

# ARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

February 17, 2021

**CLERK OF THE COUNCIL** 

PRINCE GEORGE'S COUNTY, MD

### **MEMORANDUM**

**TO:** Donna J. Brown

Clerk of the Council

**FROM:** James Hunt, Division Chief

**Development Review Division** 

**SUBJECT:** Notification of Recommendation for Certification of Nonconforming Use

Permit Application Number: 47077-2020-U

Specific Use(s): Outdoor Advertising Sign (Billboard)

Location of Property: 6666 Walker Mill Rd

**Capitol Heights** 

Current Zone(s): **I-1** 

Sign Posting Date: **January 9, 2021** 

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 1989.

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 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.

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

|  | APPLIC <i>A</i>                          | ATION FOR   | M  |  |
|--|--|---|--|--|
| DO NOT WRITE IN THIS SF  | ACE                                      |   |  |  |
| Application No.(s):  | Planning E                               |   | Board Review □ Planning Director Review □  |  |
| Acceptance Date:   | 70-day limit                             |   | Limit waived–New limit   |  |
| □ Posting Date:  | No.                                      | of Signs Posted:_   | Agenda Date:   |  |
| Filing Fee:  | Posting Fee:                             | Case Rev  | iewer:   |  |
| Date:  |  |   |  |  |
| Referral Mail-Out Date:  | Referral Due [                           | Date:   |  |  |
| Date of Informational Mailing:   | Date of                                  | Acceptance Mailir   | ng:  |  |
| APPLICATION TYPE: NCU  |  |   | ☐ Revision of Case #   |  |
| Case(s): NCU 47077-2020-00   |  |   | 0  |  |
| PROJECT NAME: 6666 Walke   | r Mill Road                              |   |  |  |
|  | eights, MD 20743. The Prop               | •   | ed to or near major intersection) on the west side of Addison Road at the              |  |
| Total Acreage: 4.75  |  |   | Election District: 18  |  |
| Tax Map/Grid: 073/D4   | Current Zone(s): I-1 (Light              | Industrial)   | Council District: 7  |  |
| WSSC Grid: 203SE06   | Existing Lots/Blocks/Parcels: Parcel 290 |   | Dev. Review District:  |  |
| COG TAZ: 1073  | PG TAZ: 875                              |   | Aviation Policy Area: N/A  |  |
| Planning Area: 75B   | In Municipal Boundary: Ca                | pitol Heights   | Is development exempt from grading permit pursuant to 32-127(a)(6)(A): □ Y □ N         |  |
| (2002) General Plan Tier: D  | eveloped                                 | □ Rural   | Area of proposed LOD:  |  |
| Proposed Use of Property and Request of Proposal: Certification of outdoor advertising sign as a non-conforming use  |  |   | d provide copies of resolutions of previously ications affecting the subject property: |  |
| Applicant Name, Address & Phone: April Mackoff, Clear Channel Outdoor, LLC 9590 Lynn Buff Court, Suite #5 Laurel, Maryland 20723 (240) 755-9203, aprilmackoff@clearchannel.com |  | Consultant Na   | me, Address & Phone:   |  |
| Owner Name, Address & Phon (if same as applicant indicate same/corpora   | e:                                       | Contact Name, Phone & E-mail:                                   |  |  |
| Walker Mill Development Group, LLC<br>5101 Wisconsin Avenue, N.W.<br>Washington, D.C. 20016, (202) 882-1100  |  | same as applicant (240) 755-9203, aprilmackoff@clearchannel.com |  |  |
| SIGNATURE (Sign where appropriate walker Mill Develop  |  |   | itional owner's signatures)  3/8/20  |  |
| Owner's Signature typed & signe  |  |   | Signature typed & signed Date  |  |
|  |  |   | w Lease Agreement  |  |
| Contract Purchaser's Signature t   | yped& Date                               | Applicant's   | Signature typed & signed Date  |  |

