### THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



14741 Governor Oden Bowie Drive Upper Marlboro, Maryland 20772 www.pgplanning.org

February10, 2022

#### **MEMORANDUM**

- TO: Donna J. Brown Clerk of the Council
- **FROM:** James Hunt, Division Chief *Opperature* Development Review Division



SUBJECT: Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: 19490-2021-U

**Outdoor Advertising Sign (Billboard)** 

4700 Addison Road Capitol Heights

**December 11, 2021** 

M-X-T

Location of Property:

Current Zone(s):

Specific Use(s):

Sign Posting Date:

Reason for Certification:

Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1977.

This is to advise that the above-captioned permit application relating to certification of a nonconforming use has been reviewed by this office. It has been found to fulfill the requirements of the Zoning Ordinance for administrative certification of the use in question, and no request for the Planning Board to conduct a public hearing was received within the time

## THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION 14741 Governor Oden Bowie Drive Upper Marlboro, Maryland 20772 www.pgplanning.org

period specified on the public notice sign. Therefore, we are recommending that the use be certified as nonconforming.

Pursuant to Section 27-244(e) of the Zoning Ordinance (as amended by CB-78-1991), the District Council has the option of reviewing this recommendation, provided it votes to do so within 30 days of receipt of the recommendation. If you advise us that the Council has not elected to review this recommendation after expiration of the 30-day period, we will certify this use as nonconforming and transmit that action to the Department of Environmental Resources, so that the permit may be issued.

#### April 2020

 M-NCPPC - Development Review Division
 April 2020

 Prince George's County Planning Department +14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772 + 301-952-3530

APPL	<b>ICAT</b>	ION	FORM
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DO NOT WRITE IN THIS SF	PACE				
Application No.(s):		Planning B	loard Review D Planning Di	rector Review	
Acceptance Date:	70-day limit		Limit waived-New limit		
Posting Waived D Posting Da	Date:No. of Signs Posted: Agenda Date:				
Application Fee:	Posting Fee:	Case Re	eviewer:	,	
Subdivision Development Revie	w Committee Date:				
Referral Mail-Out Date:					
Date of Informational Mailing:	Date	of Acceptance Mai	ling:		
APPLICATION TYPE: NCU	Revision of Case #	Compani	on Cases:		
Payment option: Check (pa	yable to M-NCPPC) Credit	Card General	Plan Growth Policy: Establish	ned Communities (2035)	
PROJECT NAME: 4700 Addis	son Road, 19490-2021-00	)			
Complete address (if applicable	e) 4700 Addison Road, Capitol I	Heights, MD 2074	3 Tax Account #: 18-56	55433	
Geographic Location (distance	related to or near major inter	rsection)	Police District #: III		
4700 Addison Road, Capitol He	eights, MD 20743. The Prope	rty is located on	Addison Road at intersection	n w/ Minnesota Ave.	
Total Acreage: 3.84	Aviation Policy Area: N/A	1	Election District: 18		
Tax Map/Grid: 58/E4	Current Zone(s): MXT (Mixed Use	e Transportation Oriented)	Council District: 5		
WSSC Grid: 202NE14	Existing Lots/Blocks/Parcel	ls:	Dev. Review District:		
Planning Area: 72	In Municipal Boundary: N/	Ά	Is development exempt fro pursuant to 32-127(a)(6)(A		
(2002) General Plan Tier: 🔳 D	eveloped   Developing	D Rural	Area of proposed LOD:		
Proposed Use of Property and	Request of Proposal:	Please list and	provide copies of resolution	s of previously	
Certification of an outdoor	advertising structure	approved appli	cations affecting the subject	property:	
as a non-conforming use					
Applicant Name, Address & Ph	one:	Consultant Nar	ne, Address & Phone:		
Clear Channel Outdoor LLC					
c/o April Mackoff 9590 Lynn Bulf Court, Suite 5					
Laurel, MD 20723 240-755-9203					
Owner Name, Address & Phon		Contact Name, Phone & E-mail:			
(if same as applicant indicate same/corpora	tion see Disclosure)	same as applicant			
Douglas Dev Corp 702 H Street, Suite 400 Washington, D.C. 20001, (202) 638-6300					
· ~ ·					
SIGNATURE (Sign where appropr		isclosure for additi	onal owner's signatures)		
Jemals Fairfuld Fa	ms Retail LLC	· · ·	Digitally signed by Nackoll, April	A126/24	
Owner's Signature typed & signe	d Date	Mackoff, April Determination in the state and the state of the state and the state of the st			
please see Sectim			iv can inte		
Contract Purchaser's Signature t	yped& Date	Applicant's S	Signature typed & signed	Date	

