	X	Refer to special exception standards.
	Consolidated storage	X	[SE]X	[P]X	P	P	[SE]X	X	[SE]X	X	[SE]X	X	X	X	X	X	X	X	27-5102(f)(4)(A) and refer to special exception standards
	Motor freight facility	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards <u>27-5400</u>
	Outdoor storage (as a principal use)	X	SE	X	P	P	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(4)(B) and to refer to special exception standards
	Storage warehouse	X	SE	X	P	P	X	X	P	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Warehouse showroom	X	SE	X	P	P	X	X	P	X	X	X	X	X	X	X	X	X	27-5102(f)(4)(C) and refer to special exception standards

* * * * *

1 **Sec. 27-5102. Requirements for Permitted Principal Uses**

2 **(a) General**

3 (1) Standards for a specific principal use shall apply to the particular individual
4 principal use regardless of the zone in which it is located or the review procedure by which it is
5 approved, unless otherwise specified in this Ordinance. This Section sets forth and consolidates
6 the standards for all principal uses for which a reference to this Section is provided in the "Use-
7 Specific Standards" column of the principal use tables in Section 27-5101, Principal Use Tables.
8 These standards may be modified by other applicable standards or requirements in this
9 Ordinance.

10 * * * * *
11 **(f) Industrial Uses**

12 * * * * *

13 **(4) Warehouse and Freight Movement Uses**

14 **(A) Consolidated Storage**

15 * * * * *

16 (vii) In the CGO Zone, the property owner shall set aside of minimum of
17 1,500 square feet of gross floor area of commercial/retail/office space at ground level or above
18 ground level at zero base rent to be leased as a business incubator or Community Non-Profit
19 Space, as defined in Section 27-2500 of this Code, subject to the following:

20 (aa) If the Community Non-Profit Space is located above ground
21 level, the property owner shall ensure that space is handicapped accessible, and shall provide
22 adequate signage so that the public can locate the space.

23 (bb) Occupancy and use of the Community Non-Profit Space shall be
24 subject to a Community Benefit Agreement executed by the property owner and Community
25 Non-Profit Organization, as approved by the District Council. Said Community Benefit
26 Agreement shall be binding on all successors, heirs, and assigns of the property.

27 (viii) Property in the IE Zone that was rezoned from the I-3 Zone, and that
28 is adjacent to land in the RE Zone, shall not develop with Consolidated Storage uses.

1 (cc) The property owner shall ensure that the Community Non-Profit
2 tenant access to at least one (1) large storage unit on the property.

3 * * * * * * * *

4 **SECTION 27-5400. SPECIAL EXCEPTION USES.**

5 **Sec. 27-5402. Additional Requirements for Specific Special Exception Uses.**

6 * * * * * * * *

7 **(u) Consolidated Storage**

8 **(1)** Consolidated storage may be permitted, subject to the following:

9 * * * * * * * *

10 (I) in the CS, NAC, TAC-E, and LTO-E Zones, the property owner shall set
11 aside of minimum of 1,500 square feet of gross floor area of commercial/retail/office space at
12 ground level or above ground level at zero base rent to be leased as business incubator or
13 Community Non-Profit Space, as defined in Section 27-2500 of this Code, subject to the
14 following:

15 (i) If the Community Non-Profit Space is located above ground level,
16 the property owner shall ensure that space is handicapped accessible, and shall provide adequate
17 signage so that the public can locate the space.

18 (ii) Occupancy and use of the Community Non-Profit Space shall be
19 subject to a Community Benefit Agreement executed by the property owner and Community
20 Non-Profit organization. Said Community Benefit Agreement shall be binding on all successors,
21 heirs, and assigns of the property.

22 (iii) The property owner shall ensure that the Community Non-Profit
23 tenant access to at least one (1) large storage unit on the property.

24 * * * * * * * *

1 SECTION 2. BE IT FURTHER ENACTED that, for proposed uses inside I-95/I-495 (the
2 “Capital Beltway”), no Detailed Site Plan for a consolidated storage use in a non-industrial zone
3 shall be approved after March 1, 2023, except for any proposed development of consolidated
4 storage which has completed a Pre-Application Conference pursuant to Section 27-3401 before
5 April 1, 2023; provides Community Non-Profit Space; and is adjacent to an existing consolidated
6 storage use.

7 SECTION 3. BE IT FURTHER ENACTED that any proposed development of a
8 consolidated storage use located outside I-95/I-495 (the “Capital Beltway”) that has completed a
9 Pre-Application Neighborhood Meeting for a Special Exception or a Detailed Site Plan pursuant
10 to Section 27-3402, prior to April 1, 2023, may be reviewed and decided in accordance with the
11 use regulations in effect prior to the effective date of this Ordinance.

12 SECTION 4. BE IT FURTHER ENACTED that all uses in existence on the effective date
13 of this Ordinance may continue and shall be permitted and not deemed nonconforming uses.

1 SECTION 5. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
2 (45) calendar days after its adoption.

Adopted this 28th day of March, 2023.

COUNTY COUNCIL OF PRINCE GEORGE’S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE’S COUNTY,
MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

September 11, 2001

Paul Sheehy
5300 Crain Highway
Upper Marlboro, Maryland 20772

Re: Notification of Planning Board Action on
Preliminary Plan 4-01023
4-01023 (Sheehy Auto Store)

Dear Applicant:

This is to advise you that on **September 6, 2001**, the above-referenced Preliminary Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Article 28, Section 7-116(g) of the Maryland Annotated Code, an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) calendar days after the date of the final notice **September 11, 2001**.

Very truly yours,
Faroll Hamer
Development Review Division

By: *Shirley Charles*
Reviewer

cc: Persons of Record

PGCPB No. 01-140



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

PGCPB No. 01-140

File No. 4-01023

RESOLUTION

WHEREAS, Chetwood Farm is the owner of a 10.71-acre parcel of land known as Parcel A, Parcel 9 and Parcel 56, said property being in the 3rd Election District of Prince George's County, Maryland, and being zoned C-M and I-1; and

WHEREAS, on March 8, 2001, Paul Sheehy filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 1 lot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01023 for Sheehy Auto Store was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 12, 2001, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on July 12, 2001, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/16/01), and further APPROVED Preliminary Plat of Subdivision 4-01023, Sheehy Auto Store for Parcel C with the following conditions:

1. Prior to issuance of building permits, the applicant shall conduct a signal warrant study to be reviewed by the State Highway Administration at the intersection of US 301 and Chevy Drive. If the signal is deemed to be warranted and approved by the SHA, it shall be installed at the applicant's expense.
2. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept approval #8329131-2000-00
3. Prior to signature approval the preliminary plat shall be revised:
 - a. To reflect that the subject property is to be know as Parcel C.
 - b. To lessen the delineation of the existing parcels and more clearly define that the subject property is one parcel.

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File No. 4-01023
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- c. To revise the revision block to accurately reflect the last revision, in accordance with this recommendation.
 - d. To remove the parking and loading analysis.
4. All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws
5. Prior to signature approval of the Type I Tree Conservation Plan, TCP I/16/01 the plan shall be revised to:
 - a. Show the woodland conservation area.
 - b. Add the worksheet to plan.
6. Prior to the approval of building permits, the site shall be connected to the public sewer system unless alternative timing is approved by the Health Department.
7. The property shall connect to the public water supply system upon availability. At that time the applicant shall determine the disposition of the existing well on site and provide that information to the Health Department.

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The subject property is located in the northeast quadrant of the intersection of Robert Crain highway (US 301) and Pennsylvania Avenue (MD 4) in Upper Marlboro.
3. Environmental - The Environmental Planning Section previously approved a Woodland Conservation Exemption for Parcel A only, numbered E/84/00, at the time of application for building permits for the proposed additions. At the time of permit review it was determined that the site was subject to the approval of a preliminary plan of subdivision due to the extent of development. It was not clear at the time of building permit review as to the extent of development. The exemption letter was approved for only a portion of the site and is therefore not a valid exemption letter.

The consolidation of Parcel A, Parcel 9, and Parcel 56 in their entirety as one building site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Tree Conservation Plan is required to satisfy the requirements of the Woodland Conservation Ordinance. A Forest Stand Delineation and Type I Tree

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Conservation Plan were submitted on May 23, 2001. The Tree Conservation Plan, TCP I/16/01, proposes to meet the requirements of the Woodland Conservation Ordinance with 1.43 acres of on-site preservation. The Environmental Planning Section recommends approval of TCP I/16/01.

The adjacent highways are significant nearby noise generators but the proposed use is not expected to generate significant noise. There are no streams, or wetlands on the site. The preliminary plan delineates a portion of 100-year floodplain on site, however the applicant has proposed no disturbance to this area. No Historic or Scenic roads are affected by this proposal. No rare/threatened/endangered species are known to occur in the project vicinity.

The property is currently in water and sewer category 4C. The property was in the December 2000 cycle of amendments to the Ten-Year Water and Sewer Plan with a request to change to category 3, however, W-4C and S-4C were approved. Currently the existing development is served by private systems approved by the Health Department.

The soils information included in the review package indicate that no problematic soils occur in the proposed development area. According to the "Map Showing Landslide Susceptibility in Prince George's County, Maryland" prepared by the U.S. Geological Survey, Marlboro Clay outcrops exist in the southeastern portion of the site. According to maps prepared by the Environmental Planning Section, Marlboro Clay is expected between elevations 50 and 65. At the present time there appears to be no immediate threat of slope failure which might affect the existing development. New development on this site, at existing elevation 40 or higher, should be reviewed for slope stability prior to implementation.

4. Community Planning - The subject property is within the limits of the *Approved 1993 Subregion VI Master Plan*, in Planning Area 79. The master plan land use recommendation for this site us for a commercial use for the existing dealership.

The master plan addresses the subject property (Page 153) by recognizing the existing auto dealership to include the I-1 zoned portion of the property. The development of the I-1 zoned portion of the subject property is recommended to be "...developed in a use which is compatible with the adjoining [subject] auto dealership on US 301." The plan further states: "Because of its visibility from MD 4 it is especially important that a high standard of building and site design be evident in any future use of the property." The design emphasis is supported by Master Plan Guideline 11 which states: "Screening should be provided for outdoor storage areas of existing and future ... employment areas bordering roads, with the condition that such screening be of sufficient height and type to block the stored material and equipment from view at ground level." As a result of the master plan recommendation the Community Planning Division was supporting the requirement for the review of a Detailed Site Plan.

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However, staff has evaluated the site as it relates to the recommendation for a detailed site plan and finds that a DSP is not appropriate at this time. The applicant has proposed three additions to the existing 38,165 square foot building. The existing building is "L" shaped. The largest of the three additions is proposed at 10,150 square feet. That addition will be located within the existing "L" and will be screened by the existing building from MD 301 and MD 4. The second of the additions is proposed at 4,200 square feet, which will provide an additional 60 feet of front along the existing buildings face, oriented toward MD 301. The existing building has approximately 370 feet of face along MD 301. The third addition is located along MD 4 and is approximately 1,750 square feet.

Due to the location of the proposed additions, staff believes that the visual impact will be minimal, as it relates to existing development on this site. Also the applicant is proposing to update and make improvements to the existing front facade to ensure compatibility and a uniformed appearance for the building in its entirety, at the time of construction of the proposed additions.

Further, because of the proposed gross floor area the site is now subject to the Prince George's County *Landscape Manual*. The *Landscape Manual* establishes the criteria for appropriate buffering and screening in Prince George's County. In addition, the I-1 zoning requires screening of outdoor storage areas from streets, over that required by the *Landscape Manual*. The development of this site should be in conformance with the Landscape manual and the requirements of the I-1 Zone.

5. Parks and Recreation - In accordance with Section 24-134(a), the requirement for the mandatory dedication of parkland applies to residential subdivisions. The subject proposal is for a commercial use and is therefore exempt from the requirement of mandatory dedication.
6. Trails - There are no master plan trail issues associated with this application.
7. Transportation - The application is a preliminary plan of subdivision for a commercial development consisting of a 14,244 square-foot expansion of an existing automotive dealership. The proposed development would generate 36 AM and 46 PM peak hour vehicle trips as determined using Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 6th Edition*.

The traffic generated by the proposed preliminary plan would impact the unsignalized intersection of US 301 and Chevy Drive. This intersection is not programmed for improvement with 100% construction funding within the next six years in the current Maryland Department of Transportation *Consolidated Transportation Program* or the Prince George's County *Capital Improvement Program*.

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The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined 50 seconds of delay per car as the lowest acceptable operating condition on the transportation system for unsignalized intersections. The intersection of US 301 and Chevy Drive, when analyzed with a traffic count taken on May 16, 2001, was found to be operating with delays of 169.5 and 24,440.1 seconds during the AM and PM peak hours respectively. With the inclusion of the above-mentioned site trips, the intersection will continue to operate at failing levels-of-service. In light of this fact, staff is recommending that a signal warrant study should be conducted by the applicant. If the signal is deemed to be warranted, and further approved by the State Highway Administration, staff recommends that the signal be installed at the expense of the applicant.

The Countywide Planning Division concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved.

The applicant should conduct a *signal warrant study* to be reviewed by the State Highway Administration. If at that time a signal is deemed to be warranted, and approved by the SHA, it should be installed at the applicant's expense.

8. State Highway Administration - The SHA Project Planning Division provides reference to the 1999 Access Control Study and the Control Study Master Plan Alignment, which reflects and provides for several options for a proposed interchange at US 301 and MD 4. A variety of impacts, some being substantial and others being minimal, are possible at the time of construction of the interchange on this property. However, all of the options have been deemed conceptual pending further study by the SHA. Due to this, the SHA has not requested the dedication or reservation of lands for the implementation of this interchange.
9. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998) and concluded that the proposed subdivision is exempt from an APF test for schools because it is a Commercial use.
10. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and has concluded the following:
 - a. The existing fire engine service at Marlboro Fire Station, Company 20 located at 14815 Pratt Street has a service response time of 2.61 minutes, which is within the 3.25 minutes response time guideline.

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- b. The existing ambulance service at Marlboro Fire Station, Company 20 located at 14815 Pratt Street has a service response time of 2.61 minutes, which is within the 4.25 minutes response time guideline.
- c. The existing paramedic service at Marlboro Fire Station, Company 20 located at 14815 Pratt Street has a service response time of 2.61 minutes, which is within the 7.25 minutes response time guideline.
- d. The existing ladder truck service at Marlboro Fire Station, Company 45 located at 7710 Croom Road has a service response time of 5.65 minutes, which is beyond the 4.25 minutes response time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed above in "d." of this Section, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines For The Analysis Of Development Impact On Fire and Rescue Facilities*.

- 11. Police Facilities - The proposed development is within the service area for District II-Bowie. In accordance with Section 24-122.1(c)(1) of the Subdivision Regulations, staff concludes that the existing county's police facilities will be adequate to serve the proposed Sheehy Auto Store development.
- 12. Health Department - The existing structure on the lot is currently being served by a deep well and an on-site sewage disposal system. Prior to the approval of building permits for the proposed additions, the facility should be connected to the public sewer system. The existing on-site septic tanks and pump chamber should be pumped out and backfilled.

At the time that public water becomes available to this site, it should be connected. The existing well may be used on an interim basis until that time. Once connected to public water, the well may be used for nonpotable uses upon obtaining the approval of the Health Department. If the well is not to be used and is abandoned, the well must be backfilled and sealed by a licensed well driller or the process must be witnessed by a representative of the Health Department. The status of the well must be determined prior to the building permit approval.

- 13. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is not required. The Stormwater Management Concept case number is #8329131-2000-00, which has been approved. That approval is predicated on the applicant's proposal that

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no new impervious area is to be created. Development must be in accordance with this approval.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Brown, with Commissioners Eley, Brown, Scott, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 12, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of September 2001.

Trudye Morgan Johnson
Executive Director

Frances J. Guertin
By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:rmk

APPROVED AS TO LEGAL SUFFICIENCY.

Berard Johnson
M-NCP&C Legal Department

Date 8/15/01



November 27, 2023

MEMORANDUM

TO: Dominique Lockhart, Planner III, Zoning Review Section, Development Review Division

VIA: [06] David A. Green, MBA, Planner IV, Long-Range Planning Section, Community Planning Division **DG**

FROM: Emily Lutz, AICP, Planner III, Long Range Planning Section, Community Planning Division **EL**

SUBJECT: DET-2022-017 (ACL-2023-008) Upper Marlboro Self Storage CPD LRPS Referral

FINDINGS: Community Planning Division staff finds that, pursuant to 27-3605 (e)(6) Detailed Site Plan Decision Standards of the Zoning Ordinance, this detailed site plan application to construct and operate a consolidated storage facility is consistent with Plan 2035 because the commercial use is consistent with surrounding uses with similar scale and intensity.

This detail site plan application is consistent with the following relevant goals, policies, and strategies of the 2013 *Subregion 6 Approved Master Plan and Sectional Map Amendment* (Master Plan) because the Master Plan recommends commercial future land use for the subject site. Commercial future land use is described as “retail and business areas, including employment uses such as office and service uses” (pg. 40).

BACKGROUND

Application Type: Detailed Site Plan (DET)

Planning Area/Community: PA 79/ Upper Marlboro & Vicinity

Location: Tax Account 5572634; Northeast quadrant of US 301 and MD 4

Size: 5.56 acres

Existing Uses: Vacant

Future Land Use: Commercial

Proposal: “This Detailed Site Plan application seeks approval to construct and operate a consolidated storage facility... The building is proposed to be three stories in height and include approximately 157,500 square feet of gross floor area” (SOJ, pgs. 4-5).

Existing Zoning: CGO (Commercial, General and Office)

Prior Zoning: C-S-C (Commercial Shopping Center)

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is in the Established Communities Growth Policy Area. “Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the need of the existing residents are met.” (p.20)

Analysis: The proposed consolidated storage facility is consistent with Plan 2035 because of the scale and intensity of the use is similar due to the commercial character of the surrounding uses and the lack of residential use in the immediate vicinity of the subject property.

Master Plan: The 2013 *Subregion 6 Approved Master Plan and Sectional Map Amendment* (Master Plan) recommends commercial land uses on the subject property.

In addition, the Master Plan also makes the following recommendations that affect the subject property:

Environment

Policy 1: “Protect, preserve, and restore the identified green infrastructure network and areas of local significance within Subregion 6 in order to protect critical resources and to guide development and mitigation activities” (page 68).

- Strategy 3: “Preserve and connect habitat areas to the fullest extent possible during the land development process” (page 69).
- Strategy 4: “Preserve or restore regulated areas designated in the green infrastructure network through the development review process for new land development proposals” (page 69).
- Strategy 5: “Protect portions of the green infrastructure network outside the primary and secondary corridors to restore and enhance environmental features, habitat, and important connections” (page 69).

Strategy 6: “Evaluate land development proposals in the vicinity of SCAs to ensure that the SCAs are not negatively impacted and that green infrastructure connections are either maintained or restored” (page 69). Policy 2: “Restore and enhance water quality in degraded areas and preserve water quality in areas not degraded” (page 72).