| SUBDIVISION CASES – PRELIMINARY PLAN/CONSERVATION          | SKETCH PLAN:   |
|--|--|
| Type of Application (Check all that apply)                 |  |
| Conventional ☐ Comprehensive Design ☐                      | Conservation Sketch Plan ☐ Pre-Preliminary Plan ☐    |
| Variation, Variance or Alternative Compliance Request(s)   | Applicable Zoning/Subdivision Regulation Section(s): |
| Yes □ No □   |  |
| Total Number of Proposed:                                  |  |
| Lots Outlots Parcels                                       | Outparcels   |
| Number of Dwelling Units:                                  | Gross Floor Area (Nonresidential portion only):      |
| Attached DetachedMultifamily                               |  |
| SUBDIVISION CASES - FINAL PLAT:                            |  |
| Water/Sewer: DER □ Health Dept. □                          | Number of Plats:                                     |
| CSP/DSP/SDP No.:   | WSSC Authorization No.:                              |
| Preliminary Plan No.:                                      |  |
| Approval Date of Preliminary Plan:                         |  |
| URBAN DESIGN AND ZONING CASES:                             |  |
| Details of Request:  | Zoning Ordinance Section(s):                         |
| Certification of nonconforming use for existing billboards | Sections 27-244 & 241                                |
|  |  |
|  |  |
| Total Number of Days and                                   |  |
| Total Number of Proposed:  Lots Outlots Parcels            | Outparcels   |
|  |  |
| Number of Dwelling Units:  Attached DetachedMultifamily    | Gross Floor Area (Nonresidential portion only):      |
|  |  |
| Variance Request  Yes □ No □                               | Applicable Zoning/Subdivision Regulation Section(s): |
|  |  |
| Departure Request  | Application Filed                                    |
| Yes □ No □   | Yes □ No □   |
| Alternative Compliance Request                             | Application Filed                                    |
| Yes □ No □   | Yes □ No □   |

# **APPLICATION FORM DISCLOSURE**

List all persons having at least five percent (5%) interest in the subject property.

| Owner(s) Name - printed | Signature and Date | Residence Address |
|-------------------------|--------------------|-------------------|
|                         |                    |                   |
|                         |                    |                   |
|                         |                    |                   |
|                         |                    |                   |
|                         |                    |                   |

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

| Officers | Date<br>Assumed<br>Duties | Residence Address | Business Address |
|----------|---------------------------|-------------------|------------------|
|          |                           |                   |                  |
|          |                           |                   |                  |
|          |                           |                   |                  |
|          |                           |                   |                  |

| Board of Directors | Date<br>Assumed<br>Duties | Date<br>Term<br>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 47077-2020-00

6666 Walker Mill Road

## 2. Description of proposed use/request

Certification of an outdoor advertising sign located at 6666 Walker Mill Road, Capitol Heights, Maryland 20743 (the "Property"), as a nonconforming use.

### 3. <u>Description and location of the subject property</u>

The Property is located on the west side of Addison Road at the intersection with Walker Mill Road. Specifically, the Property is located on Map 073, Grid D4, and is approximately 4.75 acres in size. The Property is zoned I-1 (Light Industrial).

An outdoor advertising structure is located on the Property. The outdoor advertising structure is constructed on a single metal pole and contains four poster faces. Our documentary evidence demonstrates that the structure has existed on the Property since at least 1996.

#### 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.

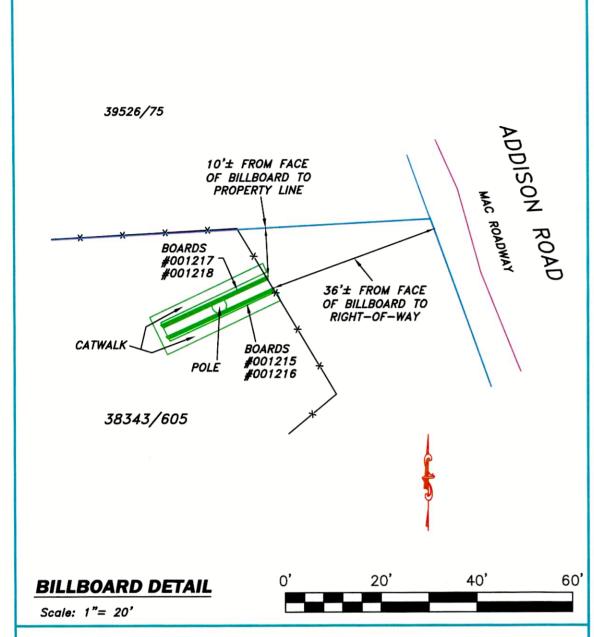
# 6. Summary/conclusion of request

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).