Contract Purchaser's Signature typed& signed

Applicant's Signature typed & signed

SUBDIVISION CASES - PREL	IMINARY PLAN/CONSERVATION	SKETCH	PLAN:	
Type of Application (Check	all that apply)	Set 21.		
Conventional	Comprehensive Design	Conserv	vation Sketch Plan	Pre-Preliminary Plan
Variation, Variance or Alterna	tive Compliance Request(s)	Applicat	e Zoning/Subdivision R	egulation Section(s):
Yes D No D				
Total Number of Proposed:				
Lots Outlots	Parcels	Outparcel	s	
Number of Dwelling Units:		Gross F	loor Area (Nonresidential	portion only):
Attached Detached	Multifamily			
SUBDIVISION CASES - FINAL	PLAT:			
Water/Sewer: DER	Health Dept.		Number of Plats:	· ·
CSP/DSP/SDP No.:			WSSC Authorization No	0.:
Preliminary Plan No.:				
Approval Date of Preliminary I	Plan:			
URBAN DESIGN AND ZONING	CASES:			
Details of Request:		1 ST	Ordinance Section(s):	
Certification of nonconfor billboard	ming use for existing	Sectior	ns 27-244 and 241	
Total Number of Proposed:	Parcels	Outparcel	s	
		-	·	
Number of Dwelling Units: Attached Detached	Multifamily	Gross F	loor Area (Nonresidential	portion only):
		Anntingh		
Variance Request		Арріісар	le Zoning/Subdivision Re	egulation Section(s):
Departure Request		Applicat Yes □	ion Filed No 🗇	
Alternative Compliance Reque	est		ion Filed	
Yes D No D		Yes 🗆	No 🗆	

#### **APPLICATION FORM DISCLOSURE**

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

Owner(s) Name - printed	Signature and Date	Residence Address
	3. C	
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		·

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

Officers	Date Assumed Duties	Residence Address	Business Address

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

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

#### **Statement of Justification**

#### 1. Case Name

NCU 19490-2021

4700 Addison Road

#### 2. Description of proposed use/request

Certification of an outdoor advertising sign located at 4700 Addison Road, Capitol Heights, Maryland 20743 (the "Property"), as a nonconforming use.

#### 3. Description and location of the subject property

The Property is located on Addison Road at the intersection with Minnesota Avenue. Specifically, the Property is located on Map 058, Grid E4, and is approximately 3.84 acres in size. The Property is zoned M-X-T (Mixed Use Trans<u>p</u>ortation Oriented).

An outdoor advertising structure constructed on three metal posts and containing two poster faces is located on the Property. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1977.

#### 4. Description of each required finding

In accordance with CB-84-2016, the applicant is required to certify the outdoor advertising signs located on the Property. *Section 27-244, Prince George's County Code* (the "Code"). Section 27-244(d)(2) of the Code states that "...if satisfactory documentary evidence described in Section 27-244(b)(2)(E) is received, the Planning Board's authorized representative shall recommend certification of the use as nonconforming...". The applicant has provided satisfactory documentary evidence in accordance with Section 27-244(b)(2)(E), which shows that the outdoor advertising signs were constructed prior to and have operated continuously since January 1, 2000.

#### 5. Variance requests and required findings for each request

The applicant is not requesting a variance for the Property.

#### 6. <u>Summary/conclusion of request</u>

Because the applicant has provided satisfactory documentary evidence in accordance with Section 27-244(b)(2)(E), the applicant respectfully requests that the Planning Board's authorized representative certify the outdoor advertising signs located on the Property as a nonconforming use in accordance with Section 27-244(d)(2).