- Strategy 3: “Require retrofitting of locations without stormwater management, or with poorly performing facilities, as they are identified during the development review process” (page 72).
- Strategy 7: “Require environmentally sensitive site design which includes limiting impervious surfaces and implementing best practices in on-site stormwater management to reduce the impact of development on important water resources” (page 73).

Analysis: The proposed use conforms with these policies and strategies because the site plan shows avoidance of the wooded area on site and has provided additional environmental analysis for review. The applicant is encouraged to work with the Environmental Planning Section to ensure the site meets all environmental requirements.

Living Areas and Community Character

Policy 5: “Promote attractive and compatible development with particular attention to the architecture and layout of development that is visible from primary, collector, and arterial roads” (page 177).

Analysis: The proposed use conforms with this policy because it is consistent with the scale of surrounding commercial uses. Additionally, the landscape berm along US 301 and church along MD 4 will block elevations from view of major roads. The applicant is encouraged to work with the Urban Design Section to ensure the site meets all architectural requirements.

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

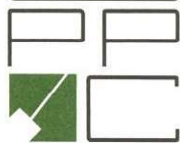
SMA/Zoning: On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment (“CMA”) which reclassified the subject property from the M-X-T (Mixed Use Transportation Oriented) zone to RMF-48 (Residential, Multifamily-48) zone effective April 1, 2022

MASTER PLAN CONFORMANCE ISSUES: None

cc: Long-range Agenda Notebook

Sarah Benton, AICP, Planning Supervisor, Long Range Planning Section, Community Planning Division

MN
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



Countywide Planning Division
Transportation Planning Section

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

301-952-3680

December 4, 2023

MEMORANDUM

TO: Dominique Lockhart, Urban Design Section, Development Review Division

FROM: Leah Daniels, Transportation Planning Section, Countywide Planning Division
Leah Daniels

VIA: *CSH* Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: DET-2022-017 UPPER MARLBORO SELF STORAGE

Proposal:

The subject application, located at 5300 Crain Highway, proposes the construction of a consolidated storage facility containing 157,500 square feet. Additionally, the subject site has a previously developed 49,835 square foot church, Sanctuary at Kingdom. The Transportation Planning Section's (TPS) review of the subject application has been evaluated under the current Zoning Ordinance, Subtitle 27.

Prior Conditions of Approval

This site is subject to the previously approved Preliminary Plan of Subdivision (PPS) 4-01023. There are no relevant conditions of approval for this application. At the time of this analysis, the resolution included the calculation of a trip cap based on the use of an automobile dealership and established that the site would generate 36 AM and 46 PM vehicular trips.

Since the approval, the building housing the automobile dealership has been repurposed for worship service use that is currently operational. Based on the most recent ITE trip generation guidance, a church of this square footage is assumed to generate 21 AM and PM weekday peak hour trips and 561 trips on Sundays.

The subject application proposes to construct a consolidated storage facility that will generate 14 AM and 24 PM peak hour vehicular trips. Therefore, the existing church and the proposed storage facility combined will generate a total of 35 AM and 45 PM vehicular trips and would not exceed the trip cap established with the prior approval.

Master Plan Compliance

Master Plan Right of Way

The site is subject to the 2009 *Countywide Master Plan of Transportation* (MPOT) and 2013 *Subregion 6 Master Plan*. The property has frontage along Chevy Drive, which neither plan includes right-of-way designation.

Master Plan Pedestrian and Bike Facilities

There are no master plan facilities that impact the subject site. The MPOT's Complete Streets element reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

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*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* includes the following recommendations:

Policy 7: Expand, encourage, and promote hiker/biker/equestrian recreational activities.

Policy 8: Promote and encourage cycling and walking as an alternative to the car for commuting and recreational purposes.

Comment: There are existing sidewalks along Chevy Drive that connect to an on-site pedestrian path along the front of the building. In addition, bicycle racks are provided. Despite the frontage along US 301, staff do not recommend the construction of sidewalks along this portion of the property.

Transportation Planning Review

Zoning Ordinance Compliance

The proposed development was evaluated using the design guidelines described in Sections 27-6000 (Development Standards) of the Prince George's County Zoning Ordinance (Ordinance). Additionally, Section 27-3605 provides specific requirements for detailed site plans.

Comment: The subject property is composed of two condominium lots, of which one has been developed with a 49,835-square-foot church, Sanctuary at Kingdom. The proposed development is

adjacent to the church on the second lot. There are four vehicle entry points to the subject property. The main point of access is via a full movement at the intersection of US 301 and Chevy Drive. Along Chevy Drive, the parcel of the existing church has two dedicated access points for the church only, and one access point dedicated to the storage facility only. The other access point along Chevy Drive is to access the storm water management facility. The proposed development includes fencing to separate the uses, however, vehicular and pedestrian are still present due to both uses sharing access to Chevy Drive. Staff find that the proposed circulation is acceptable.

The latest site plan proposes 51 parking spaces of which 51 are required, and six U-shaped bicycle racks near the building entrance. The existing church currently has 268 parking spaces available, as detailed on a prior approved permit. Staff find that the parking is adequate for both uses.

Conclusion:

Based on the findings presented above, staff concludes that the vehicular, pedestrian, and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Section 27 and meets the findings for pedestrian and bicycle transportation purposes.

December 4, 2023

MEMORANDUM

TO: Dominique Lockhart, Planner III, Urban Design Section, DRD

VIA: Tom Burke, Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Christian Meoli, Planner I, Environmental Planning Section, CWPD *CM*

SUBJECT: Upper Marlboro Self Storage; DET-2022-017 and TCPII-137-01-01

The Environmental Planning Section (EPS) has reviewed Detailed Site Plan (DET-2022-017), submitted for Upper Marlboro Self Storage, and Type 2 Tree Conservation Plan (TCPII-137-01-01), accepted for review on October 17, 2023. Comments were provided in a Subdivision and Development Review Committee (SDRC) meeting on November 13, 2023. Revised information was received on November 28, 2023. The EPS finds the application in conformance with Sections 27-6802, 27-6803, 27-6805, 27-6806, 27-6808, and 27-6809 within the Sec. 27-6800 Environmental Protection and Noise Control section of the Zoning Ordinance, and recommends approval of DET-2022-017 and TCPII-137-01-01, subject to the findings and conditions at the end of this memorandum.

BACKGROUND

The EPS previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
4-01023	TCPI-016-01	Planning Board	Approved	7/12/2001	01-140
N/A	TCPII-137-01	Staff	Approved	10/18/2001	N/A
DET-2022-017	TCPII-137-01-01	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY

The current application is for the development of a consolidated storage facility and associated infrastructure. The site is zoned Commercial, General and Office (CGO).

GRANDFATHERING

This project is subject to the 1993 Woodland Conservation and Tree Preservation Ordinance because the application was the subject of a Preliminary Plan of Subdivision (PPS 4-01023) and TCPI-016-01, and has an approved and implemented TCPII-137-01.

SITE DESCRIPTION

The 10.71-acre property is located at the northeast quadrant of US 301 (Robert S Crain Highway) and MD 4 (Pennsylvania Avenue), and is identified as Parcel C. The site is also subject to a land condominium that created Phase West Unit One and Phase East Unit Two. Phase West Unit One contains an existing building that was built in 1970 and expanded in the early 2000s after the approval of 4-01023 and TCPII-137-01. Phase East Unit Two contains a grass area, formerly used as a vehicle storage area, and 2.27 acres of woodland. The overall site does not contain any Wetlands of Special State Concern, as mapped by the Maryland Department of Natural Resources (DNR). The County's Department of the Environment (DOE) watershed map shows the entire site is within Western Branch of the Patuxent River basin. The site is located within the Established Communities of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by the *Plan Prince George's 2035 Approved General Plan*.

CONDITIONS OF PREVIOUS APPROVALS

4-01023

This preliminary plan was approved by the Planning Board on July 12, 2001, subject to seven conditions, two of which were environmental in nature. Condition 5a and 5b were technical corrections to the TCPI which were addressed with the signature approval of TCPI-016-01. Condition 2 is related to future development in the subdivision.

2. Development of this subdivision shall be in accordance with the approved Stormwater Management (SWM) Concept approval #8239131-2000-00.

The #8239131-2000-00 did not require any additional stormwater management for the development proposed with PPS 4-01023. A new Stormwater Management Concept Approval has been approved; #36928-2022-00, to account for the additional impervious surface resulting from the proposed consolidated storage facility on Phase East Unit Two.

ENVIRONMENTAL REVIEW

Natural Resource Inventory (NRI)

Section 27-6802 requires an approved NRI plan with DET applications. An approved Natural Resource Inventory Equivalency Letter (NRI-222-2022) was submitted with the application. An equivalency letter was approved for this project because the site has an approved and implemented tree conservation plan (TCPII-137-01), and the proposed site plan does not result in significant changes to the limits of disturbance of the previously approved TCP. No revisions are required for conformance to the NRI.

Woodland Conservation

A revision to the approved TCPII was submitted with this DET and requires minor revisions to be found in conformance with the 1993 Woodland Conservation and Tree Preservation Ordinance.

The Woodland Conservation Threshold (WCT) for this 10.71-acre property is 15 percent of the net tract area, or 1.29 acres.

The total woodland conservation requirement based on the amount of clearing proposed is 1.39 acres. The woodland conservation requirement is proposed to be satisfied with 1.40 acres of on-site woodland preservation.

Technical revisions to the TCPII are required and included in the conditions listed at the end of this memorandum.

Specimen Trees

The site does not contain specimen trees according to the previously approved TCPII-137-01 plan.

Regulated Environmental Features (REF)

Section 27-6808 refers to section 24-4300(d)(5) (previously 24-130(b)(5)) of the Subdivision Ordinance states: "Where land is located outside the Chesapeake Bay Critical Area Overlay (CBCAO) zones, the preliminary plan of subdivision (minor or major) and all plans associated with the application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state, to the fullest extent possible, consistent with the Environmental Technical Manual established in accordance with Subtitle 25: Trees and Vegetation, of the County Code. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required in accordance with Subtitle 27: Zoning Ordinance, of the County Code, for the reasonable development of the lot outside the regulated feature."

This site contains REF that are required to be preserved and/or restored to the fullest extent possible under Section 27-6808 of the Zoning Ordinance. The on-site REF includes areas of 100-year floodplain which are depicted on the TCPII plan. The entirety of the 100-year floodplain is located on Phase West Unit One, which is not proposed to be revised with this DET. The existing building located in Phase West Unit One was built in 1970 and expanded in the early 2000s after the approval of 4-01023, TCPI-016-01, and TCPII-137-01. This portion of the property was not subject to current floodplain and stormwater management requirements.

Phase East Unit Two does not contain floodplain; however, the TCPII depicts the limits of disturbance (LOD) within floodplain located along Chevy Drive. New off-site primary management area (PMA) impacts were not considered with this application due to the grandfathering of the site to the 1993 Woodland Conservation and Tree Preservation Ordinance, which did not delineate a PMA. In addition, 4-01023, TCPI-016-01, and TCPII-137-01 depicted and approved the proposed work within the floodplain for construction and improvements to Chevy Drive. The proposed work within the floodplain for Chevy Drive depicted on TCPII-137-01-01 is consistent with the previously approved floodplain impacts approved with 4-01023, TCPI-016-01, and TCPII-137-01. Technical requirements related to the floodplain within the right-of-way for Chevy Drive will be approved by the Department of Permitting, Inspections, and Enforcement (DPIE) which will also determine if a floodplain waiver is required.

Stormwater Management

Section 27-3605(c)(F)(x) of the Subdivision Regulations requires a SWM concept approval prior to acceptance of a detailed site plan (DET). An approved Concept Plan (36928-2022-00) was submitted with the DET material, which shows the use of a submerged gravel wetland. The concept plan was approved by DPIE on August 7, 2023, and expires on August 7, 2026.

Soils

Section 27-6809, Unsafe Lands of the Zoning Ordinance, requires all applications to conform to the requirements pertaining to unsafe land in Section 24-4300, Environmental Standards, of Subtitle 24: Subdivision Regulations. This application is using the prior Subdivision Regulations, and Section 24-131, which states “The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes.”

According to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), soils present within the project area include Galestown-Urban land complex, Collington-Wist complex, and Udorthents, highway. Marlboro clays are present on the eastern portion of the site. However, it does not appear that the Marlboro clay would impact the slope stability due to the proposed site design.

Erosion and Sediment Control

Section 27-6805 of the Zoning Ordinance requires an approved Grading, Erosion, and Sediment Control Plan. Development shall comply with the requirements for sedimentation and erosion control in accordance with Subtitle 32, Division 2, Grading, Drainage and Erosion, and Sedimentation Control, of the Prince George’s County Code.

The County requires the approval of an Erosion and Sediment Control Plan. The TCPII must reflect the ultimate limits of disturbance (LOD), not only for the installation of permanent site infrastructure but also for the installation of all temporary infrastructure, including erosion and sediment control measures. Prior to certification of the TCPII, a copy of the Erosion and Sediment Control Technical Plan must be submitted so that the ultimate LOD for the project can be verified and shown on the TCPII.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The EPS has completed the review of DET-2022-017 and TCPII-137-01-01, and recommends approval, subject to the following findings and conditions:

Recommended Findings

1. Regulated environmental features (REF) have been preserved and/or restored to the fullest extent possible under Section 27-6808 of the Zoning Ordinance.
2. No new primary management area (PMA) impacts are proposed with this application.
3. The site does not contain specimen trees according to the previously approved TCPII-137-01 plan.

Recommended Conditions:

1. The TCPII shall meet all of the requirements of Subtitle 25, Division 2, and the Environmental Technical Manual prior to certification, and shall be revised as follows:
 - a. Revise General Note 9 to include that this project is subject to the 1993 Woodland Conservation and Tree Preservation Ordinance.
 - b. Revise the proposed 38-foot contour line along the southeastern corner of the proposed parking lot to be consistent with the approved stormwater concept plan.
2. Prior to certification of the TCPII, a copy of the Erosion and Sediment Control Technical Plan must be submitted so that the ultimate limits of disturbance for the project can be verified and shown on the TCPII.

December 4, 2023

MEMORANDUM

TO: Dominique Lockhart, Planner III, Zoning Section
VIA: Mridula Gupta, Planner IV, Subdivision Section *MG*
FROM: Jason Bartlett, Planner II, Subdivision Section *JTB*
SUBJECT: DET-2022-017; Upper Marlboro Self Storage

The subject property is 10.71 acres in area and is located on Tax Map 102 in Grids B1 and B2. It consists of one parcel, known as Parcel C, recorded in the Prince George's County Land Records in Plat Book REP 193, plat no. 70, approved on March 7, 2002. The property is zoned CGO (Commercial, General and Office). This detailed site plan (DET-2022-017) proposes a consolidated storage facility on the subject property. DET-2022-017 was accepted for review on October 17, 2023. Comments were provided at the SDRC meeting on November 13, 2023. This referral response is based on revised plans received on December 4, 2023.

The property is subject to Preliminary Plan of Subdivision (PPS) 4-01023 which was approved on July 12, 2001, and the resolution was adopted on September 6, 2001 (PGCPB Resolution No. 01-140) for the consolidation of Parcel A, Parcel 9, and Parcel 56 into one parcel known as Parcel C, for the development of a 13,725-square-foot addition to an existing 36,110-square-foot car dealership for a total site gross floor area (GFA) of 49,835 square feet. This total site GFA has since been increased through various building permit approvals to its current GFA of 55,510 square feet and is currently used as a church since 2017.

DET-2022-017 proposes the development of a single consolidated storage building, with a GFA of 157,500 square feet on an approximately 5.55-acre vacant portion of Parcel C, with the remainder of Parcel C to retain its current church use of 55,510 SF of GFA.

PPS 4-01023 was approved with seven conditions. The conditions relevant to the review of this DET are listed below in bold text. Staff analysis of the project's conformance to the conditions follows each one in plain text:

- 1. Prior to issuance of building permits, the applicant shall conduct a signal warrant study to be reviewed by the State Highway Administration at the intersection of US 301 and Chevy Drive. If the signal is deemed to be warranted and approved by the SHA, it shall be installed at the applicant's expense.**

Signalization at this intersection has been provided and currently exists. The Transportation Planning Section should evaluate whether this condition has been satisfied.

2. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept approval #8329131-2000-00.

This site has received an updated SWM Concept approval under case #36928-2022-00, which shows the proposed development. The SWM concept plan should, however, be further evaluated by Environmental Planning Section regarding conformance to the Type 2 tree conservation plan and DET.

4. All commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

The applicant has included this condition as General Note 11 on the DET. This condition will be further reviewed at the time of the building permit.

6. Prior to the approval of building permits, the site shall be connected to the public sewer system unless alternative timing is approved by the Health Department.

This DET proposes a public sewer connection for the proposed development in conformance with this condition.

7. The property shall connect to the public water supply system upon availability. At that time the applicant shall determine the disposition of the existing well on site and provide that information to the Health Department.

This DET proposes a public water connection for the proposed development in conformance with this condition.

Additional Comments:

1. PPS 4-01023 included a trip cap of 36 AM and 46 PM peak hour vehicular trips (Transportation Finding 7) for the entirety of Parcel C. A trip generation memo (TRIS-DET-2022-017) was provided by the applicant that included all existing and proposed development on Parcel C. The Transportation Planning Section should confirm that the total trips generated by both existing and proposed development on Parcel C are found to be within the trip cap established by 4-01023.
2. The property received an automatic certificate of adequacy (ADQ) associated with 4-01023 pursuant to Section 24-4503(a)(1) of the Subdivision Regulations, which became effective April 1, 2022, and is valid for twelve years from that date, subject to the expiration provisions of Section 24-4503(c).
3. The site plan includes a sheet (titled "Property Exhibit") showing the entirety of Parcel C, with the correct record plat reference. A note on this sheet clarifies that the DET has as its subject matter a condominium unit referenced as "Phase East Unit Two" on a condominium plat recorded in the Land Records in Plat Book SJH 254 plat no. 60. The condominium boundary line for this land unit is shown on the Property Exhibit to denote the area subject to this DET. An additional note should be added below this land condominium boundary

line for the “Phase East Unit Two” condominium unit, stating that Phase East Unit Two is not included in DET-2022-017.

4. General Note 1 on the cover sheet of the DET should be corrected to reference Parcel C as the subject property.
5. General Note 10 should be revised to include existing and proposed gross floor area for Parcel C.
6. General Note 18 should be corrected to reference existing PUEs per Plat Book REP 193 plat no. 70.
7. The existing 10-foot-wide PUE along MD 4 is not shown or labeled on the site plan. All PUE's should be shown in accordance with Plat Book REP 193 plat no. 70.

Recommended Conditions:

1. Prior to certification, the detailed site plan shall be revised as follows:
 - a. Revise General Note 1 to reference the subject property as Parcel C, Plat Book REP 193, Plat No. 70.
 - b. Revise General Note 10 to include existing and proposed gross floor area for Parcel C.
 - c. Revise General Note 18 to state that public utility easements are shown as per Plat Book REP 193 plat no. 70.
 - d. Add a note on the Property Exhibit sheet that the “Phase East Unit Two” condominium unit is not included in DET-2022-017.
 - e. Show the existing 10-foot-wide public utility easement along MD 4 in accordance with Plat Book REP 193 plat no. 70.