3-8-20

April Mackoff

Applicant, Clear Channel Outdoor



# **GENERAL NOTES:**

- 1) The accuracy of the distances shown from any structure to any apparent property
- 2) This drawing does not represent a Boundary Survey. Any property markers labeled property markers labeled hereon are not guaranteed by NTT Associates, Inc.
- This plat is of benefit to a consumer only insofar as it is required by a lender, a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing.
  4) This plat does not provide for the accurate identification of property boundary
- lines, but such identification may not be required, for the transfer of title or securing financing or refinancing.
- securing financing or refinancing.

  5) This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.

  6) Unless noted on the drawing, no title report was provided. This drawing was prepared by examining the current title deed or record plat. Any easements, restrictions, rights of way, or any other property alterations not referred to in the current title deed may not be shown.

  7) Unless otherwise noted, the bearings and north arrow shown hereon are in the meridian of the current title deed or record plat.
- 8) Building Restriction Line Information, if shown, was obtained from existing
- records only and is not guaranteed by NTT Associates, inc.

  9) Flood Zone information shown on FIRM maps is subject to interpretation.
- 10) Improvements which in the surveyor's opinion appear to be in a state of disrepair or considered "temporary" may not be shown.
- 11) If it appears encroachments may exist, a Boundary Survey is recommended to 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 I-1 (LIGHT INDUSTRIAL)
- 2) TAX ID#: 18-2101046
- 3) ROAD FRONTAGE OF ADDISON ROAD: 562.47' ROAD FRONTAGE OF WALKER MILL ROAD: 0' TOTAL ROAD FRONTAGE: 562.47'
- 4) THE NEAREST STATIC BILLBOARD IS 472'± FROM THE EXISTING BILLBOARD. NO DIGITAL BILLBOARDS WERE OBSERVED WITHIN 1,000 FEET OF THE EXISTING BILLBOARD.
- 5) ONLY IMPROVEMENTS WITHIN CLOSE PROXIMITY TO

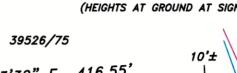
# SIGN HEIGHTS:

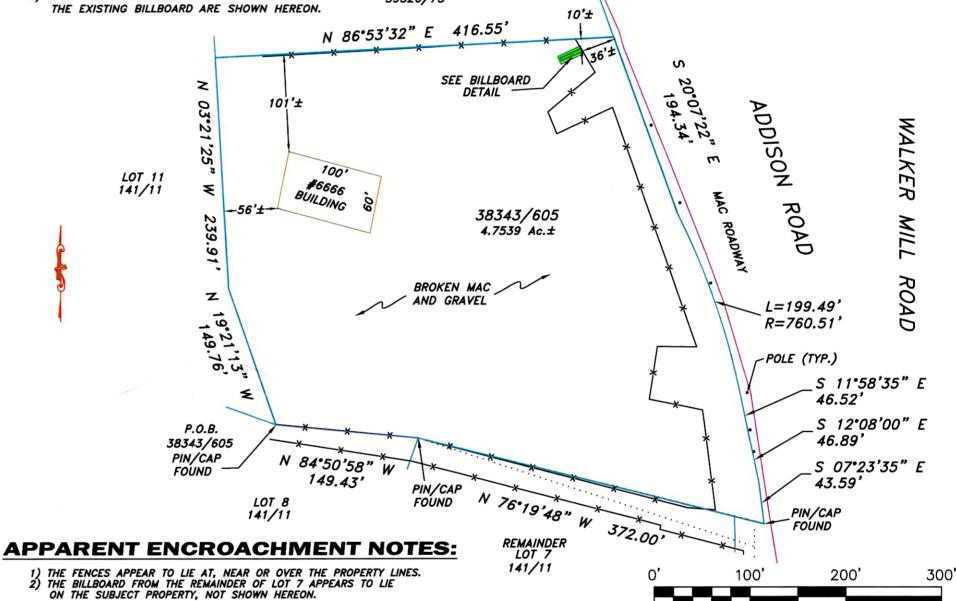
# SIGN LENGTHS: BOARD # 001215: 24.4' BOARD # 001216: 24.4' BOARD # 001217: 24.4' BOARD # 001218: 24.4'