5/13/21

April Mackoff Applicant, Clear Channel Outdoor LLC

ASSOCIATION AND LO	9400 <u>VITH MUNICIPAL, HON</u> DCAL COVENANTS. A F UCTION IS BEGUN WIT	) PEPPERC Meowner/civ Yne may be	NT OF PERMI PE CORN PLACE,	TTING, IN RMITTIN	GE'S COUN SPECTIONS A G CENTER R, LARGO, M	AND ENFOI	1) 883-5	NT EOUR	RGE'S COUNTY
REQUIRED APPROVA	<u>LS.</u>							IT APPLICATION FILING ARE NON-REFUNDABLE	
Date: 05/10/2021			PER	MIT APPI	<b>ICATION</b>		Case	Number:	19490-2021-00
ACTIVITY: WORK DESCRIPTIO USE TYPE: EXISTING USE: PROPOSED USE:	N: Certification Outdoor advo	mit Application of outdoor adver ertising structure ertising structure	-				LOT BLO PAR		
TROPOSED USE:		enising subclure	- Stateward / de liter	ITE INFO	RMATION		e mitarbie		
SITE ADDRESS: PR		PROJECT NAME	:	ES			EST. CONSTRUCTION COST:		
4700 ADDISON	SUBDIVI						FLECTIO	ON DISTRICT:	18
CAPITOL HEIGHTS			SUBDIVISION: ADDISON ROW				PROPERTY TAX ACCOUNT #: 5655433		
<u>OW</u>	/NER		OCCUPANT		CON	TRACTOR		ARCHITE	CT
Jemals Fairfield Farms 702 H # 400 Washington	Retail LLC ST DC	Clear Channel 9590 Lynn # 5 Laurel	Outdoor LLC n Buff	CT MD	Clear Channel Outd 9590 Lynn Bu # 5 Laurel	ıff	CT MD		
	20001			20723 FOR OFFICE U	ISE ONLY	Marcola Contractor	20723		Contract of Contract
	Reviewer					Reviewer		Date	
M-NCPPC					Fire Eng.				
Site / Road Eng.					Mechanical Eng.				
Structural Eng.				··	Health				
Electrical Eng.					Issuance				
I hereby certify that APPLICANT	I have permission of th April Mackoff NAME			application o Clear Channel ( COMPAN	Outdoor	(240) 7	mation is c 55 - 9203 IONE		URE

# SIGN POSTING AND INSPECTION AFFIDAVIT - PLANNING DIRECTOR REVIEW

Stephenie Clevenger	howhere and Could and the
I, (print or type name)	_, hereby certify that the subject property was posted with
2 sign(s) on 12/11/2021 (date)	
(specify number) (date)	·
Signature: <u>Stephenie Clevenger</u>	
Application Number: CNU-19490-2021 Name:	Clear Channel Billboard
Date:	
Address: <u>1001 Prince Georges Blvd.</u> , Suite 700 Upper Marlboro, MD 20774	
Telephone:240-338-0131	
Capacity in which you are acting: Agent	
	(owner, applicant, agent)
<b>NOTE:</b> Take <u>legible</u> photograph(s) showing sign locations) and return (email) this affidavit and pho <b>PGCReferrals@ppd.mncppc.org Subject: Case</b>	otographs, saved as one PDF to
* * *	* * *
The affidavit must be received prior to the end of the 2 period.	20-day ( <u>30 days for all CBCA conservation plans</u> ) posting

I:\SIGN POSTING DRAFTS, LETTERS AND FORMS\SIGN POSTING DRAFTS\NEW AFFIDAVIT POSTING PLANNING DIRECTOR.DOC

.

## Planning DIRECTOR case: CNU-19490-2021 - 4700 ADDISON ROAD Reviewer: KELSEY SHAFFER

2 double-sided signs, 2 signs total





## Sign 1

## CNU- 19490-2021-00 4700 Addison Rd., Capitol Heights

## Sign posted by: Stephenie Clevenger

Posted on: 12/11/2021





## CNU- 19490-2021-00 4700 Addison Rd., Capitol Heights

## Sign posted by: Stephenie Clevenger

Posted on: 12/11/2021



determine the exact location of the property boundary lines and improvements. 12) The locations of fence lines, if shown, are approximate.