This referral is provided for the purpose of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. The DET has been found to be in conformance with the approved preliminary plan of subdivision with the recommended conditions. All bearings and distances must be clearly shown on the DET 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

Countywide Planning Division 301-952-3680
Historic Preservation Section

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

December 4, 2023

MEMORANDUM

TO: Dominique Lockhart, Urban Design Section, Development Review Division

VIA: Thomas Gross, Planning Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **AGC**

SUBJECT: DET-2022-017 Upper Marlboro Self Storage


The subject property comprises 5.56 acres and is located in the northeast quadrant of US 301 (Robert S. Crain Highway) and MD Route 4 (Pennsylvania Avenue). The subject property is zoned Commercial, General Office (CGO), and located within the 2013 *Approved Subregion 6 Master Plan* area. The subject application proposes a 52,500 square foot consolidated storage facility.

The 2013 *Approved Subregion 6 Master Plan* includes goals and policies related to historic preservation (pages 161–174). However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. A Phase I archeology survey is not recommended. The subject property does not contain, and is not adjacent to, any designated Prince George’s County Historic Sites or resources. Historic Preservation staff recommend approval of DET-2022-017, Upper Marlboro Self Storage, with no conditions.

December 4, 2023

MEMORANDUM

TO: Dominique Lockhart, Planner III, Urban Design Section

FROM: Alice Jacobs, Planning Technician III, Permit Review Section 

SUBJECT: DET-2022-017 – Upper Marlboro Self Storage

1. The signage package contains an incorrect citation for reduced signage. The incorrect citation is Section 27-2200(h)(2), this is listed on all the signage calculations. The correct citation is 27-2200(j)(2).
2. The Permit Review Section offers no further comments at this time.

From: [Holley, Edward](#)
To: [Lockhart, Dominique](#); [PPD-PGReferrals](#)
Cc: [Thompson, Ivy](#)
Subject: DET-2022-017 & ACL-2023-008 (Upper Marlboro Self Storage) LMES 1st Referral
Date: Thursday, October 19, 2023 9:33:01 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Good morning Dominique,

This proposed commercial development will have no impact to existing or future M-NCPPC-owned parkland. DPR offers no comments for Detailed Site Plan DET-2022-017 & ACL-2023-008.

Respectfully,

Edward Holley

Planning Technician III

Land Management and Environmental Stewardship Division

M-NCPPC, Department of Parks and Recreation, Prince George's County

6600 Kenilworth Avenue, Suite 301

Riverdale, MD 20737

Edward.Holley@pgparks.com

DIRECT: 301-699-2518 MAIN: 301-699-2525 FAX: 301-277-9041

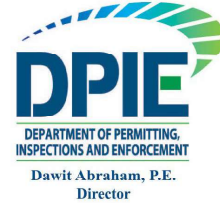
Stay connected:





Angela D. Alsobrooks
County Executive

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



MEMORANDUM

November 17, 2023

TO: Dominique Lockhart, Urban Design Section
Development Review Division, M-NCPPC

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

Re: Upper Marlboro Self Storage
Detailed Site Plan (DET-2022-017)

CR: Pennsylvania Avenue (Route 4)
CR: Chevy Drive

This memorandum is in response to the Detailed Site Plan (DET-2022-017) for the development of a 157,500-square-foot 3-story consolidated storage facility. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is in Upper Marlboro, Maryland located on the northeast quadrant of US 301 (Robert S. Crain Highway) and MD Route 4 (Pennsylvania Avenue).
- **Pennsylvania Avenue (Route 4)** is an existing State-maintained roadway to the south of the subject property with variable right-of-way width. The applicant shall coordinate right-of-way dedications and construct roadway/frontage improvements as required in accordance with the Maryland State Highway Administration (MSHA) as determined necessary.
- **Chevy Drive** is an existing County-maintained Primary Residential roadway to the north of the subject development, requiring a 70' right-of-way width as per the Master Plan. The applicant shall provide right-of-way dedications and roadway/frontage improvements as required in accordance with the Department of Public Works and Transportation (DPW&T). This work shall be permitted prior to or concurrent with the issuance of a Fine Grading Permit.
- Provide a 5' sidewalk up to the end of the property line on Chevy Drive during the Fine Grading Permit stage.
- Provide frontage improvement including 46' pavement, streetlights, and trees according to DPW&T Std. requirements for Commercial/Industrial Roads during the Fine Grading Permit stage.

- According to concept conditions, a waiver shall be submitted and approved for the cul-de-sac design due to limited right-of-way (ROW) before Fine Grading Permit approval.
- Street grade establishment permit approval is required for the Chevy Drive on frontage before Fine Grading Permit approval.
- The 2018 Water and Sewer Plan designates this platted Parcel in Water and Sewer Category 3, inside the Sewer Envelope, in the Growth Tier, and within Tier 1 under the Sustainable Growth Act, approved for public sewer service.
- A water line in Chevy Drive is approximately 250' of the platted parcel. A pressure sewer line in Chevy Drive is approximately 400' of the platted parcel. Private water and sewer line extensions are present on the adjacent and developed parcel.
- Aerial views show this platted parcel as being undeveloped.
- Water and sewer line extensions or onsite systems may be required to service the proposed undeveloped parcel and must be approved by the Washington Suburban Sanitary Commission before the recordation of a final plat.
- The platted parcel is identified as "Phase East Unit Two" without any number or letter.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- Compliance with DPW&T's Utility Policy is required. Based upon the plans submitted, proper temporary and final patching and the related mill and overlay in accordance with "DPW&T Policy and Specifications for Utility Installation and Maintenance Permits" is required.
- Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance. Any new sidewalk installation is to match existing sidewalks in the area. In addition, sidewalks must always be kept open for pedestrians.
- Conformance with DPIE street lighting specifications and standards is required. Adjustments to street lighting, to accommodate the proposed plan improvements, are required in accordance with Section 23-140 of the Prince George's Road Ordinance.
- Trees will be required along County-maintained roadways within the limits of the permit area.
- All improvements within the public right-of-way as dedicated to the County are to be in accordance with the County Road Ordinance, DPW&T's Specifications and Standards, and the Americans with Disabilities Act (ADA).
- A Site Development Fine Grading Permit approved by DPIE is required for any proposed development with a proposed land disturbance of more than 5,000 square feet.

- All stormwater management facilities and drainage systems, including their recreational features and visual amenities (if applicable), are to be designed and constructed in accordance with the standards and specifications set forth by DPIE and DPW&T. Approval of all facilities is required prior to permit issuance.
- The proposed Detailed Site Plan (DET-2022-017) is consistent with the Stormwater Management Concept case 36928-2022, approved on August 7, 2023.
- No FPS is required for this property. A surface drainage easement may be required.
- A soil investigation report which includes subsurface exploration and geotechnical engineering evaluation for all proposed roadways and Marlboro Clay is required.
- This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:
 - a) Final site layout, exact impervious area locations are not shown on plans.
 - b) The exact acreage of impervious areas has not been provided.
 - c) Proposed grading is not shown on plans.
 - d) Stormwater volume computations have been provided with the concept submittal. These computations shall be further updated with site development fine grading permit submission.
 - e) Erosion/sediment control plans that contain the construction sequence, any phasing necessary to limit earth disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion, and sediment control practices are not included in the submittal.
 - f) A narrative in accordance with the code has not been provided.
 - g) Applicant shall provide items (a-g) at the time of filing final site permits.

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.883.5710.

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
 Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
 Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
 Salman Babar, CFM, Engineer, S/RPRD, DPIE
 MJ Labban, Engineer, S/RPRD, DPIE
 GP Upper Marlboro, LLC, 3150 West Ward Road, Suite 401, MD 20754
 Edward Gibbs, 1300 Caraway Ct. Suite 102, Largo, MD 20774,

5300 Crain Project Narrative

The subject property is in Upper Marlboro, Prince Georges County, Maryland. The site is located to the east of the intersection of Chevy Drive and Robert Crain Highway (US Route 301) along Chevy Drive. The site property has an area of 5.56 acres. The proposed work has a limit of disturbance of approximately 4.28 acres. The current site is developed with an existing impervious area of 1.81 acres and a proposed construction with an impervious area of 2.44 acres, an increase of approximately 0.63 acres. The purpose of this project is to redevelop the site with a new building, associated parking and stormwater management. Additionally, Chevy Drive will be partially extended allowing for an access to the site. This project does qualify as redevelopment since the existing impervious area is greater than 40 percent of the proposed LOD.

Natural Resource Protection, Enhancement and Preservation

The site will use a Submerged Gravel Wetland (SGW) for water quality control and 100-year quantity control. The SGW was selected as the best means to provide ESD to the MEP within the space available onsite. The site will drain to the northwest side of the property through which the proposed storm drain system will attenuate the 100-year storm events. The existing storm drain on Chevy Drive immediately below our proposed connection is within the 100-yr floodplain. The existing system is able to convey the 10-year storm safely from our site. There are Marlboro Clays on-site, but they do not affect any proposed structures onsite. The site is part of the Western Branch Water Shed, which is listed as impaired by Nitrogen, Phosphorus and Total Suspended Solids. The site is not in a Tier II watershed. There are steep slopes and erodible soils within the LOD but will be regraded above the proposed parking area. Redundant controls will be used to minimize sediment laden discharge to impaired waters. Redundant control will include using super silt fence in lieu of standard silt fence, and accelerated stabilization. The Soil type on-site, determined by the geotechnical soil borings report, shows that C Soil Type was found below the initial A and B Soil Types.

Maintenance of Natural Flow Patterns

The natural flow pattern of the site will not be changed due to the proposed development.

Reduction of Impervious areas through better site design alternative surfaces and nonstructural practices

The stormwater from the proposed development shall be treated by Environmental Site Design practices, (specifically a Submerged Gravel Wetland). Alternative surfaces and non-structural practices are not utilized.

Integration of Erosion & Sediment Controls into the Stormwater Strategy

Sediment control will be provided on-site to prevent sediment from leaving the site per the Maryland Standards and Specifications for Soil Erosion and Sediment Control of 2011.

Implementation of ESD Planning Techniques & practices to the MEP

The site will use a submerged gravel wetland for water quality control and 100-year quantity control.

Evaluation of Stabilization Requirements

Areas of land disturbance will be stabilized as the work progresses in conformance with the 2013 stabilization requirements and the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control. Generally permanent or temporary stabilization will be completed within one (1) calendar days for perimeter dikes, swales, ditches and all slopes steeper than 3H:1V; or, within three (3) calendar days for all other disturbed areas not actively graded.

SP1
SP2
TOTAL

LOD (Ac.)	ln
4.28	

1 - Show Water and Sewer to Connection

Status as of 11/13/2023 07:56 AM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Jessica Wright

On: 11/13/2023 07:56 AM

Type: Department Review

State: DSD - Project Manager

Expand the limits of this plan to show the water and sewer to the connection to the WSSC water and sewer mains.

----- 0 Replies -----

2 - Coordinate with DA7336Z22 with PS not Gravity

Status as of 11/13/2023 08:22 AM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Jessica Wright

On: 11/13/2023 08:22 AM

Type: Department Review

State: DSD - Project Manager

Please confirm if you are installing a gravity or low pressure sewer in accordance with DA7336Z22 (see attached LOF sketch).

I don't believe gravity sewer is possible. Coordinate with the HPA mentioned above.

Also, be aware there is a 1 1/4-inch pressure sewer for The Sanctuary at Kingdom Square (5300 Robert Crain Highway) that crosses Chevy Drive (refer to 2001-3106A).

----- 0 Replies -----

3 - Horizontal Separation (for Pressure Sewer House Connection)

Status as of 11/13/2023 09:23 AM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Jessica Wright

On: 11/13/2023 09:23 AM

Type: Department Review

State: DSD - Project Manager

If you elect to convert to a pressure sewer provide ten (10) feet minimum horizontal separation between Pressure Sewer House Connection (PSHC) and Water House Connection (WHC) when designed in separate trenches. Do not design PSHC's and WHC's in a common or combined trench. See WSSC 2017 Pipeline Design Manual Part Three Section 3, Pipeline Crossings and Clearances.

----- 0 Replies -----

4 - Water and Sewer Comments

Status as of 11/13/2023 09:25 AM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Jessica Wright

On: 11/13/2023 09:25 AM

Type: Department Review

State: DSD - Project Manager

1. Realign water and sewer service connections to avoid environmental, storm water management facilities, ESD Devices, other utilities, landscaping, tree boxes and structures or paving impacts for future maintenance.
2. Existing water and sewer mains shown on plan should be labeled with correct pipe size, material and WSSC contract number.
3. There is a 8- inch diameter water main located in the public right-of-way for Chevy Drive that is adjacent to this property. WSSC records indicate that the pipe material is Ductile Iron (DI). Prior to submittal of Phase 2 System Integrity review, it is the applicant's responsibility to test pit the line and determine its exact horizontal and vertical location as well as to verify the type of pipe material. The applicant's engineer is responsible for coordinating with WSSC for monitoring and inspecting test pits for this project.

There is a 16-inch diameter water main located in the vicinity of this project. WSSC records indicate that the pipe material is Ductile Iron (DI).
4. Water pipelines 12-inch and smaller must have the greater of the following: a minimum of 15 feet horizontal separation from any building or dwelling or a 1:1 slope from the bottom of the foundation of the existing or proposed building to the bottom edge of the pipeline trench.
5. The existing and/or proposed sewer water and mains/service connections are not shown on the plan. Water and sewer mains, as well as, proposed connections need to be included on the plan in order for WSSC to be able to comment.
6. Provide proper protection of water supply where water main is below or parallel to sewer main, building drain, sewer house connection or septic field and when pipe crosses other utilities.
7. For sewer pipelines 12-inch and smaller in diameter, provide a minimum separation from a building or dwelling the greater of the following: 15 feet horizontal separation or a distance on a 1:1 slope from the bottom of the foundation of the existing or proposed building or dwelling to the bottom edge of the pipeline trench.
8. Show and label all existing nearby water and/or sewer service connections that may be impacted by the proposed development.

----- 0 Replies -----

5 - On-Site Fire Hydrants

Status as of 11/13/2023 09:36 AM

Type: Department Review

State: DSD - Project Manager

Page: 1
Created by: Jessica Wright
On: 11/13/2023 09:36 AM
Type: Department Review
State: DSD - Project Manager

Are any fire hydrants needed for this site?

----- 0 Replies -----

6 - Show Adjacent On-Site Piping

Status as of 11/13/2023 10:07 AM
Type: Department Review
State: DSD - Project Manager

Page: 1
Created by: Jessica Wright
On: 11/13/2023 10:07 AM
Type: Department Review
State: DSD - Project Manager

Show adjacent on-site piping that was installed under 2002-0206.

----- 0 Replies -----

7 - Site Utility Comments

Status as of 11/13/2023 01:32 PM
Type: Department Review
State: DSD - Project Manager

Page: 1
Created by: Jessica Wright
On: 11/13/2023 01:32 PM
Type: Department Review
State: DSD - Project Manager

1. Review of plan indicates a grinder pump system may be required. Grinder pump systems/units must be approved by WSSC. The developer/owner is responsible for all on-site installation (materials, electrical equipment, plumbing hook-up, etc.) and must be installed by a registered plumber. The property owner is responsible for all on-site maintenance of grinder pump systems. This requirement should be disclosed prior to settlement to new purchasers.

2. OUTSIDE METERS - 3-inch and larger meter settings shall be furnished and installed by the utility contractor in an outside meter vault. Show and label vault and required WSSC easement. WSSC prefers an outside meter in a vault, however and indoor meter may be allowed under certain conditions. See WSSC 2021 Plumbing & Fuel Gas Code 112.5.7 & 603.4.1.

----- 0 Replies -----

8 - Easement Comments

Status as of 11/13/2023 01:34 PM

Type: Department Review
State: DSD - Project Manager

Page: 1
Created by: Jessica Wright
On: 11/13/2023 01:34 PM
Type: Department Review
State: DSD - Project Manager

1. Any WSSC easements must be free and clear of other utilities, including storm drain systems, ESD devices, gas, electric, telephone, CATV, etc., except for allowed crossings designed in accordance with the WSSC 2017 Pipeline Design Manual. Landscaping and hardscaping are also not allowed without approval. Under certain conditions (and by special request) the items listed above may be permitted within the WSSC easement. However, this will be evaluated on a case-by-case basis and if allowed, will require execution of a special agreement and/or Hold Harmless Agreement between WSSC and the developer.
2. Applicant will obtain any necessary permission from MDSHA to cross Route 301.
3. WSSCs minimum easement width for a normal (14-inch diameter or less) pipeline (water or sewer at normal depth) is 20 feet. When both water and sewer (normal diameter and depth) are installed in the same easement, the minimum width is 30 feet. Installation of deep or large water/sewer will require additional easement width.

----- 0 Replies -----

9 - DA7336Z22

Status as of 11/13/2023 01:44 PM
Type: Department Review
State: DSD - Project Manager

Page: 1
Created by: Jessica Wright
On: 11/13/2023 01:44 PM
Type: Department Review
State: DSD - Project Manager

A proposed site development project for a "consolidated self-storage building" was previously submitted to WSSC (DA7336Z22) and is a conceptually approved project. Contact Art Atencio at (301) 206-8816 or art.atencio@wsscwater.com for information. This HPA shows a 1 1/4" pressure sewer which was submitted by Ben Dyer (A.K.A. Atwell). The orientation of the building is different.

3.

----- 0 Replies -----

10 - Environmental

Status as of 11/13/2023 01:53 PM
Type: Department Review
State: DSD - Project Manager

Page: 1

Created by: Jessica Wright
On: 11/13/2023 01:53 PM
Type: Department Review
State: DSD - Project Manager

1. Check soil borings to ensure there is no Marlboro Clay near the proposed water and sewer since it appears to be close to this site.

Be advised special design measures may required for water and/or sewer extensions if soil has Marlboro Clay to prevent the pipeline from shifting. See WSSC 2017 Pipeline Design Manual Part Three, Section 19; Geotechnical Considerations for Pipeline Alignments.

----- 0 Replies -----

11 - Another Proposed LPSS

Status as of 11/13/2023 02:01 PM
Type: Department Review
State: DSD - Project Manager

Page: 1
Created by: Jessica Wright
On: 11/13/2023 02:01 PM
Type: Department Review
State: DSD - Project Manager

There is another project DA7015A21 with a proposed pressure sewer running parallel along the east side of Route 301. The line crosses Route 301 near northern edge of Parcel 46 (L.03058/F.365) which is owned by the State of Maryland; line ties into sewer at MH041M.