BOARD # 001216 TOP: 31.4' BOTTOM: 19.4 BOARD # 001217 TOP: 31.4' BOTTOM: 19.4 BOARD # 001218 TOP: 45.9' BOTTOM: 33.9

BOARD # 001215 TOP: 45.9'

(HEIGHTS AT GROUND AT SIGN)





The purpose of this drawing is to locate, describe, and represent the positions of the biliboard and buildings affecting the property shown hereon, being known as: #6666 WALKER MILL ROAD as described in a deed from SPARGO ENTERPRIZES CORP to WALKER MILL DEVELOPMENT GROUP, LLC recorded among the Land Records of Prince George's County, Maryland in Liber 38343, folio 605.

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 24033C0235 E, effective 9/16/2016



James Carl Hudgins Property Line Surveyor #96 Expiration Date: 3/11/2022

### **SPECIAL PURPOSE SURVEY**

6666 WALKER MILL ROAD 18th ELECTION DISTRICT

PRINCE GEORGE'S COUNTY. MARYLAND

NTT Associates. Inc. 16205 Old Frederick Rd.

Mt. Airy, Maryland 21771
Phone: (410) 442-2031
Fax: (410) 442-1315 www.nttsurveyors.com

1"= 100' Scale: 11/19/2019 Date: Field By: TOM SCK Drawn By: File No.: MISC 13760 Page No.: 1 of 1

## PRINCE GEORGE'S COUNTY

# DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT **PERMITTING CENTER**

9400 PEPPERCORN PLACE, 1st FLOOR, LARGO, MD 20774 (301) 883-5900

YOU MUST COMPLY WITH MUNICIPAL, HOMEOWNER/CIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION IS BEGUN WITHOUT

**PERMIT APPLICATION FILING** REQUIRED APPROVALS. FEES ARE NON-REFUNDABLE Date: 11/07/2020

**ACTIVITY: Building Permit Application** LOT: WORK DESCRIPTION: This is for a Non-Conforming Use of an existing Billboard (MNCPPC review only needed). **BLOCK:** 

**USE TYPE:** 

This is for a Non-Conforming Use of an existing Billboard (MNCPPC review only needed). **EXISTING USE: PROPOSED USE:** This is for a Non-Conforming Use of an existing Billboard (MNCPPC review only needed).

47077-2020-00 **Case Number:** 

290 PARCEL:

| SITE INFORMATION |       |               |                         |         |  |
|------------------|-------|---------------|-------------------------|---------|--|
| SITE ADDRESS:    |       | PROJECT NAME: | EST. CONSTRUCTION COST: |         |  |
| 6666 WALKER MILL | RD    | CURDIN/ICION. | ELECTION DISTRICT:      | 18      |  |
| CAPITOL HEIGHTS  | 20743 | SUBDIVISION:  | PROPERTY TAX ACCOUNT #: | 2101046 |  |