### **JOB NOTES:**

- 1) THE SUBJECT PROPERTY IS ZONED M-X-T (MIXED USE TRANSPORTATION ORIENTED)
- 2) TAX ID#: 18-5655433
- 3) ROAD FRONTAGE OF ADDISON ROAD: 71.03' ROAD FRONTAGE OF MINNESOTA AVENUE: 341.97' TOTAL ROAD FRONTAGE: 413.00'
- 4) NO DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1.000 FEET OF THE EXISTING BILLBOARD.
- 5) A STATIC BILLBOARD WAS OBSERVED 447'± FROM THE THE EXISTING BILLBOARD.
- 6) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO THE EXISTING BILLBOARD ARE SHOWN HEREON.
- B) THE ACCESS EASEMENT IN 42039/307 DOES NOT APPEAR TO ADJOIN THE CURRENT CONFIGURATION

### **ENCROACHMENT NOTES:**

1) THE BILLBOARD APPEARS TO LIE INTO THE 10' PUBLIC UTILITY EASEMENT.



The purpose of this drawing is to locate, describe, and represent the positions of the billboard and buildings affecting the property shown hereon, being known as: PARCEL 4 as shown on PLAT THREE, PARCELS 3 & 4 "ADDISON ROW" recorded among the Land Records of Prince George's County, Maryland in Plat Book 252, follo 72.

This is to certify that I either personally prepared or was in responsible charge over the preparation of this drawing and the surveying work reflected in it, all set forth in Regulation .12 of Chapter 09.13.06 of the Code of Maryland Annotated Regulations.

Subject property is shown in Zone X on the FIRM Map of Prince George's County, Maryland on Community Panel Number 24033C0141 E, effective 9/16/2016



### SIGN HE

		10 1 1 N 10					
SIGN HEIGHTS: SIGN LEI				NG	THS:		
BOARD # 001541 TOP: 23.8' BOTTOM: 12.0' BOARD # 001542 TOP: 23.6' BOTTOM: 11.7' (HEIGHTS AT ADDISON ROAD)					# 0015 # 0015		
	PAR	RCEL 2					
N 73°46	etoo# W	1 12	7 4	A <sup>3</sup>			
N /3 40	020 M	42.	5.4		T	1	
	RCEL 4 454 Sq' <del>1</del>			10' PU		N 16°13'32" E 315.50'	PARCEL 2
S 73	*46'28"		394	.67'			
	PAR	CEL 3					1
ACCESS EASEMENT		CURVE		RADIUS		<u>C LEN</u>	IGTH
42039/307		<u>C1</u>	$\rightarrow$	64.36'		<u>56'</u>	
		C2 C3		704.07' 70.00'		5.61 <u>'</u> 93'	
		INE		ARING	02.		ISTANCE
				33*38'38	" E	01	60.82'
		2		<u>68°22'41</u>			2.02'
		<u>z</u> 3		16*47'29			65.45'
		4		35*56'08			25.14'
		5		72*59'22			71.03'
	L	6		16*13'32			72.07'
		7		73°46'28			84.00'
D.		8	N	16*13'32	" E		62.75'
OF MAR		700	ADDISC	N R	OAD		
	PRINC			ELECTIO RGE'S CO			ARYLAND
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PRO 26 40 00 00 00 00 00 00 00 00 00 00 00 00	NTT /	CE GL	E <i>OF</i> cla	RGE'S CO tes, Inc	OUNT Scale Date:	Y, M : 1 : 8,	ARYLAND *= 100' /1/2019
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HIGH AS THE REAL OF THE REAL O		CE GE <b>Asso</b> 5205 O t. Airy, tone: (4)	EOF cla old F Mai	RGE'S C( <b>tes, Inc</b> rederick Rd. ryland 2177 442-2031	DUNT Scale Date: Field Draw	Y, M e: 1 : 8, 'By: 'n By:	ARYLAND *= 100' /1/2019 TOM SCK
Jarnes Carl Hudgins Property Line Surreyor #96 Expiration Date: 3/11/2022	NTT /	CE GL <b>Asso</b> 5205 O t. Airy, tone: (4 ix: (4	EOF cia Did F Mai (410) (410)	RGE'S CO tes, Inc rederick Rd. ryland 2177	DUNT Scale Date: Field Draw File	Y, M e: 1 : 8, 'By: 'n By:	ARYLAND *= 100' /1/2019 TOM SCK IISC 12903