----- 0 Replies -----

12 - Hydraulics

Status as of 11/13/2023 02:21 PM
Type: Department Review
State: DSD - Project Manager

Page: 1
Created by: Jessica Wright
On: 11/13/2023 02:21 PM
Type: Department Review
State: DSD - Project Manager

1. See the attached Letter of Findings for existing WSSC project number DA7336Z22.

This HPA will require an amendment/revision submittal to reflect the changes shown on this current plan.

2. A dedicated pressure sewer will be required to serve this property. Only the applicant will be allowed to connect.

----- 0 Replies -----

13 - General

Status as of 11/13/2023 02:55 PM

Type: Department Review

State: DSD - Project Manager

Page: 1

Created by: Jessica Wright

On: 11/13/2023 02:55 PM

Type: Department Review

State: DSD - Project Manager

1. Any grading change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Section at (301) 206-8672 for review procedures and fee requirements. See WSSC 2017 Pipeline Design Manual, Part Three, Section 5 & Section 11.

2. WSSC facilities/structures cannot be located with a public utility easement (PUE) however WSSC pipelines may cross over a PUE. Revise the plan to relocate any pipeline, valve, fire hydrant, meter vault and any other WSSC facilities/structures outside of the PUE.

----- 0 Replies -----

14 - WSSC STANDARD COMMENTS FOR ALL PLANS

Page: 1

Created by: Adan Rivera

On: 11/06/2023 11:04 AM

WSSC STANDARD COMMENTS FOR ALL PLANS

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.

2. Coordination with other buried utilities:

- a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.
- b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.
- c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
- d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSCs pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
- e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
- f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
- g. Upon completion of the site construction, utilities that are found to be located within WSSCs

rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicants expense.

3. Forest Conservation Easements are not permitted to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water and/or sewer systems) must be reviewed and approved by County staff.

4. Unless otherwise noted: ALL extensions of WSSCs system require a request for Hydraulic Planning Analysis and need to follow the System Extension Permit (SEP) process. Contact WSSCs Development Services Center at (301-206-8650) or visit our website at [www.wsscwater.com/Development Services](http://www.wsscwater.com/Development%20Services) for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSCs Permit Services at (301) 206-4003.

----- 0 Replies -----



COMMISSIONERS
 Keith E. Bell, Chair
 Howard A. Denis, Vice Chair
 Fausto R. Bayonet
 T. Eloise Foster
 Chris Lawson

GENERAL MANAGER
 Carla A. Reid

November 12, 2021

Generation Properties, LLC
 C/O: Rick Bailey
 3150 West Ward Road, Suite 401
 Dunkirk, MD 20754

Re: DA7336Z22 – 5300 Crain Land Condo
 Letter of Findings

Dear Mr. Bailey:

A hydraulic planning analysis has been completed on the 5300 Crain Land Condo project. The project has been conceptually approved. Please refer to the enclosed sketch along with the summary table and list of conditions included in this letter, which provide the results of our analysis.

HYDRAULIC SUMMARY TABLE	
Proposed Development: 127,206 s.f. Self Storage	
200-ft Sheet: 207 SE 13 & 14	
SEWER	WATER
WWTP Service Area: Western Branch	Hydraulic Zone Group: Prince George's High
Mini-Basin Number: 14-044	Pressure Zone: 280A
	High Grade: 290 feet
	Low Grade: 248 feet

The following is a list of conditions that apply to this project and must be met before a Systems Extension Permit (SEP) will be issued.

SPECIAL CIRCUMSTANCES

This project is conceptually approved, however the ability to install the Dedicated Low Pressure Sewer System (LPSS) as shown on the accompanying sketch is dependent on offsite easements and permission from MDSHA.

MANDATORY REFERRAL PROCESS

This project may be subject to the Maryland-National Capital Park and Planning Commission's Mandatory Referral Program, depending on its planned water / sewer infrastructures and associated appurtenances. It is the Applicant's responsibility to contact the appropriate County's Department of Park and Planning for specific guidance and their standards for Mandatory Referral Review. During Phase 2 Design Review, WSSC must be notified, if the project is subject to the Mandatory Referral Process.

SANITARY SEWER CONDITIONS

TRENCHLESS INSTALLATION OF SEWER

Trenchless installation of the 1 ¼" LPSS across US 301 can be accomplished by Horizontal Directional Drilling (HDD) or jack and bore. The 1 ¼" pipe shall be installed in a casing pipe for future access. If the installation is to be by HDD the Design shall include:

1. Design (horizontal/vertical profile) of the pipe,
2. Type/spec of HDPE pipe, joint restraint system.
3. Computation of required pull force for HDD and capacity of joint restrain system.
4. Subsurface data (borings) and profile of the HDD path.
5. Location of launching and receiving pits.
6. Analysis of any risks for HDD such as frac out, ground heave, settlement, slope instability (if it crosses slopes) etc.
7. Identify and locate all utilities with test pit and other means along the path of the HDD (gas lines, storm drains, water etc) that may be impacted by the HDD. Maintain clearances per PDM at a minimum.
8. HDD monitoring plans and contingency plans in the event of frac out, settlement/ground heave.

REQUIRED SANITARY SEWER MAIN SIZES

The preliminary size of the dedicated pressure sewer system is shown on the sketch. These sizes may be adjusted during design as pump elevations and locations are finalized. The LPSS should be designed such that the line from the pump to the transition manhole should be at a constant uphill slope (ie. no high points or low points).

INSTALL EJECTOR/GRINDER PUMPS

Based on the proposed grading plan, ejector or grinder pump and on-site low-pressure sewer required for service. A registered plumber must install the pumps at the developer's expense.

For properties to be served by a grinder pump system, the developer is responsible for all on-site installation (i.e. materials, electrical equipment, the grinder pump unit and plumbing hook-up which shall be installed by a registered plumber). Grinder pump units must be approved by WSSC. Ultimately the property owner will be responsible for all on-site maintenance of grinder pump systems. Builder/developers/owners should disclose this requirement to purchasers at property settlement.

EXTRA-DEPTH SEWER

Due to the topography / grade of the street, it may be necessary to construct extra-deep sewer ranging from 10 to 20 feet. See the latest WSSC Pipeline Design Manual, Section C-2.2, for easement width requirements for deep sewers. Any pipe deeper than 20 feet (trench bottom) will require a special design that takes into consideration future maintenance of the deep sewer.

SHALLOW-DEPTH SEWER

Due to the topography / grade of the street, it may be necessary to construct shallow sewer. A minimum cover of 3 feet must be maintained over the sanitary sewer.

ENVIRONMENTAL IMPACTS

The proposed sewer main outfall may impact wetlands, stream buffers, 100-year flood plain, steep slopes, and possibly large trees. The alignment may need adjustment during the design stage.

WATER MAIN EXTENSION CONDITIONS

LARGE DIAMETER WATER MAINS IN THE VICINITY

There is a 16-inch diameter water main located in the vicinity of this project. WSSC records indicate that the pipe material is Ductile Iron (DI).

Please refer to the latest WSSC Pipeline Design Manual, Part 3, Section 11, Loading Analysis, for additional general information and guidance.

REQUIRED WATER MAIN SIZES

The diameters of the proposed mains are shown on the attached sketch.

EXCESSIVE WATER PRESSURE

Pressure reducing valve/regulator may be required. Static pressure may exceed 80 psi below an elevation of 105 feet.

OUTSIDE METERS

For commercial water service connections, built to serve a standard or minor site utility (on-site) system over 80 feet in length, WSSC would prefer an outside meter in a vault, however an indoor meter may be allowed under certain conditions.

EASEMENT CONDITIONS

GENERAL

WSSC easements must be free and clear of other utilities, including storm drain systems, ESD devices, gas, electric, telephone, CATV, etc., with the exception of allowed crossings designed in accordance with the WSSC Pipeline Design Manual. Landscaping and Hardscaping are also not allowed without approval. Under certain conditions (and by special request) the items listed above may be permitted within the WSSC easement. However, this will be evaluated on a case by case basis and if allowed, will require execution of a special agreement and/or Hold Harmless Agreement between WSSC and the developer.

COORDINATION WITH OTHER BURIED UTILITIES

Refer to the latest WSSC Pipeline Design Manual Pages G-1 and G-2 for utility coordination requirements. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC easement unless specifically approved by WSSC. Longitudinal occupancy of WSSC easements (by other utilities) is not permitted. Proposed utility crossings of WSSC pipelines or easements that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at the design plan review phase. Refer to the latest WSSC Pipeline Design Manual Part Three, Section 3. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including impacts to proposed street and building layouts.

The applicant must provide a separate "Utility Plan" to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and easements. Upon completion of the site construction, any utilities that are found to be located within WSSC's easements (or in conflict with WSSC pipelines) must be removed and relocated at the applicant's expense.

IMPACTS DUE TO GRADING / PIPE LOADING CHANGES

Any grading, change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC easement requires **advance approval** by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street easement requires WSSC approval directly on the original GEP **prior to** approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation, or abandonment) of existing WSSC facilities is done at

the sole expense of the applicant / builder / developer. For Relocations work associated with a Systems Extension Project or a Site Utility Project, contact the Development Services Division. Please arrange for this review before plan submittal. See WSSC Design Manual C-11.

OFF-PROPERTY EASEMENTS MUST BE OBTAINED

The proposed sewer main extension and pressure sewer will require the acquisition of easements from other property owners. It is the Applicant's responsibility to obtain these easements.

ADHERE TO MINIMUM EASEMENT WIDTHS

The minimum easement width for a normal (14 inches diameter or less) extension, either water or sewer, installed at normal depth is 20 feet. A minimum easement width of 30 feet is required when both normal-diameter water and gravity sewer lines are installed in the same easement at normal depth. Installation of deep or large water and / or sewer mains will require additional easement width. For minimum horizontal separation between a building and a WSSC pipeline, refer to the requirements in the latest WSSC Pipeline Design Manual, Part Three, Section 3.c.2. Based on WSSC requirements, the minimum spacing between adjacent buildings with both water and sewer lines between them should be at least 40 feet and, in some cases, greater when connections, fire hydrants, or deep sewer or water lines are involved. Balconies and other building appurtenances are not to be within the easement. Additionally, water and sewer pipeline alignment should maintain 5 feet horizontal clearance from storm drain pipeline / structures and other utilities.

CONNECTION AND SITE UTILITY CONDITIONS

SITE UTILITY PROCESS REQUIRED

The Site Utility process is usually required for water lines greater than 2 inches in diameter or sewer lines greater than 4 inches. Contact Permit Services at 301-206-8650 or at www.wsscwater.com for more information on electronic submittal of Site Utility plans.

ENVIRONMENTAL CONDITIONS

The applicant must resolve all environmental issues directly with the Environmental reviewer. All outstanding environmental issues must be resolved prior to the Design Phase.

The next step in the process is Phase 2, Review for System Integrity. Contact Permit Services at 301-206-8650 or at www.wsscwater.com for more information on electronic submittal of System Integrity Review Packages. Should you wish to schedule a pre-design meeting, please contact Art Atencio at (301) 206-8816 or Art.Atencio@wsscwater.com.

This Letter of Findings will expire if no "actions" are taken by the applicant over the 3-year period following the date of this letter. For definition of "actions", see the latest Development Services Code, Section 405.1.1.

If you have any questions or concerns, please feel free to contact me at 301-206-8816 or Art.Atencio@wsscwater.com.

Sincerely,



Arthur J. Atencio, P.E.

Project Manager

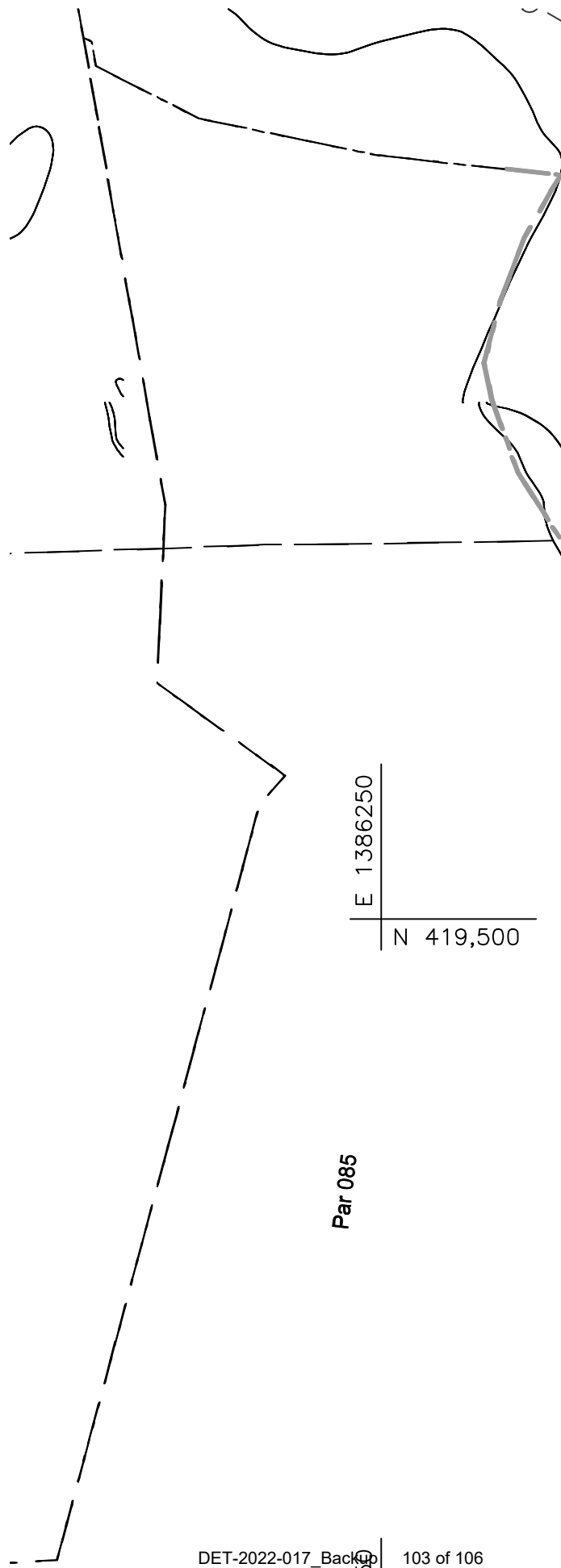
Development Services Division

Enclosure: 150'-scale sketch

cc: Michael Novy – Ben Dyer

Mr. Tom Gingrich (tom.gingrich@wsscwater.com) - Development Design Section Manager

Ms. Shirley Branch (sabran@co.pg.md.us) - Department of Permitting, Inspections & Enforcement (DPIE)



E 1386250
N 419,500

Par 085



**HEALTH
DEPARTMENT**
Prince George's County

Division of Environmental Health/Disease Control

Date: October 25, 2023

To: Dominique Lockhart, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DET-2022-017 (ACL-2023-008) UPPER MARLBORO SELF STORAGE

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the detailed site plan and the alternative compliance to the landscaping plan request for the Upper Marlboro Self Storage unit located at 5300 Crain Hwy and has the following comments/recommendations:

Note: There are no comments/recommendations regarding the alternative compliance to the Landscape Manual by this department.

1. The proposed development is in the recharge area for the Aquia aquifer, a groundwater supply that serves the Upper Marlboro region. Conversion of green space to impervious surface in this recharge area could have long term impacts on the sustainability of this important groundwater resource.
2. Indicate how the project will provide for pedestrian access to the site by residents of the surrounding community. Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Indicate how development of the site will provide for safe pedestrian access to amenities in the adjacent communities.
3. During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
4. During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- 5.



Angela Alsobrooks
County Executive

Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health



Division of Environmental Health/Disease Control

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



Angela Alsobrooks
County Executive

Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
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Lockhart, Dominique

From: Reilly, James V <JVReilly@co.pg.md.us>
Sent: Sunday, November 12, 2023 9:42 PM
To: Lockhart, Dominique
Cc: PPD-PGReferrals; Reilly, James V; Hogan, Bryan J.
Subject: FW: Revised Acceptance Referral: DET-2022-017 (ACL-2023-008) UPPER MARLBORO SELF STORAGE (PB)
Attachments: DET-2022-017 Summary.pdf
Importance: High

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

Good Evening Dominique,

The Office of the Fire Marshal has reviewed the referral for DET-2022-017 (ACL-2023-008) Upper Marlboro Self Storage. We have the following comment:

- 1) Please show the location of the proposed fire department connection (FDC) and fire hydrants. FDC must be on the front, address side of the building within 200' of a fire hydrant as hose is laid by the fire department. Hydrants must be provided within 500' of the most remote portion of the building as hose is laid by the fire department.

Regards. Jim

James V. Reilly

Contract Project Coordinator III



Office of the Fire Marshal
Division of Fire Prevention and Life Safety
Prince George's County Fire and EMS Department

Note new address:

9400 Peppercorn Place, Fifth Floor, Largo, MD 20774

Office: 301-583-1830

Direct: 301-583-1838

Cell: 240-508-4931

Fax: 301-583-1945

Email: jvreilly@co.pg.md.us

To pay for a fire inspection by credit card go to:

<https://www.velocitypayment.com/client/princegeorges/fire/index.html>

From: ePlan <ePlan@ppd.mncppc.org>

Sent: Wednesday, October 18, 2023 12:51 PM

To: Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Stabler, Jennifer <Jennifer.Stabler@ppd.mncppc.org>; Chisholm, Amelia <Amelia.Chisholm@ppd.mncppc.org>; Gross, Thomas <thomas.gross@ppd.mncppc.org>; PPD-CPDreferrals <cpdreferrals@ppd.mncppc.org>; Albrecht, Jill <Jill.Albrecht@ppd.mncppc.org>; Green, David A <davida.green@ppd.mncppc.org>; Henderson, Tamika <Tamika.Henderson@ppd.mncppc.org>; Franklin, Judith <Judith.Franklin@ppd.mncppc.org>; Hancock, Crystal <crystal.hancock@ppd.mncppc.org>; Dixon, June

Additional Back-up

For

DET-2022-017

Upper Marlboro Self Storage

Applicant's Proposed Revisions

DET-2022-017

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DET-2022-017, Alternative Compliance ACL-2023-008, and Type II Tree Conservation Plan TCPII-137-01-01 for Upper Marlboro Self Storage, subject to the following conditions:

1. Prior to certification of this detailed site plan, the applicant shall:
 - ~~a. Provide a separate plan sheet that shows the existing conditions for the entirety of Parcel C. Details shall include all existing structures and parking layouts.~~
 - a. Revise General Note 1 to ~~reference the subject property read as follows:~~ This Detailed Site Plan is for development of 5300 Crain Land Condo, Phase East Unit Two as recorded in Plat Book SJH 243, Plat 60. Land Unit Two is part of a recorded lot known as Parcel C, Plat Book REP 193, Plat 70.
 - b. Revise General Note 18 to state that public utility easements are shown, as per Plat Book REP 193 Plat 70.
 - ~~c. Revise General Note 18 to state that public utility easements are shown, as per Plat Book REP 193 Plat 70.~~
 - c. Add a note on the Property Exhibit sheet that the "Phase West Unit One" condominium unit is not included in DET-2022-017.
 - d. Show the existing 10-foot-wide public utility easement along MD 4 (Pennsylvania Avenue) in accordance with Plat Book REP 193 Plat 70.
 - e. Remove General Note 9 as no loading spaces are required.
 - ~~f. Rename the five loading spaces as oversized parking spaces. Add these spaces to the parking tabulation located in General Note 7.~~
 - f. Correct the signage detail sheet to note the correct code section for Sign Area Reduction, as 27-2200(j)(2).
 - g. ~~Replace the proposed consolidated storage freestanding sign with a gateway sign, in accordance with Section 27-61506(c) of the Prince George's County Zoning Ordinance.~~
 - ~~h. Revise the signage schedule to include the gateway sign. The schedule should state the maximum sign area, height and location permitted, and what is~~

DET-2022-017

~~provided, in accordance with Section 27-61505 of the Prince George's County Zoning Ordinance.~~

~~i. Provide the location of the gateway sign.~~

~~g. Provide a Green Building Point System table demonstrating conformance with Section 27-61603 of the Prince George's County Zoning Ordinance.~~

~~h. Revise the landscape plan as follows:~~

~~(1) Replace the tree species for 2:1 slope planting areas with one designated as having a slope habitat as found in the National Park Service, U.S. Fish & Wildlife Service publication Native Plants for Wildlife Habitat and Conservation Landscaping: Chesapeake Bay Watershed (as updated periodically) or provide further justification that American sycamore and willow oak are appropriate species for these areas.~~

2. Prior to certification of this detailed site plan, the Type II tree conservation plan shall be revised as follows:

a. Revise General Note 9 to include that this project is subject to the 1993 Woodland Conservation and Tree Preservation Ordinance.

b. Revise the proposed 38-foot contour line along the southeastern corner of the proposed parking lot to be consistent with the approved stormwater management concept plan.