**PERMIT APPLICATION** 

| <u>OWNER</u>                 |         | <u>OCCUPANT</u>                |                    | <u>CONTRACTOR</u> | <u>ARCHITECT</u> |
|------------------------------|---------|--------------------------------|--------------------|-------------------|------------------|
| Walker Mill Development Grou | up LLC. | *For existing billboard only * | Clear Channel Outd |                   |                  |
| 5101 Wisconsin #200          | AVE     | 9590 Lynn Buff<br>#5           | CT                 |                   |                  |
| Washington                   | DC      | Laurel                         | MD                 |                   |                  |
|                              | 20016   |                                | 20723              |                   |                  |
| EOD OFFICE LISE ONLY         |         |                                |                    |                   |                  |

| FOR OFFICE USE ONLY |          |      |                 |          |      |
|---------------------|----------|------|-----------------|----------|------|
|                     | Reviewer | Date |                 | Reviewer | Date |
| M-NCPPC             |          |      | Fire Eng.       |          |      |
| Site / Road Eng.    |          |      | Mechanical Eng. |          |      |
| Structural Eng.     |          |      | Health          |          |      |
| Electrical Eng.     |          |      | Issuance        |          |      |

I hereby certify that I have permission of the property owner to submit this application on his/her behalf and that the information is complete and correct.

| APPLICANT | Stephenie Clevenger | No Limit Land | (240) 338 - 0131 |           |
|-----------|---------------------|---------------|------------------|-----------|
|           | NAME                | COMPANY       | PHONE            | SIGNATURE |
|           |                     |               |                  |           |

# SIGN POSTING AND INSPECTION AFFIDAVIT - PLANNING DIRECTOR REVIEW

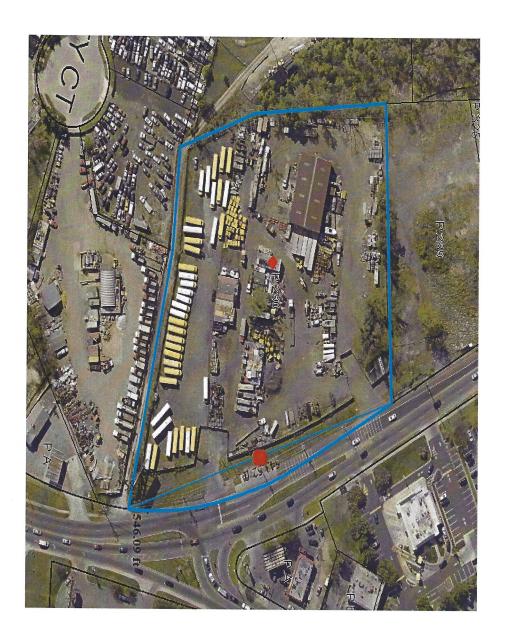
| Stephenie Clevenger   | _, hereby certify that the subject property was posted with |
|---|---|
| (print or type name)  |   |
| sign(s) on1/9/2021  |   |
| (specify number) (date)   | ·   |
|   |   |
| Signature: Stephenie Clevenger  |   |
| Application Number: CNU-47077-2020 Name:  | Clear Channel Sign  |
| Date:1/9/2021   |   |
| Address: 1001 Prince Georges Blvd., Suite 700 Upper Marlboro, MD 20774  |   |
| į   |   |
| Telephone:240-338-0131  |   |
| Capacity in which you are acting:  Agent  |   |
|   | (owner, applicant, agent)                                   |
| NOTE: Take <u>legible</u> photograph(s) showing sign locations) and return (email) this affidavit and photographs and photographs of the photograph of the photog | otographs, saved as one PDF to                              |
| •   |   |
| * *   | * *   |
| The affidavit must be received prior to the end of the 2 period.  | 20-day (30 days for all CBCA conservation plans) posting    |

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

# Planning DIRECTOR case: CNU-47077-2020

Reviewer: Kelsey Shaffer

1 double-sided signs (for a total of 2 physical signs)





Sign 1A (1 Double Sided Sign)
CNU-47077-2020, 6666 Walker Mill Road

Sign posted by: Stephenie Clevenger

Posted on: 1/9/2021



Sign 1B (1 Double Sided Sign)
CNU-47077-2020, 6666 Walker Mill Road
Sign posted by: Stephenie Clevenger

Posted on: 1/9/2021