3. Prior to certification of Type II Tree Conservation Plan, TCPII-137-01-01, a copy of the erosion and sediment control technical plan must be submitted so that the ultimate limits of disturbance for the project can be verified and shown on the TCPII.

LAW OFFICES
GIBBS AND HALLER
1300 CARAWAY COURT, SUITE 102
LARGO, MARYLAND 20774

EDWARD C. GIBBS, JR.
THOMAS H. HALLER
JUSTIN S. KORENBLATT

(301) 306-0033
FAX (301) 306-0037
gibbshaller.com

January 2, 2024

The Honorable Peter A. Shapiro
Chair
Prince George's County Planning Board
of the Maryland-National Capital
Park and Planning Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Re: DET-2022-017\ACL-2023-008

Dear Chairman Shapiro:

I represent GP Upper Marlboro LLC, the applicant for the referenced Detailed Site Plan. This case is scheduled for consideration by the Planning Board on January 4, 2024. We appreciate the staff's recommendation of approval subject to conditions. We would however offer the following comments and requests for either deletion of or revisions to certain of the conditions. A full set of the Conditions with the revisions and deletions shown in red is attached to this letter. Further explanation follows:

Condition 1.(a)

1. Prior to certification of this detailed site plan, the applicant shall:
 - a. Provide a separate plan sheet that shows the existing conditions for the entirety of Parcel C. Details shall include all existing structures and parking layouts.

Comment: We request that this condition be deleted. We have already included a sheet in the site plan package which includes the entirety of Parcel C. However, we object to including any details relating to construction of improvements including buildings and parking on Land Unit 1. My client does not own Land

Honorable Peter A. Shapiro
January 2, 2024
Page 2

Unit 1 and never will. Land Unit 1 is owned by a church. The church received its own building permit and use and occupancy permit. All of the requested information appears on these permits. The applicant submits it is not appropriate to include this information within the Detailed Site Plan package. In fact, staff Condition 1.(c). requires the addition of a note indicating that Land Unit 1 (the land unit on which the church is constructed) is not included in this Detailed Site Plan. Further, since my client neither owns nor uses any improvement on Land Unit 1, it would be entirely inappropriate to require that my client provide that information as part of its Detailed Site Plan. The owner of Land Unit 1 would also likely object to that information being included.

Condition 1.(b).

Revise General Note 1 to reference the subject property as Parcel C, Plat Book REP 193, Plat 70. Include the acreage for Parcel C.

Comment: We have requested that this condition be revised to read as follows:

This Detailed Site Plan is for development of 5300 Crain Land Condo, Phase East Unit Two as recorded in Plat Book SJH 243, Plat 60. Land Unit Two is part of a recorded lot known as Parcel C, Plat Book REP 193, Plat 70.

The staff recommended condition would require General Note 1 to be revised to indicate that the property forming the subject matter of this Detailed Site Plan is Parcel C in its entirety. That is an incorrect statement and is not in alignment with the state of the law. I am attaching, marked as Exhibit "A", a copy of an e-mail dated November 14, 2023 which I forwarded to David Warner, counsel to the Planning Board. Certain attachments are also included. In particular, a copy of Annotated Code of Maryland, Land Use Article Section 11-122(b) is attached. That provision of the State statute requires that a County may not enact any law, ordinance or regulation which would impose a burden or restriction on a condominium unit that is not imposed on any other property. Here, the property in question is Land Unit 2. The staff condition is requesting that Land Unit 2 be combined with Land Unit 1 (which is also constructed on Parcel C). We believe this is legally impermissible. Further, it would lead to unintended consequences

Honorable Peter A. Shapiro
January 2, 2024
Page 3

which would adversely impact the use and ownership of Land Unit 1 by the church. Pursuant to the current transitional provisions contained in Section 27-1704, a copy of which is attached as Exhibit "B", if all of Parcel C were included in this Detailed Site Plan, once a part of Parcel C is subject to an entitlement under the new Ordinance, the balance of any improvements on the property would need to be brought into conformance with the provisions of the new Ordinance. That of course is impossible for the church property. In addition, the Park and Planning Commission drafted new transitional provisions which were included in CB-73-2023. While the County Council did not have sufficient time to adopt that legislation prior to the end of the 2023 legislative year, it is proposed to be reintroduced in early 2024. A copy of Section 27-1704(f) as proposed by staff in CB-73 is marked Exhibit "C" and attached to this correspondence. As proposed to be revised by staff of the Maryland-National Capital Park and Planning Commission, that section would provide that if an applicant elects to have a proposed development reviewed under the new Ordinance, "any development applications or permits for the property approved under the prior Zoning Ordinance shall have no further force and effect" ...). If all of Parcel C is deemed to be included in this application, the prior approval for the church on Land Unit 1, including its building and use and occupancy permits, would be deemed of no force and effect.

The applicant's proposed revision to staff recommended Condition 1 b. would make it clear that only Land Unit 2 is the subject of this Detailed Site Plan but that Land Unit 2 is part of Parcel C. The applicant submits that this revision should address the staff's concerns.

Condition 1.(d).

Comment: Delete this condition as it is duplicative of Condition 1.(c).

Condition 1.(h).

Comment: Delete this condition as all required parking spaces are provided exclusive of the staff's proposed oversized spaces.

Honorable Peter A. Shapiro
January 2, 2024
Page 4

Conditions 1(j), 1(k) and 1(l)

Comment: These conditions all deal with replacing a freestanding sign with a gateway sign. When the applicant filed revised plans after SDRC, it deleted the proposed freestanding sign. No freestanding sign or gateway sign is proposed at all and therefore these conditions should be deleted.

The applicant has also included, marked as Exhibit "D", certain pages from the text of the staff report with deletions and revisions to findings in order to conform to the proposed revised or deleted conditions. Thank you for your consideration of these requests. I will be present at the Planning Board hearing on January 4th to provide further explanation and respond to any questions.

Very truly yours,

GIBBS AND HALLER

Edward C. Gibbs, Jr.

Enclosures

Edward C. Gibbs, Jr.

From: Edward C. Gibbs, Jr.
Sent: Tuesday, November 14, 2023 5:35 PM
To: Warner, David
Subject: FW: DET-2022-017 Upper Marlboro Self Storage / 11-13-23 SDRC Comments from Subdivision
Attachments: Record Plat Parcel C 2002.pdf; Condominium Plat 2015.pdf; Condominium Plat with Improvements.pdf; Land Use Art., Section 11-126.pdf

David ,

Please let me know when you may be available to discuss the contents of Jason's email below. The property was the subject of a record plat (Parcel C) approved and recorded in 2002. A copy is attached. Later, in 2015 the property became the subject of a Land Condominium which created two land units. A copy of the Condominium Plat is also attached. A church is built on Land Unit One and my client's DET is filed on Land Unit Two. Another copy of the Condominium Plat with the Church shown as it is constructed and with my client's proposed consolidated storage building also shown, is attached as well.

This is a DET filed under the new Ordinance. At SDRC yesterday staff requested that we revise the DET to include the entirety of Parcel C. Needless to say, I do not agree with Jason's analysis and I believe it is refuted by Land Use Article, Section 11-122(b), a copy of which is also attached. Further, there are many unintended consequences which may result if the entire Parcel must be included in the site plan. In this regard I would invite your attention to Section 27-1704 of the new Ordinance. Once a property uses the new Ordinance it is impossible to bring the improvements previously constructed under the prior Ordinance into compliance with new Ordinance regulations. Even more troubling, if your proposed revisions to the transitional provisions as set forth in CB-73 are ultimately adopted, Section 27-1704(f) would render the existing approvals under which the Church was constructed to "have no further force and effect".

Because of prior interpretations made by Stan Brown, I discussed this proposal with him before filing and he felt comfortable with my client's development proposal from the perspective of impacts associated with the new Ordinance. This afternoon, I discussed Jason's email with Stan. We also reviewed the record plat, the condo plat, the existing and proposed improvements and the existing and proposed transitional provisions. He is concerned over the potential adverse impact of the transitional provisions if all of Parcel C is required to be included in the DET.

Again, please let me know when you are available to discuss.

Ed

Edward C. Gibbs, Jr., Esquire
Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
(301) 306-0033
(301) 306-0037 (Fax)

From: Bartlett, Jason <Jason.Bartlett@ppd.mncppc.org>
Sent: Tuesday, November 14, 2023 9:41 AM
To: Edward C. Gibbs, Jr. <egibbs@gibbshaller.com>
Cc: Lockhart, Dominique <Dominique.Lockhart@ppd.mncppc.org>; Conner, Sherri <sherri.conner@ppd.mncppc.org>;

Daniels, Leah <Leah.Daniels@ppd.mncppc.org>

Subject: DET-2022-017 Upper Marlboro Self Storage / 11-13-23 SDRC Comments from Subdivision

Hi Ed,

I just wanted to follow-up with you regarding SDRC for the subject case, as it pertains to my comment about showing the entire parcel (P.C) as the boundary of the DET and making sure all development (existing and proposed) is within the trip count of the original PPS, No. 4-01023. In my Major Issues Memo I go into more detail and provide greater reference but in short, a condominium plat is a type of ownership plat that does not represent a subdivision of Parcel C and is not a record lot. Therefore, the plan should be revised to reflect the entirety of Parcel C in compliance with the Zoning Ordinance as follows:

- Section 27-3605(c)(5)(F)(ii) requires the DET to show the subdivision lot.
- A lot must be a record lot (Section 27-2500 – definition of a lot)
- A record lot is either establish by plat of subdivision or by deed (only if no plat of subdivision is required) (Section 27-2500 – definition of a record lot).

I believe you also mentioned a conflict with the Annotated Code of Maryland in your response at the end of SDRC, but it is my understanding that Section 24-1201, pursuant to the Annotated Code of Maryland, gives authority over subdivision to M-NCPPC (Prince George's County Planning Board) for establishment and enforcement of local laws, which may be more restrictive.

If you would like to discuss any of this further, please let me know and thank you for your consideration.

Regards,

Jason T. Bartlett
Planner II | Subdivision Section
Development Review Division

 **THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**
Prince George's County Planning Department
14740 Governor Oden Bowie Drive, Upper Marlboro, MD 20774
301-780-2465 | Jason.Bartlett@ppd.mncppc.org

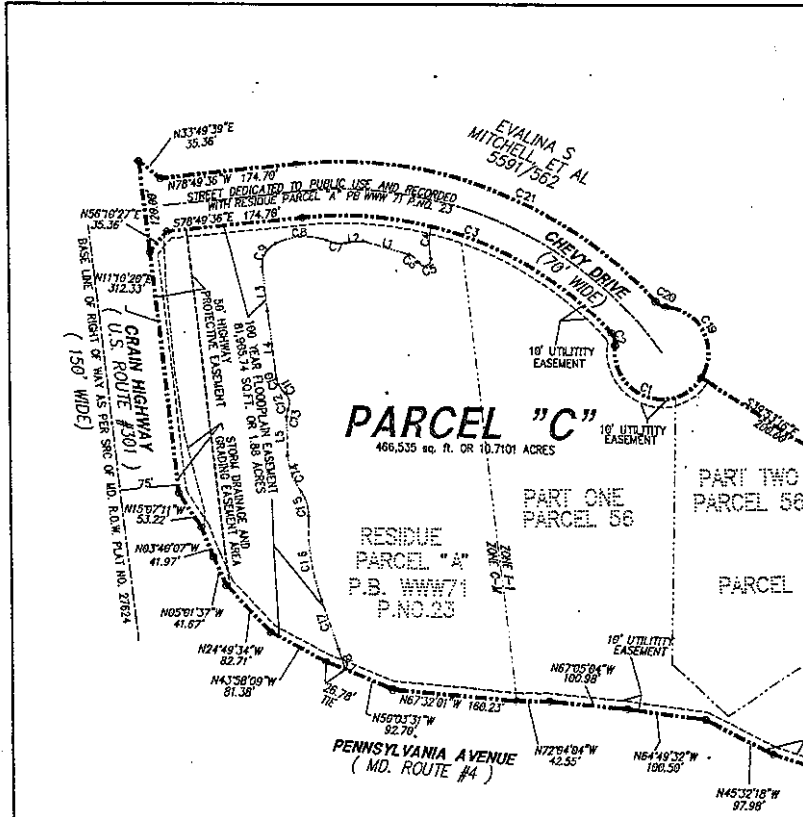


WE'RE MOVING!

The M-NCPPC Prince George's County Planning Department will be moving to Largo in November 2023!

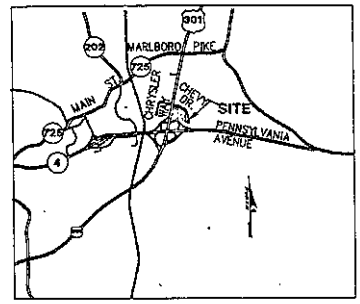
2.26.02

REF 143 70



CURVE TABLE						
CURVE	ARC	RADIUS	TAN	DELTA	CHORD BRG	CHORD
C1	163.06	60.00	278.80	155+42'33"	S52+01'48"E	117.31
C2	17.52	20.00	9.37	56+17'02"	N88+43'27"E	16.97
C3	441.91	465.00	239.24	54+27'02"	N51+36'05"W	425.47
C4	43.24	105.82	21.93	23+24'46"	S18+39'58"W	42.94
C5	23.42	8.41	48.44	159+47'32"	N88+56'07"E	16.56
C6	17.61	23.51	9.24	42+54'55"	N32+47'34"W	17.29
C7	24.63	50.00	12.25	27+32'20"	S55+03'38"E	23.80
C8	69.84	60.77	37.27	49+32'47"	N75+03'50"W	67.69
C9	37.74	33.20	21.21	65+07'41"	S46+39'56"W	35.74
C10	8.84	20.00	4.07	23+01'54"	S09+58'32"E	7.99
C11	13.71	49.71	6.50	15+48'18"	S29+32'16"E	13.67
C12	22.45	18.19	12.91	70+42'45"	N97+32'15"E	21.05
C13	8.89	28.90	4.52	25+28'07"	S29+48'34"W	8.82
C14	50.92	108.11	26.02	28+08'30"	S03+00'19"E	50.37
C15	32.87	50.00	17.06	37+46'15"	N01+15'31"E	32.29
C16	114.99	305.37	57.65	21+06'44"	S89+32'19"W	113.35
C17	67.96	22806.44	33.98	0+10'15"	S91+06'10"E	67.96
C18	27.77	650.35	13.89	2+26'47"	N00+02'06"E	27.77
C19	122.78	60.00	96.38	117+14'28"	N88+30'19"W	102.45
C20	15.18	20.00	7.98	43+22'22"	S45+22'54"E	14.82
C21	515.33	535.00	279.63	55+11'21"	N51+13'56"W	495.64

LINE TABLE		
LINE	LENGTH	BEARING
L1	60.78	N55+55'10"W
L2	22.59	N78+49'46"W
L3	57.97	S11+10'22"W
L4	87.63	S10+32'05"W
L5	49.92	S16+56'30"W



VICINITY MAP (NOT TO SCALE)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT, THAT IS A SUBDIVISION OF ALL OF THE LANDS CONVEYED BY HUBERT O. LOWE TO CHETWOOD FARM LTD PARTNERSHIP, BY DEED DATED OCTOBER 28, 1999, AND RECORDED AMONG THE LAND RECORDS OF PRINCE GEORGE'S COUNTY, MARYLAND IN LIBER 13442 AT FOLIO 387. BEING IN PART A RE-SUBDIVISION OF THE RESIDUE OF PARCEL A AS SHOWN ON A PLAT OF SUBDIVISION ENTITLED "FORM-301 INDUSTRIAL CENTER" RECORDED AMONG SAID LAND RECORDS IN PLAT BOOK WNW 71 AT PLAT BOOK PAGE NO. 23 AND THAT THE TOTAL AREA INCLUDED IN THE PLAT OF SUBDIVISION IS 486,535 SQUARE FEET OF 10,7101 ACRES OF LAND.

2/5/02
DATE

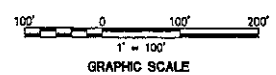
Thomas W. Curtis
THOMAS W. CURTIS
PROFESSIONAL LAND SURVEYOR
MARYLAND NO. 21102

OWNER'S DEDICATION

CHETWOOD FARM LTD PARTNERSHIP, A VIRGINIA LIMITED PARTNERSHIP, OWNER OF THE PROPERTY SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HEREBY ADOPTS THIS PLAN OF SUBDIVISION, ESTABLISHES THE MINIMUM BUILDING RESTRICTION LINES, ESTABLISHES THE TEN (10) FOOT WIDE PUBLIC UTILITY EASEMENT ADJACENT, CONTIGUOUS, PARALLEL AND CONCENTRIC TO ALL DEDICATED STREETS AS SHOWN HEREON, SUBJECT TO THE PROVISIONS OF A DOCUMENT ENTITLED "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" RECORDED AMONG SAID LAND RECORDS IN LIBER 3703 AT FOLIO 748 AND FURTHER CERTIFY.

THERE ARE NO SUITS OF ACTION, LEASES, LIENS OR TRUSTS AFFECTING THE PROPERTY INCLUDED IN THIS PLAT OF SUBDIVISION.

PROPERTY MARKERS SHALL BE PLACED IN ACCORDANCE WITH SECTION 24-120 (b) (6) (F) (I) OF THE PRINCE GEORGE'S COUNTY CODE.



FILED

MAR 21 2002

11:28 AM '02

Paul A. Sheehy
WITNESS

2/10/02
DATE

CHETWOOD FARM LIMITED PARTNERSHIP
Paul A. Sheehy
PAUL A. SHEEHY (GENERAL PARTNER)

WILES MENSCH CORPORATION
Planning, Engineering, Surveying & Landscape Architecture
11850 SUNRISE VALLEY DRIVE, Voice: (703) 391-7800
SUITE 200, Fax: (703) 264-0595
RESTON, VIRGINIA 20191 info@wilesmensch.com

SHEEHY AUTO STORE
PARCEL C
MARLBORO ELECTION DISTRICT NO.3
PRINCE GEORGE'S COUNTY, MARYLAND
SCALE: 1" = 100' DATE: OCTOBER 10, 2001

GENERAL NOTES

- DEVELOPMENT IS SUBJECT TO RESTRICTIONS SHOWN ON THE APPROVED TREE CONSERVATION PLAN (TOP-II/137/01) WHICH PRECLUDES ANY DISTURBANCE OR INSTALLATION OF STRUCTURES WITHIN THE SPECIFIED AREA. FAILURE TO COMPLY WITH AN APPROVED TREE CONSERVATION PLAN IS A VIOLATION REQUIRING MITIGATION UNDER THE WOODLAND CONSERVATION/TREE PRESERVATION POLICY, AND SUBTITLE 25.
- PRIOR TO ISSUANCE OF BUILDING PERMITS, THE APPLICANT SHALL CONDUCT A SIGNAL WARRANT STUDY PER CONDITION 1 OF PC098 RESOLUTION NO. 01-148.
- PRIOR TO APPROVAL OF THE BUILDING PERMIT, THE SITE SHALL BE CONNECTED TO PUBLIC SEWER SYSTEM UNLESS ALTERNATIVE TIMING IS APPROVED BY THE HEALTH DEPARTMENT.
- ALL COMMERCIAL STRUCTURES SHALL BE FULLY SPRINKLERED IN ACCORDANCE WITH NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 13 AND ALL APPLICABLE PRINCE GEORGE'S COUNTY LAWS.
- DEVELOPMENT OF THIS SUBDIVISION SHALL BE IN ACCORDANCE WITH THE APPROVED STORM DRAIN CONCEPT PLAN, APPROVAL NO. 8329131-2003-8 OR ANY REVISIONS THERETO.
- THE PROPERTY SHALL CONNECT TO THE PUBLIC WATER SUPPLY SYSTEM UPON AVAILABILITY. AT THAT TIME THE APPLICANT SHALL BACKFILL & SEAL THE EXISTING WELL IN ACCORDANCE WITH THE CODE OF MARYLAND REGULATIONS, COMAR 28.04.04.
- APPROVAL OF THIS PLAT IS BASED UPON A REASONABLE EXPECTATION THAT PUBLIC WATER AND SEWER SERVICE WILL BE AVAILABLE WHEN NEEDED AND IS CONDITIONED ON FULFILLING ALL OF THE WASHINGTON SUBURBAN SANITARY COMMISSION PROJECT # DA-3106A01 COMMITMENTS.

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION
PRINCE GEORGE'S COUNTY PLANNING BOARD
APPROVED March 7, 2002
Elizabeth G. Hunter CLERK
James J. Givens ASSISTANT SECRETARY

DEPARTMENT OF ENVIRONMENTAL RESOURCES
PRINCE GEORGE'S COUNTY, MARYLAND
APPROVED February 25, 2002
James J. Givens DIRECTOR OR DESIGNER

RECORDED: 3-21-02
PLAT BOOK: REF 143
PLAT NO.: 70

TM 102 B1

4-01023 TM 192 B1&2 207 SE 13&14

C-M/ I-1

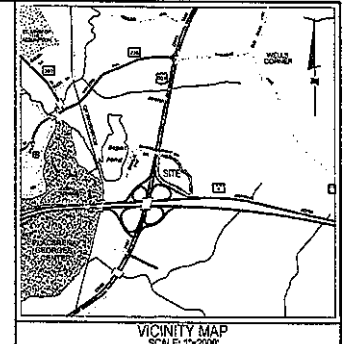
MSA SSU 1250-10929 413.59

SJH243 60

SURVEYOR'S CERTIFICATE

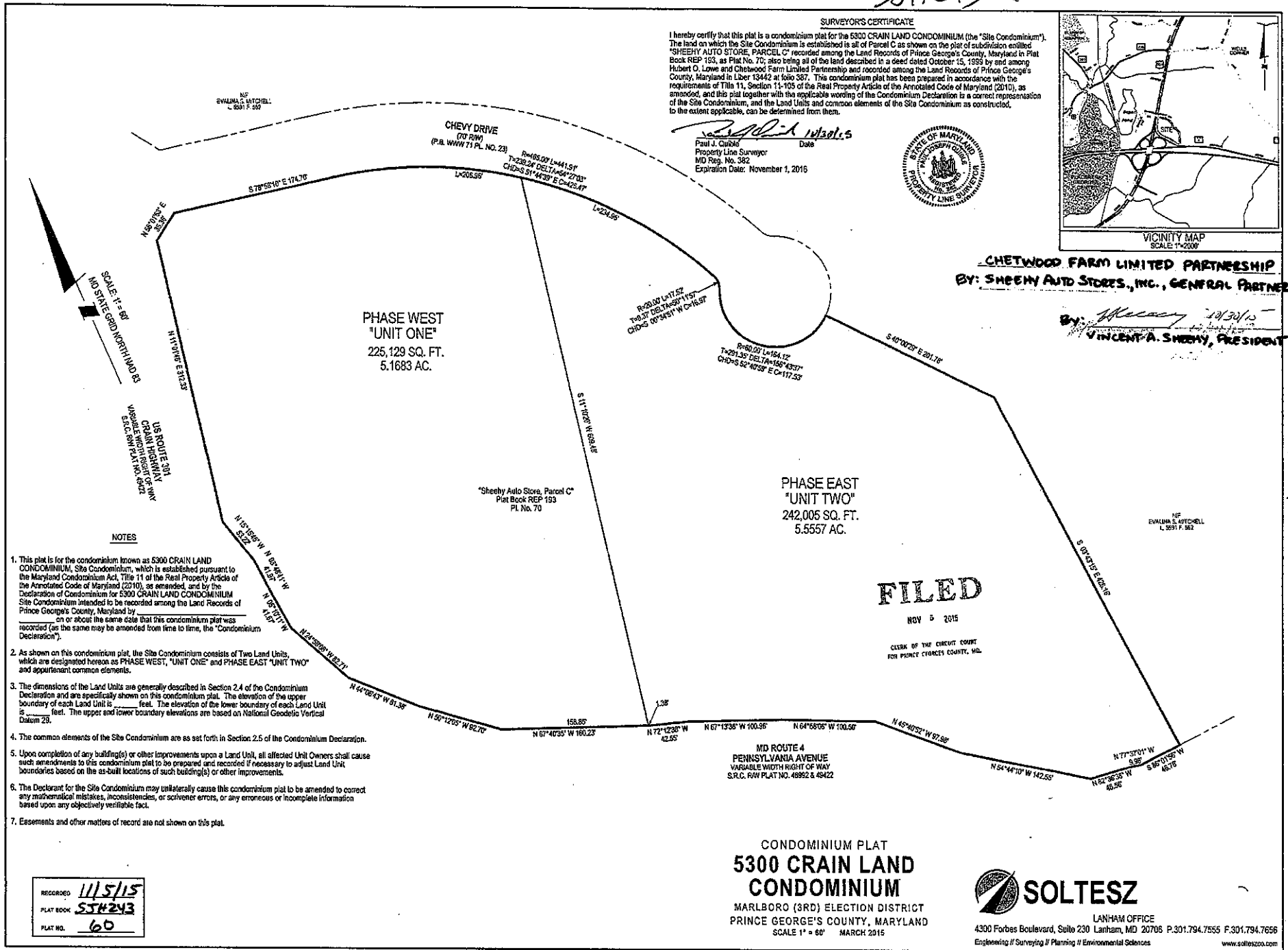
I hereby certify that this plat is a condominium plat for the 5300 CRAIN LAND CONDOMINIUM (the "Site Condominium"). The land on which the Site Condominium is established is all of Parcel C as shown on the plat of subdivision entitled "SHEEHY AUTO STORE, PARCEL C" recorded among the Land Records of Prince George's County, Maryland in Plat Book REP 193, as Plat No. 70; also being all of the land described in a deed dated October 15, 1959 by and among Hubert O. Lowe and Chetwood Farm Limited Partnership and recorded among the Land Records of Prince George's County, Maryland in Liber 13442 at folio 367. This condominium plat has been prepared in accordance with the requirements of Title 11, Section 11-105 of the Real Property Article of the Annotated Code of Maryland (2010), as amended, and this plat together with the applicable wording of the Condominium Declaration is a correct representation of the Site Condominium, and the Land Units and common elements of the Site Condominium as constructed, to the extent applicable, can be determined from them.

Paul J. Curbas
Property Line Surveyor
MD Reg. No. 382
Expiration Date: November 1, 2016



CHETWOOD FARM LIMITED PARTNERSHIP
BY: SHEEHY AUTO STORES, INC., GENERAL PARTNER

VINCENT A. SHEEHY, PRESIDENT



PRINCE GEORGE'S COUNTY CIRCUIT COURT (Flat Book) Plat Book SJH 243, p. 60, MSA C2381-19902. Date available 2015/11/05. Printed 11/17/2023.



NOTES

- This plat is for the condominium known as 5300 CRAIN LAND CONDOMINIUM, Site Condominium, which is established pursuant to the Maryland Condominium Act, Title 11 of the Real Property Article of the Annotated Code of Maryland (2010), as amended, and by the Declaration of Condominium for 5300 CRAIN LAND CONDOMINIUM Site Condominium intended to be recorded among the Land Records of Prince George's County, Maryland by _____ on or about the same date that this condominium plat was recorded (as the same may be amended from time to time, the "Condominium Declaration").
- As shown on this condominium plat, the Site Condominium consists of Two Land Units, which are designated hereon as PHASE WEST, "UNIT ONE" and PHASE EAST "UNIT TWO" and appurtenant common elements.
- The dimensions of the Land Units are generally described in Section 2.4 of the Condominium Declaration and are specifically shown on this condominium plat. The elevation of the upper boundary of each Land Unit is _____ feet. The elevation of the lower boundary of each Land Unit is _____ feet. The upper and lower boundary elevations are based on National Geodetic Vertical Datum 29.
- The common elements of the Site Condominium are as set forth in Section 2.5 of the Condominium Declaration.
- Upon completion of any building(s) or other improvements upon a Land Unit, all affected Unit Owners shall cause such amendments to this condominium plat to be prepared and recorded if necessary to adjust Land Unit boundaries based on the as-built locations of such building(s) or other improvements.
- The Declarant for the Site Condominium may unilaterally cause this condominium plat to be amended to correct any mathematical mistakes, inconsistencies, or scrivener errors, or any erroneous or incomplete information based upon any objectively verifiable fact.
- Easements and other matters of record are not shown on this plat.

RECORDED 11/5/15
PLAT BOOK SJH243
PLAT NO. 60

CONDOMINIUM PLAT
5300 CRAIN LAND
CONDOMINIUM
MARLBORO (3RD) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
SCALE 1" = 60' MARCH 2015

SOLTESZ
LANHAM OFFICE
4300 Forbes Boulevard, Suite 230 Lanham, MD 20705 P.301.794.7555 F.301.794.7656
Engineering // Surveying // Planning // Environmental Sciences www.soltesz.com

P212813

MSA C2381-19902

condominium council of unit owners as required under § 1-114 of the Real Property Article on or after October 1, 2020."

§ 11-122. Zoning and building regulations.

(a) The provisions of all laws, ordinances, and regulations concerning building codes or zoning shall have full force and effect to the extent that they apply to property which is subjected to a condominium regime and shall be construed and applied with reference to the overall nature and use of the property without regard to the form of ownership. A law, ordinance, or regulation concerning building codes or zoning may not establish any requirement or standard governing the use, location, placement, or construction of any land and improvements which are submitted to the provisions of this title, unless the requirement or standard is uniformly applicable to all land and improvements of the same kind or character not submitted to the provisions of this title.

(b) Except as otherwise provided in this title, a county, city, or other jurisdiction may not enact any law, ordinance, or regulation which would impose a burden or restriction on a condominium that is not imposed on all other property of similar character not subjected to a condominium regime. Any such law, ordinance, or regulation is void. Except as otherwise expressly provided in §§ 11-130, 11-138, 11-139, and 11-140 of this title, the provisions of this title are statewide in their effect. Any law, ordinance, or regulation enacted by a county, city, or other jurisdiction is preempted by the subject and material of this title.

HISTORY:

An. Code 1957, art. 21, § 11-125; 1974, ch. 12, § 2; ch. 641; 1981, ch. 246; 2016, ch. 8.

2016, approved March 14, 2016, and effective from date of enactment, made stylistic changes in (a) and (b).

Effect of amendments. — Chapter 8, Acts

§ 11-126. Disclosure requirements.

(a) A contract for the initial sale of a unit to a member of the public is not enforceable by the vendor unless:

(1) The purchaser is given on or before the time a contract is entered into between the vendor and the purchaser, a current public offering statement as amended and registered with the Secretary of State containing all of the information set forth in subsection (b) of this section; and

(2) The contract of sale contains, in conspicuous type, a notice of:

(i) The purchaser's right to receive a public offering statement and his rescission rights under this section; and

(ii) 1. The warranties provided by § 11-131 of this title; and

2. Whether the council of unit owners has entered into any agreement that settles or releases the council of unit owners' claims related to common element warranties under § 11-131 of this title.

(b) The public offering statement required by subsection (a) of this section

Sec. 27-1700 Transitional Provisions

27-1701. Effective Date

This Ordinance shall become effective on April 1, 2022, and repeals and replaces Subtitle 27. Zoning, Prince George's County Code, 2019 Edition, as amended from time to time.

27-1702. Violations Continue

Any violation of the prior Zoning Ordinance continues to be a violation under this Zoning Ordinance and is subject to **PART 27-8: Enforcement**, unless the development complies with the express terms of this Ordinance. This Section shall not relieve any person of liability for any fines or penalties owing or claimed to be owing under the prior Zoning Ordinance.

27-1703. Applications Pending Prior to the Effective Date of this Ordinance

Notwithstanding any other provision set forth below, all development applications, including permit applications, pending prior to the effective date of this Ordinance are subject to Section **27-1706**. If the development has vested rights under Maryland law, then it may proceed under the following:

- (a) Any development application, including a permit application or an application for zoning classification, that is filed and accepted prior to the effective date of this Ordinance may be reviewed and decided in accordance with the Zoning Ordinance and Subdivision Regulations in existence at the time of the acceptance of said application. An application for zoning classification decided after the effective date of this Ordinance must result in a zone set forth within this Ordinance.
- (b) Development applications submitted and accepted as complete before April 1, 2022 shall be processed in good faith and shall comply with the time frames for review, approval, and completion as is established in the Zoning Ordinance and Subdivision Regulations in existence at the time of the submission and acceptance of the application. If the application fails to comply with the required time frames, it shall expire and future development shall be subject to the requirements of this Ordinance.
- (c) If the development application is approved, the development approval or permit shall remain valid for the period of time specified in the Zoning Ordinance under which the application was reviewed and approved. Extensions of time available under the prior Zoning Ordinance and Subdivision Regulations remain available. If the approval is for a Conceptual Site Plan (CSP), special permit, Comprehensive Sketch Plan, or Conceptual Design Plan (CDP), the approved CSP, special permit, Comprehensive Sketch Plan, or CDP shall remain valid for twenty (20) years from the effective date of this Ordinance, and shall not be subject to the indefinite time period of validity under the Zoning Ordinance under which it was approved.
- (d) Until and unless the period of time under which the development approval or permit remains valid expires, the project may proceed to the next steps in the approval process (including any subdivision steps that may be necessary) and continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved.
- (e) Once constructed, pursuant to a development application or permit approved under the prior Zoning Ordinance or Subdivision Regulations, all buildings, uses, structures, or site features will be legal and not nonconforming and shall be exempt from the provisions of this Ordinance until they are required or elect to file a site plan or other development application (not to include any application for a change in occupancy or change in ownership). In order to maintain its not nonconforming status, properties and uses which were formerly in a Commercial Zone, Industrial Zone, the M-X-T Zone, or the M-U-I Zone, as of April 1, 2022 shall adhere to the procedures set forth in Section **27-3618**, Certification of Nonconforming Use.
- (f) An applicant may elect at any stage of the development review process to have the proposed development reviewed under this Ordinance.
- (g) Notwithstanding Sections 27-1703(a) through (f), above, any pending Conceptual Site Plan (CSP) or Detailed Site Plan (DSP) application incorporating a request to change the boundary of an approved Transit District



Overlay Zone (TDOZ) or Development District Overlay Zone (DDOZ) or change the underlying zones in a TDOZ or DDOZ must result in a zone set forth within this Ordinance. Any pending CSP or DSP application seeking only to change the list of allowed uses, building height restrictions, and/or parking standards may continue to be processed and is not subject to the tolling procedures specified in Part 19 of the prior Zoning Ordinance.

- (h) Any ongoing Functional Master Plan, Area Master Plan, or Sector Plan, and any ongoing Sectional Map Amendment, initiated under the prior Zoning Ordinance may proceed to be prepared, adopted, and approved under the Zoning Ordinance regulations under which such plan(s) and Sectional Map Amendment(s) were initiated.

(CB-068-2022; CB-050-2023; CB-053-2023)

27-1704. Projects Which Received Development or Permit Approval Prior to the Effective Date of this Ordinance

Notwithstanding any other provision set forth below, all development applications, including permit applications, pending prior to the effective date of this Ordinance are subject to Section 27-1706. If the development has vested rights under Maryland law, then it may proceed under the following:

- (a) Except for a zoning map amendment (ZMA) of any type, development approvals or permits of any type approved under this Subtitle or Subtitle 24 of this Code prior to April 1, 2022 remain valid for the period of time specified in the Zoning Ordinance or Subdivision Regulations under which the project was approved. Extensions of time which were available in the Zoning Ordinance or Subdivision Regulations under which it was approved shall remain available. If the approval is for a CSP, special permit, Comprehensive Sketch Plan, or CDP, it shall remain valid for twenty years from April 1, 2022, and shall not be subject to the indefinite time period of validity under the Zoning Ordinance under which it was approved, except for a CSP as to a Waterfront Entertainment Complex use, which shall remain valid indefinitely. In addition, a Basic Plan approved prior to the effective date of this Ordinance is grandfathered and can be amended. In addition, the text of this Subsection shall control over any other provision of this Section.
- (b) Until and unless the period of time under which the development approval or permit remains valid expires, the project may proceed to the next steps in the approval process (including any subdivision steps that may be necessary) and continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved. For purposes of this Subsection, a property which has obtained approval of a stormwater management concept plan and a grading permit in accordance with Subtitle 32 of this Code, for which no development approval pursuant to the Zoning Ordinance or Subdivision Regulations is required, may proceed to obtain a building permit under the Zoning Ordinance in effect at the time the Subtitle 32 approvals were obtained.
- (c) If the development approval or permit expires or is revoked (i.e., for failure to comply with the terms and conditions of approval), any subsequent development of the land shall be subject to the procedures and standards of this Ordinance. The Planning Director shall report to the County Council, at intervals no less than quarterly, a report of all development activity within the County.
- (d) Once constructed, the buildings, uses, structures, or site features will be legal and not nonconforming and shall be exempt from the provisions of this Ordinance until they are required or elect to file a site plan or other development application under this Ordinance (not to include any application for a change in occupancy or a change in ownership). This provision shall expressly subject to the provisions of Subsection (e) of this Section. No illegal building, use, structure, or site features as of April 1, 2022 will be deemed not nonconforming. Legal nonconforming uses certified under the prior Zoning Ordinance will continue to maintain their certified legal nonconforming status. No illegal use, structure, sign, or other feature as of the effective date of the Zoning Ordinance is nonconforming and may not be certified or considered to be nonconforming. In order to maintain its not nonconforming status, properties and uses which were formerly in a Commercial Zone, Industrial Zone, the M-X-T Zone, or the M-U-I Zone as of April 1, 2022 may have a discontinuance of day-to-day operation for a period of less than three (3) years. Properties and uses



in all other zones as of April 1, 2022 shall adhere to the procedures set forth in Section 27-3618, Certification of Nonconforming Use. Special exception uses approved pursuant to the requirements of the prior Zoning Ordinance and before the effective date of this Subtitle shall be subject to the following:

- (1) If the use is also a special exception in this Ordinance, then the use may continue in effect as a special exception, and all applicable requirements, standards, and conditions of approval for that special exception shall still apply. Such uses may be modified subject to the provisions of this Ordinance.
 - (2) If the use is prohibited in this Ordinance, then the use may continue as a nonconforming use subject to the provisions of PART 27-7, Nonconforming Buildings, Structures, Uses, Lots, and Signs.
 - (3) If the use is permitted in accordance with this Ordinance without approval of a special exception, the previously approved special exception shall continue in full force and effect, including all associated conditions of approval.
- (e) Subsequent revisions or amendments to development approvals or permits “grandfathered” under the provisions of this Section shall be reviewed and decided under the Zoning Ordinance under which the original development approval or permit was approved, unless the applicant elects to have the proposed revision or amendment reviewed under this Ordinance. Notwithstanding the requirements of Sections 27-289 and 27-325 of the prior Zoning Ordinance (2019 Edition, 2021 Supp.), revisions or amendments to such “grandfathered” development approvals or permits may construct one or more electric vehicle charging stations subject to the review and approval of the DPIE Director.
 - (f) An applicant may elect at any stage of the development review process to have the proposed development reviewed under this Ordinance.
 - (g) With the exception of a Basic Plan, a property which has been rezoned through a zoning map amendment processed prior to the effective date of this Ordinance – but which does not also have a subsequent entitlement application filed and accepted for processing prior to the effective date of this Ordinance – must wait and develop pursuant to the applicable regulations of its newly assigned zone approved through the Countywide Sectional Map Amendment process.
 - (h) Property in the LCD Zone may proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to the terms and conditions of the development approvals which it has received.
 - (i) Property in the LMXC Zone may proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to the terms and conditions of the development approvals which it has received.
 - (j) Property in the LMUTC Zone may proceed to develop in accordance with the guidelines and standards of the specific Mixed-Use Town Center Development Plan in which the property is located. Except as modified by Section 27-4205(e) of this Ordinance, the procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, including procedures relating to variance approvals and secondary amendments, shall also apply to property in the LMUTC Zone as appropriate.
 - (k) If a building permit authorized by an approved special exception was issued prior to October 16, 1975, existing development may continue and new development may proceed in accordance with that special exception approval, regardless of whether there is an approved application in the record. A graphic illustration of the actual development pursuant to the approval is considered the application.
 - (l) Property which was in the M-X-T Zone may proceed to develop in accordance with the standards and procedures of the prior Zoning Ordinance and this Section, subject to the terms and conditions of the development approvals it has received.
 - (m) Notwithstanding the provisions specified within this section, no tobacco shop, electronic cigarette shop, or retail tobacco business that sells tobacco or electronic cigarette products for offsite use may be approved if it is located within a five-mile radius of another tobacco shop, electronic cigarette shop, or retail tobacco business that also sells tobacco or electronic cigarette products for offsite use.
 - (n) Any assemblage of properties abutting the inside of the Capital Beltway (I-95/I-495) that were rezoned from the M-X-T Zone to the IE (Industrial, Employment) Zone pursuant to the Countywide Sectional Map



Amendment (CMA) may elect to develop under the provisions of this Ordinance for development in the CGO (Commercial, General and Office) Zone.

- (o) Unless otherwise provided in this Subtitle, any use allowed on any property by the zoning classification that was in effect on March 31, 2022, may be permitted until April 1, 2032, or until the property is rezoned pursuant to a Zoning Map Amendment (section 27-3601) or Planned Development Zoning Map Amendment (section 27-3602), whichever occurs first.

(CB-068-2022; CB-103-2022; CB-021-2023; CB-050-2023; CB-053-2023)

27-1705. Temporary Authorization for Outdoor Seating

(a) Findings

- (1) In furtherance of local recovery efforts resulting from the COVID-19 health crisis, the District Council finds critical need to create and implement an expedited administrative process to authorize certain uses in the Eating or Drinking Establishment Uses Principal Use Category to offer newly created or expanded outdoor seating on adjacent exterior space or shared exterior space in Prince George's County.
- (2) The District Council anticipates that a significant number of otherwise existing lawful eating and drinking uses located in the County will apply for immediate authorization to provide outdoor seating or expand outdoor seating areas for customers despite the fact that said outdoor seating may not have been included on their applicable detailed site plan, special exception site plan, or similar site plan such as, but not limited to, specific design plans and permit site plans.
- (3) This Zoning Ordinance and the prior Zoning Ordinance, as may be applicable, require eating and drinking establishment uses to specify any outdoor seating areas on its approved detailed site plan, special exception site plan, or similar site plan, to comply with all other provisions in the local zoning laws prior to issuance of a use and occupancy permit to commence operations of the use, and to operate the establishment in compliance with the provisions of the approved detailed site plan, special exception site plan, or similar site plan and use and occupancy permit at all times.

(b) Regulations

- (1) Until April 1, 2024, all provisions of this Subtitle and of the prior Zoning Ordinance (for such projects subject to the transitional provisions of Section 27-1700 or which are using the provisions of Section 27-1900), including but not limited to the provisions concerning site plan conformance, minimum setbacks, and minimum parking, shall be suspended and not subject to violation or enforcement action to allow for Prince George's County to authorize outdoor dining to otherwise existing lawful uses in the Eating and Drinking Establishment Uses Principal Use Category on adjacent exterior space or shared exterior space in Prince George's County, after compliance with all regulations stated in this Subsection and so long as the establishment remains in compliance with the regulations stated herein.
- (2) The DPIE Director shall establish and administer an expedited administrative process to authorize otherwise existing lawful uses in the Eating and Drinking Establishment Uses Principal Use Category on adjacent exterior space or shared exterior space in Prince George's County, after compliance with all regulations stated in this Subsection and so long as the establishment remains in compliance with the regulations stated herein.

(c) Enforcement

- (1) Any lawful use in the Eating and Drinking Establishment Uses Principal Use Category that is authorized to offer newly created or expanded outdoor dining must comply with all State and County laws and regulations with the exception of the laws of this Subtitle suspended herein.
- (2) Notwithstanding any provision of this Subtitle or Subtitle 28, Civil Monetary Fines or Penalties, of the County Code, Prince George's County may rescind forthwith any approval granted to an otherwise existing lawful use in the Eating and Drinking Establishment Uses Principal Use Category to offer any



newly created or expanded outdoor seating for failure to comply with any State or County laws or regulations and any requirement stated herein.

- (3) The enforcement of the requirements herein and all other State and County laws and regulations for uses in the Eating and Drinking Establishment Uses Principal Use Category shall be performed as required by State or County laws and regulations, with the assistance of Prince George's County law enforcement as needed.

(CB-068-2022)

27-1706. Prohibited laws under the Prior Zoning Ordinance.

Notwithstanding any other provision of this Ordinance, unless a development has vested rights under Maryland law, the following laws shall not apply to any development application, including a permit application, filed under 27-1703, 27-1704, 27-1903 or 27-1904. Any uses previously approved below are strictly prohibited and ineligible for processing using the prior Zoning Ordinance:

- (a) **CB-008-2021 (Chapter 7, 2021 Laws of Prince George's County, Maryland)** AN ORDINANCE CONCERNING C-O ZONE for the purpose of amending the Commercial Table of Uses Permitted to permit Townhouse uses in the C-O (Commercial Office) Zone, under certain circumstances.
- (b) **CB-050-2021 (Chapter 39, 2021 Laws of Prince George's County, Maryland)** AN ORDINANCE CONCERNING R-E ZONE for the purpose of amending the residential table of uses to permit development of a mix of residential and commercial/retail uses in the R-E (Residential Estate) Zone of Prince George's County, under certain circumstances.
- (c) **CB-17-2019 (Chapter 27, 2019 Laws of Prince George's County, Maryland)** AN ORDINANCE CONCERNING R-A ZONE for the purpose of permitting Townhouse and One-Family detached dwelling uses in the R-A (Residential Agricultural) Zones of Prince George's County, under certain circumstances.
- (d) **CB-088-2018 (Chapter 54, 2018 Laws of Prince George's County, Maryland)** AN ORDINANCE CONCERNING CLASS 3 FILL RECLAMATION for the purpose of permitting limited Class 3 fill uses as a method of reclaiming former surface mining properties for public use in the R-A (Residential Agricultural) Zones of Prince George's County, under certain circumstances.
- (e) **CB-089-2018 (Chapter 55, 2018 Laws of Prince George's County, Maryland)** AN ORDINANCE CONCERNING CLASS 3 FILL RECLAMATION for the purpose of permitting, without the requirement for a special exception, limited Class 3 fill uses as a method of reclaiming former sand and gravel mining properties for public use in the R-A (Residential-Agricultural) Zone, under certain circumstances.

(CB-069-2022; CR-003-2023; CB-013-2023; CB-050-2023; CB-053-2023)

27-1707. Reserved.

Editor's Note:

Pursuant to the Council's adoption of CB-014-2023, effective March 20, 2023, Section 27-1707. Projects Which are Developed and Constructed Pursuant to the Prior Ordinance was repealed.

(CB-077-2022; CR-003-2023; CB-014-2023)



1 recommendations in the text of the applicable Area Master Plan or Sector Plan or the General Plan. In
 2 making this finding, staff and Council may consider the Area Master Plan or Sector Plan adopted for the
 3 University of Maryland.

4 (B) Development proposed by the applicant or permitted in the proposed zoning
 5 classification is found not incompatible, as to land uses, visual or noise or environmental effects, or traffic
 6 to be generated, with adjoining properties or others in the neighborhood, as they are currently (at
 7 application time) zoned or used.

8 (5) Within ninety (90) days of the date of filing, the District Council shall review the
 9 application in a public hearing, where exhibits (but not sworn testimony) may be introduced into the
 10 record. For hearings under this Section only, but not for other Zoning Map Amendment applications, the
 11 applicant shall post the subject property at least thirty (30) days prior to the hearing before the District
 12 Council, giving notice as required in Section 27-3407, Scheduling of Hearings and Public Notice, for
 13 Zoning Hearing Examiner.

14 (6) The District Council may approve the rezoning, with or without conditions; may approve
 15 a less intense zone, with or without conditions; may deny the application; or may remand it to the
 16 Technical Staff or, if further evidence is required, to the Zoning Hearing Examiner.]

17 * * * * *

18 **SUBTITLE 27. ZONING.**

19 **PART 27-1 GENERAL PROVISIONS**

20 **SECTION 27-1700 TRANSITIONAL PROVISIONS**

21 **27-1701. [Effective Date] Purpose and Intent**

22 [This Ordinance shall become effective on April 1, 2022, and repeals and replaces Subtitle 27. Zoning,
 23 Prince George’s County Code, 2019 Edition, as amended from time to time.] Notwithstanding the
 24 provisions set forth within this Part, the District Council finds that there is a need to apply certain
 25 procedures, regulations, zones, uses, and/or other aspects embodied within the prior Zoning Ordinance
 26 (being also Subtitle 27, Prince George’s County Code, 2019 Edition) for the sole purpose of allowing the
 27 owners of properties with development applications of any type approved under the prior Zoning
 28 Ordinance, including development applications approved pursuant to the provisions of Section 27-1900,
 29 Development Pursuant to Prior Ordinance, to proceed to the next steps in the approval process required
 30 by the prior Zoning Ordinance in order to complete construction of their projects. In addition, until April
 31 1, 2032, the owners of properties subject to this Section 27-1700 shall be entitled to obtain use and
 32 occupancy permits for uses permitted in the zones under which their properties were subject on March 31,
 33 2022, as further provided in Part 27-7, Nonconforming Buildings, Structures, Uses, Lots, and Signs.

34 **27-1702. Violations Continue**

1 Any violation of the prior Zoning Ordinance continues to be a violation under this Zoning Ordinance and
 2 is subject to PART 27-8: Enforcement, unless the development complies with the express terms of this
 3 Ordinance. This Section shall not relieve any person of liability for any fines or penalties owing or
 4 claimed to be owing under the prior Zoning Ordinance.

5 **Sec. 27-1703. Applications Pending Prior to the Effective Date of this Ordinance**

6 Notwithstanding any other provision set forth below, all development applications, including permit
 7 applications, pending prior to the effective date of this Ordinance are subject to Section 27-1706. [If the
 8 development has vested rights under Maryland law, then it may proceed under the following:]

9 (a) Any development application, including a permit application or an application for zoning
 10 classification, that is filed and accepted, but not yet approved, prior to the effective date of this Ordinance
 11 may be reviewed and decided in accordance with the prior Zoning Ordinance [and Subdivision
 12 Regulations] in existence [at the time of the acceptance of said application] on March 31, 2022. An
 13 application for zoning classification decided after the effective date of this Ordinance must result in a
 14 zone set forth within this Ordinance.

15 (b) [Development applications submitted and accepted as complete before April 1, 2022 shall be
 16 processed in good faith and shall comply with the time frames for review, approval, and completion as is
 17 established in the Zoning Ordinance and Subdivision Regulations in existence at the time of the
 18 submission and acceptance of the application. If the application fails to comply with the required time
 19 frames, it shall expire and future development shall be subject to the requirements of this Ordinance.]

20 [(c)] If the development application is approved, the development approval or permit shall
 21 remain valid for the period of time specified in the prior Zoning Ordinance in existence on March 31,
 22 2022, [under which the application was reviewed and approved.] Extensions of time available under the
 23 prior Zoning Ordinance [and Subdivision Regulations] remain available. If the approval is for a
 24 Conceptual Site Plan (CSP), special permit, Comprehensive Sketch Plan, or [Conceptual] Comprehensive
 25 Design Plan (CDP), the approved CSP, special permit, Comprehensive Sketch Plan, or CDP shall remain
 26 valid for twenty (20) years from the effective date of this Ordinance, and shall not be subject to the
 27 indefinite time period of validity under the Zoning Ordinance under which it was approved.

28 [(d)](c) Until and unless the period of time under which the development approval or permit
 29 remains valid expires, the project may proceed to the next steps in the approval process [(including any
 30 subdivision steps that may be necessary)] and continue to be reviewed and decided under the prior Zoning
 31 Ordinance in existence on March 31, 2022 until completion of construction. [and Subdivision Regulations
 32 under which it was approved.]

33 [(e)](d) Once constructed, the buildings, structures, and site elements shall be subject to Part 27-7
 34 Nonconforming Buildings, Structures, Uses, Lots, and Signs. [pursuant to a development application or

1 permit approved under the prior Zoning Ordinance or Subdivision Regulations, all buildings, uses,
 2 structures, or site features will be legal and not nonconforming and shall be exempt from the provisions of
 3 this Ordinance until they are required or elect to file a site plan or other development application (not to
 4 include any application for a change in occupancy or change in ownership). In order to maintain its not
 5 nonconforming status, properties and uses which were formerly in a Commercial Zone, Industrial Zone,
 6 the M-X-T Zone, or the M-U-I Zone, as of April 1, 2022 shall adhere to the procedures set forth in
 7 Section 27-3618, Certification of Nonconforming Use.]

8 [(f)](e) An applicant may elect at any stage of the development review process to have the
 9 proposed development reviewed under this Ordinance. If the applicant makes such an election, any
 10 development applications or permits for the property approved under the prior Zoning Ordinance shall
 11 have no further force and effect and the project shall proceed anew under this Ordinance.

12 [(g)](f) Notwithstanding Sections 27-1703(a) through [(f)](e), above, any pending Conceptual
 13 Site Plan (CSP) or Detailed Site Plan (DSP) application incorporating a request to change the boundary of
 14 an approved Transit District Overlay Zone (TDOZ) or Development District Overlay Zone (DDOZ) or
 15 change the underlying zones in a TDOZ or DDOZ must result in a zone set forth within this Ordinance.
 16 Any pending CSP or DSP application seeking only to change the list of allowed uses, building height
 17 restrictions, and/or parking standards may continue to be processed and is not subject to the tolling
 18 procedures specified in Part 19 of the prior Zoning Ordinance.

19 [(h)](g) Any ongoing Functional Master Plan, Area Master Plan, or Sector Plan, and any ongoing
 20 Sectional Map Amendment, initiated under the prior Zoning Ordinance may proceed to be prepared,
 21 adopted, and approved under the Zoning Ordinance regulations under which such plan(s) and Sectional
 22 Map Amendment(s) were initiated.

23 **27-1704. Projects Which Received Development or Permit Approval Prior to the Effective Date of**
 24 **this Ordinance**

25 Notwithstanding any other provision set forth below, all development applications, including permit
 26 applications, pending prior to the effective date of this Ordinance are subject to Section 27-1706. [If the
 27 development has vested rights under Maryland law, then it may proceed under the following:]

28 (a) Except for a zoning map amendment (ZMA) of any type, any development application,
 29 including a permit application, approved under the prior Zoning Ordinance remains valid for the period of
 30 time specified in the prior Zoning Ordinance and may be amended. Extensions of time available in the
 31 prior Zoning Ordinance shall remain available. [development approvals or permits of any type approved
 32 under this Subtitle or Subtitle 24 of this Code prior to April 1, 2022 remain valid for the period of time
 33 specified in the Zoning Ordinance or Subdivision Regulations under which the project was approved.
 34 Extensions of time which were available in the Zoning Ordinance or Subdivision Regulations under

1 which it was approved shall remain available.] If the approval is for a CSP, special permit,
 2 Comprehensive Sketch Plan, or CDP, it shall remain valid for twenty years from April 1, 2022, and shall
 3 not be subject to the indefinite time period of validity under the Zoning Ordinance under which it was
 4 approved, except for a CSP as to a Waterfront Entertainment Complex use, which shall remain valid
 5 indefinitely. In addition, a Basic Plan approved prior to the effective date of this Ordinance is
 6 grandfathered and can be amended. [In addition, the text of this Subsection shall control over any other
 7 provision of this Section.]

8 (b) Until and unless the period of time under which the development approval or permit remains
 9 valid expires, the project may proceed to the next steps in the approval process and continue to be
 10 reviewed and decided under the prior Zoning Ordinance in effect March 31, 2022 until completion of
 11 construction. [(including any subdivision steps that may be necessary) and continue to be reviewed and
 12 decided under the Zoning Ordinance and Subdivision Regulations under which it was approved.] For
 13 purposes of this Subsection, a property which has obtained approval of a stormwater management concept
 14 plan and a grading permit in accordance with Subtitle 32 of this Code, for which no development
 15 approval pursuant to the Zoning Ordinance or Subdivision Regulations is required, may proceed to obtain
 16 a building permit under the Zoning Ordinance in effect at the time the Subtitle 32 approvals were
 17 obtained.

18 (c) If the development approval or permit expires or is revoked (i.e., for failure to comply with the
 19 terms and conditions of approval), any subsequent development of the [land] property shall be subject to
 20 the procedures and standards of this Ordinance. The Planning Director shall report to the County Council,
 21 at intervals no less than quarterly, a report of all development activity within the County.

22 (d) Once constructed, the buildings, structures, and site elements shall be subject to Part 27-7,
 23 Nonconforming Buildings, Structures, Uses, Lots, and Signs, and subsequent development applications
 24 shall be subject to this Ordinance. [the buildings, uses, structures, or site features will be legal and not
 25 nonconforming and shall be exempt from the provisions of this Ordinance until they are required or elect
 26 to file a site plan or other development application under this Ordinance (not to include any application
 27 for a change in occupancy or a change in ownership). This provision shall expressly subject to the
 28 provisions of Subsection (e) of this Section. No illegal building, use, structure, or site features as of April
 29 1, 2022 will be deemed not nonconforming. Legal nonconforming uses certified under the prior Zoning
 30 Ordinance will continue to maintain their certified legal nonconforming status. No illegal use, structure,
 31 sign, or other feature as of the effective date of the Zoning Ordinance is nonconforming and may not be
 32 certified or considered to be nonconforming. In order to maintain its not nonconforming status, properties
 33 and uses which were formerly in a Commercial Zone, Industrial Zone, the M-X-T Zone, or the M-U-I
 34 Zone as of April 1, 2022 may have a discontinuance of day-to-day operation for a period of less than three

1 (3) years. Properties and uses in all other zones as of April 1, 2022 shall adhere to the procedures set forth
 2 in Section 27-3618, Certification of Nonconforming Use. Special exception uses approved pursuant to the
 3 requirements of the prior Zoning Ordinance and before the effective date of this Subtitle shall be subject
 4 to the following:

5 (1) If the use is also a special exception in this Ordinance, then the use may continue in effect
 6 as a special exception, and all applicable requirements, standards, and conditions of approval for that
 7 special exception shall still apply. Such uses may be modified subject to the provisions of this Ordinance.

8 (2) If the use is prohibited in this Ordinance, then the use may continue as a nonconforming
 9 use subject to the provisions of PART 27-7, Nonconforming Buildings, Structures, Uses, Lots, and Signs.

10 (3) If the use is permitted in accordance with this Ordinance without approval of a special
 11 exception, the previously approved special exception shall continue in full force and effect, including all
 12 associated conditions of approval.]

13 (e) Development applications to construct one or more vehicle charging stations may be reviewed
 14 and approved by the DPIE Director at any time. [Subsequent revisions or amendments to development
 15 approvals or permits “grandfathered” under the provisions of this Section shall be reviewed and decided
 16 under the Zoning Ordinance under which the original development approval or permit was approved,
 17 unless the applicant elects to have the proposed revision or amendment reviewed under this Ordinance.
 18 Notwithstanding the requirements of Sections 27-289 and 27-325 of the prior Zoning Ordinance (2019
 19 Edition, 2021 Supp.), revisions or amendments to such “grandfathered” development approvals or permits
 20 may construct one or more electric vehicle charging stations subject to the review and approval of the
 21 DPIE Director.]

22 (f) An applicant may elect at any stage of the development review process to have the proposed
 23 development reviewed under this Ordinance. If the applicant makes such an election, any development
 24 applications or permits for the property approved under the prior Zoning Ordinance shall have no further
 25 force and effect and the project shall proceed anew under this Ordinance.

26 (g) With the exception of a Basic Plan, a property which has been rezoned through a zoning map
 27 amendment processed prior to the effective date of this Ordinance – but which does not also have a
 28 subsequent entitlement application filed and accepted for processing prior to the effective date of this
 29 Ordinance – must wait and develop pursuant to the applicable regulations of its newly assigned zone
 30 approved through the Countywide Sectional Map Amendment process.

31 [(h) Property in the LCD Zone may proceed to develop in accordance with the standards and
 32 procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to
 33 the terms and conditions of the development approvals which it has received.

1 (i) Property in the LMXC Zone may proceed to develop in accordance with the standards and
2 procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to
3 the terms and conditions of the development approvals which it has received.

4 (j) Property in the LMUTC Zone may proceed to develop in accordance with the guidelines and
5 standards of the specific Mixed-Use Town Center Development Plan in which the property is located.
6 Except as modified by Section 27-4205(e) of this Ordinance, the procedures of the Zoning Ordinance in
7 existence prior to the effective date of this Ordinance, including procedures relating to variance approvals
8 and secondary amendments, shall also apply to property in the LMUTC Zone as appropriate.]

9 [(k)](h) If a building permit authorized by an approved special exception was issued prior to
10 October 16, 1975, existing development may continue and new development may proceed in accordance
11 with that special exception approval, regardless of whether there is an approved application in the record.
12 A graphic illustration of the actual development pursuant to the approval is considered the application.

13 [(l) Property which was in the M-X-T Zone may proceed to develop in accordance with the
14 standards and procedures of the prior Zoning Ordinance and this Section, subject to the terms and
15 conditions of the development approvals it has received.

16 [(m)](i) Notwithstanding the provisions specified within this section, no tobacco shop, electronic
17 cigarette shop, or retail tobacco business that sells tobacco or electronic cigarette products for offsite use
18 may be approved if it is located within a five-mile radius of another tobacco shop, electronic cigarette
19 shop, or retail tobacco business that also sells tobacco or electronic cigarette products for offsite use.

20 [(n)](i) Any assemblage of properties abutting the inside of the Capital Beltway (I-95/I-495) that
21 were rezoned from the M-X-T Zone to the IE (Industrial, Employment) Zone pursuant to the Countywide
22 Sectional Map Amendment (CMA) may elect to develop under the provisions of this Ordinance for
23 development in the CGO (Commercial, General and Office) Zone.

24 [(o) Unless otherwise provided in this Subtitle, any use allowed on any property by the zoning
25 classification that was in effect on March 31, 2022, may be permitted until April 1, 2032, or until the
26 property is rezoned pursuant to a Zoning Map Amendment (section 27-3601) or Planned Development
27 Zoning Map Amendment (section 27-3602), whichever occurs first.]

28 * * * * *

29 **SUBTITLE 27.ZONING.**

30 **PART 27-1 GENERAL PROVISIONS**

31 **SECTION 27-1900 DEVELOPMENT P URSUANT TO PRIOR ORDINANCE**

32 * * * * *

33 **27-1903. Applicability**

1 (a) Development [proposals] applications for property within the LCD, LMXC, and LMUTC
2 zones are ineligible for application of the prior Zoning Ordinance under this Section 27-1900. All
3 development proposed in the zones set forth in this Section shall develop in accordance with the
4 requirements of this Ordinance, unless subject to the Transitional Provisions set forth in Section 27-1700,
5 Transitional Provisions, of this Subtitle.

6 (b) Except as otherwise provided in this Section, development applications of any type for
7 properties in all other zones of the County may utilize the prior Zoning Ordinance for development of the
8 subject property.

9 (c) Notwithstanding procedures specified in Sections 27-548.09.01 and 27-548.26 of the prior
10 Zoning Ordinance, development [proposals] applications within a Transit District Overlay Zone (TDOZ)
11 or Development District Overlay Zone (DDOZ) may not include requests to change the boundary of the
12 approved TDOZ or DDOZ or change the underlying zones.

13 [(c) Except as otherwise provided in this Section, proposals or permit applications of any type for
14 properties in all other zones of the County may utilize the prior Zoning Ordinance or Subdivision
15 Regulations for development of the subject property.]

16 (d) Except as otherwise provided in Subsection (e), no development application for construction of
17 a building or structure intended to serve as a gas station principal use shall be accepted. [Notwithstanding
18 the abrogation provisions in Section 27-1901, if an application that elects to utilize the prior ordinance for
19 development of uses other than a gas station principal use is filed and accepted within 2 years from the
20 effective date of this ordinance, the development project shall be reviewed in accordance with the Zoning
21 Ordinance and Subdivision Regulations in existence at the time of the acceptance of a development
22 application.]

23 (e) Once approved, development applications, not subject to Section 27-1905 of this Subtitle, that
24 utilize the prior Zoning Ordinance shall be considered “grandfathered” and subject to the provisions set
25 forth in Section 27-1704 of this Subtitle.

26 * * * * *

27 **[27-1905. Prohibited laws under the Prior Zoning Ordinance.] RESERVED.**

28 [Notwithstanding any other provision of this Ordinance, unless a development has vested rights under
29 Maryland law, then any development application, including a permit application, filed under 27-1703, 27-
30 1704, 27-1903, or 27-1904 shall be strictly prohibited and ineligible for processing using the prior Zoning
31 Ordinance as stated in Sec. 27-1706.]

32 * * * * *

33 **SUBTITLE 27. ZONING.**

34 **PART 27-1 GENERAL PROVISIONS**

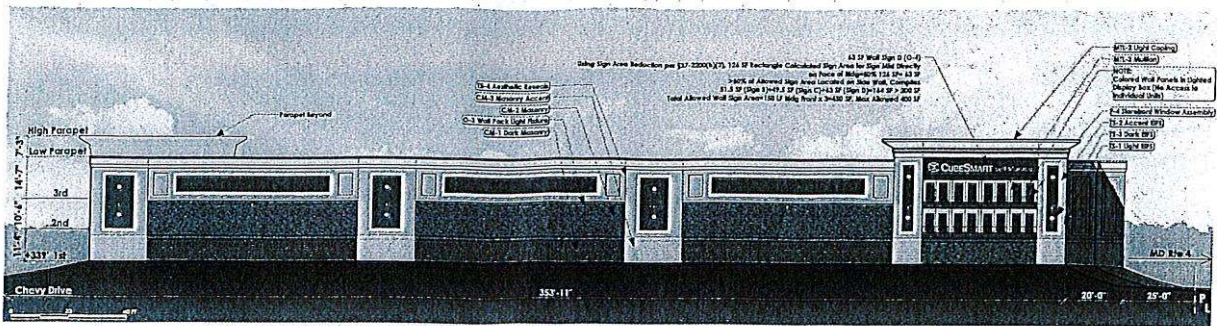


Figure 4: West Elevation Facing Neighboring Place of Worship

2. **Parking.** A surface parking lot is proposed on the north side of the consolidated storage building. There is one vehicular access point proposed off Chevy Drive. Three U-style bicycle racks will be placed near the first building entrance. The parking required and proposed for the development project has been provided.
3. **Signage.** The applicant proposes ~~a total of five signs~~, to include four wall mounted signs, to be located on each building façade, ~~and one freestanding sign, to be provided near the site entrance. No signage details were included for the proposed freestanding sign, and the necessary conditions have been included herein.~~

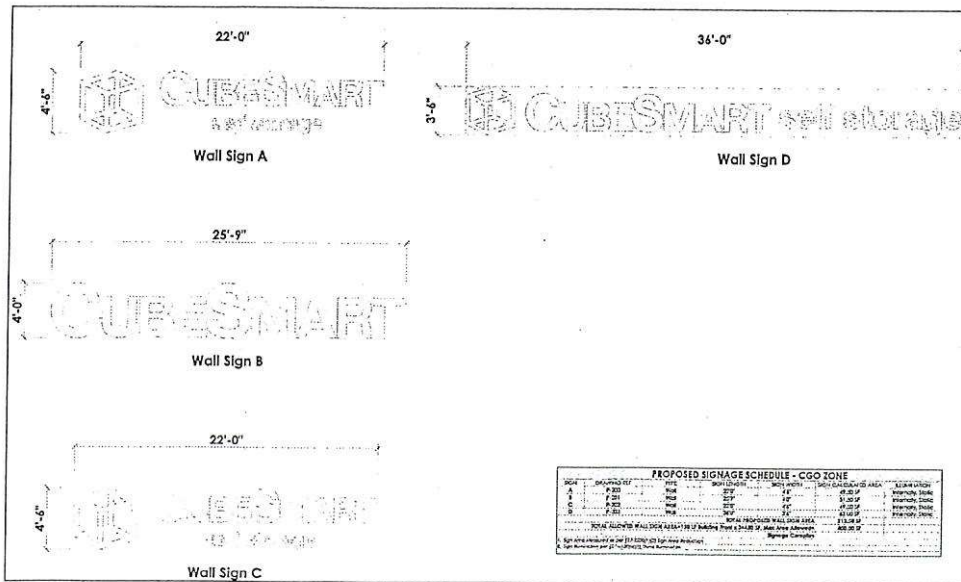


Figure 5: Wall Mounted Signage Details

4. **Lighting.** The applicant will provide lighting throughout the surface parking lot and on all sides of the proposed consolidated storage building. A photometric plan and lighting details have been provided.

sidewalk system. The internal pedestrian circulation system is designed to allow pedestrian walkway access to the development's building and parking areas. The Chevy Drive Road frontage will be marked with a shared bicyclist roadway or an unseparated bike lane. In addition, bicycle racks are provided near the main entrances.

The 31-foot-wide access driveway connecting with the public street as well as the parking lot, drive aisles, and circulation associated with parking, are designed to accommodate appropriate circulation of emergency vehicles, garbage trucks, delivery vehicles, service vehicles, and passenger motor vehicles within the development. The drive aisles separating the parking areas will be a minimum of 22 feet wide.

b. **Section 27-6300 Off-Street Parking and Loading**

The DET is in conformance with the applicable standards in Section 27-6300 of the Zoning Ordinance, including parking and bicycle parking requirements and standards.

The parking requirements for a consolidated storage use is one space per 3,000 square feet of rentable storage area, four spaces per 1,000 square feet of office space, and two spaces per resident manager. A total number of 51 parking spaces is required for the proposed development. A total of six bicycle spaces will also be provided. The bicycle racks will be installed on a paved surface and located in a visible, well-lit area, conveniently accessible to the primary entrances of the building. The three U-style bicycle racks will be located less than 50 feet from the two main entrance doors.

Loading spaces are not required for consolidated storage uses. Pursuant to Section 27-5101 of the Zoning Ordinance, a consolidated storage use is categorized within the warehouse and freight movement uses, principal use category. In Table 27-6310(a), under Warehouse and Freight Movement Uses, consolidated storage is listed as an exemption, which indicates there is no loading space requirement. However, the applicant has provided five spaces that are labeled as loading spaces. These spaces cannot be considered conventional loading spaces, as the dimensions provided do not meet the minimum loading berth size requirements of 12 feet wide by 45 feet long, as specified in Section 276310(b). ~~A condition has been included herein to state that these five loading spaces shall be renamed as oversized parking areas and would then contribute to the parking tabulation. The proposed size of these spaces as 12 feet wide by 33 feet long is appropriate.~~

~~for the use.~~ The facility will be utilized primarily by individuals, families, or businesses with single vehicles, and smaller berths will not make the operation of the use detrimental, nor impede the continued operation of any of the surrounding uses.

~~An additional condition has been provided requiring the applicant to provide details of the existing parking layout for the neighboring place of worship, which is also located on the subject property.~~

c. **Section 27-6400 Open Space Set-Asides**

The DET is in conformance with the applicable standards in Section 27-6400 of the Zoning Ordinance. The DET shows 1.4 acres of open space set-aside, exceeding the required five percent (0.28 acre). The woodland conservation area is being used to meet this requirement, as shown on the submitted tree conservation plan.

d. **Section 27-6500 Landscaping**

The DET is in conformance with the applicable standards in the Landscape Manual, including Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.8, Building Frontage Landscape Requirements; Section 4.9, Sustainable Landscaping Requirements; and Section 4.11, Requirements for Nonresidential and Mixed-Use Development.

The required schedules have been provided and technical corrections are proposed in the Recommendation section of this technical staff report. However, for portions of Section 4.9, the applicant has requested alternative compliance, which is recommended for approval and is discussed in further detail in Finding III, B.

e. **Section 27-6600 Fences and Walls**

The DET is in conformance with the applicable standards in Section 27-6600 of the Zoning Ordinance, including fence and wall heights, locations, and appearance.

f. **Section 27-6700 Exterior Lighting**

The DET submission includes a photometric plan and is in conformance with the applicable standards in Section 27-6700 of the Zoning Ordinance, including the

j. **Section 27-61300 Agricultural Compatibility Standards**

The subject application is exempt from this section because it is not adjacent to an ongoing agricultural use or activity in the Reserved Open Space, Agriculture and Preservation, and Agricultural-Residential base zones.

k. **Section 27-61400 Urban Agriculture Compatibility Standards**

The subject application is exempt from this section because it is not adjacent to on-going urban agriculture use.

l. **Section 27-61500 Signage**

The applicant proposes ~~a total of five signs~~, to include four wall mounted signs, to be located on each building façade, ~~and one freestanding sign, to be provided near the site entrance.~~ The wall mounted signs will range in size from 101 square feet to 130 square feet. Sign A will be approximately 4.6 feet high by 22 feet wide, Sign B will be approximately 4 feet high by 25.9 feet wide, Sign C will be approximately 4.6 feet high by 22 feet wide, and Sign D will be approximately 3.6 feet high by 36 feet wide. All four wall mounted signs will feature lettering of the tenant's name and be internally illuminated.

~~No signage details were included for the proposed freestanding sign. Conditions have been provided herein requiring the applicant to replace the freestanding sign with a gateway sign, in accordance with the requirements of Section 27-61506(c), and to revise the signage schedule to separately list the gateway sign.~~

m. **Section 27-61600 Green Building Standards**

The applicant provided in their statement of justification that the following green building best practices were integrated throughout the development:

- 1) Support walkable areas in appropriate places
- 2) Support multiple modes of mobility
- 3) Conserve energy
- 4) Conserve water resources
- 5) Protect water quality
- 6) Promote a healthy landscape

Additional details were not provided on how the proposed development achieves the stated green building best practices. The statement of justification also references a