

Case No. SP-02067

Applicant: Capital City Investments, Inc.

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

ORDER AFFIRMING PLANNING BOARD DECISION

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 03-08 (A)/2, to reapprove with conditions a detailed site plan, SP-02067, for an automobile storage yard on property described as approximately 0.85 acres of land in the I-1 Zone, on the northwest side and at the end of Annbar Lane, approximately 1.9 miles from the intersection of MD 5 and MD 223, Clinton, is hereby:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to signature approval, the following revisions shall be made, or information supplied:
  - a. The bufferyard planting schedules shall be revised to indicate that all adjacent uses are deemed high uses.
  - b. A note shall be added to the plans stating that the subject property is not located within 300 feet of any residentially-zoned land and land owned by the Washington Metropolitan Area Transit Authority.
  - c. A note shall be placed on the plan stating the site is located within Accident Potential Zone 1 of Andrews Air Force Base.
  - d. The two parking spaces shall be removed from the existing driveway and be located in a place in the front yard.
  - e. A 10-foot-wide landscaped strip shall be provided along the property frontage on Annbar Lane and be planted as required in condition 6 below.

- f. A detail shall be added on the site plan for a new wood fence and gate. The detail shall include a solid wood stockade panel stained in terra cotta color. The fence and gate shall be shown on the site plan and be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
2. Prior to issuance of the use and occupancy permit, the applicant shall upgrade the existing front fence that screens the rear yard from view of Annbar Lane with the solid wood fence as described in condition 1 (f).
3. Prior to issuance of any sign permits, the applicant shall submit the details of the proposed sign identifying the business on the site for review and approval by the Urban Design Section acting as the designee of the Planning Board. One permanent ground-mounted sign fronting the street is permitted inside the landscaped front yard area.
4. No storage of any kind and no new structures shall be allowed in the front yard.
5. Within a reasonable time, but no more than three years from date of approval of this order, all parking spaces and access to the site in the front yard shall be paved with either asphalt or concrete.
6. Along the street frontage other than where access drives are located, a minimum 10-foot-wide landscape strip shall be established with trees provided in accordance with the Landscape Manual, and with shrubs provided at twice the normal requirement of the Landscape Manual. The trees and shrubs shall be regularly watered and fertilized in order to maintain them in good health; however, in the event any are damaged or die they shall be promptly replaced.
7. Any front yard area outside of the landscape strip which remains green area shall be landscaped with at least one shade tree for each 300 square feet of green area.
8. Any vehicular entrance to the rear yard shall be gated and treated in the same way as the fence specified in condition 1 above. Any storage area in the rear yard or elsewhere on the lot shall be enclosed with the same fence, unless an existing fence on an adjoining lot serves as adequate screening and fencing, in the judgment of Urban Design staff.
9. One sign is permitted on the site to identify the business. This sign shall be a permanent ground-mounted sign no more than six feet in height and containing no more than 25 square feet of sign area. All other existing signs shall be removed.
10. No final Certificate of Occupancy shall be issued until the requirements of conditions 4-9 above have been complied with. The applicant shall submit photographs to DER to show the condition of the property and compliance with all conditions, before issuance of the Certificate of Occupancy.

11. No more than one year after the date of approval of this Order, the applicant, his successors or assignees ("applicant"), shall submit to the Department of Environmental Resources (DER) photographs (and other evidence if appropriate) to demonstrate that all applicable elements of conditions 4-9 above continue to be fulfilled and that all structures and landscaping are being maintained in presentable condition and good working order. Every two years after that on the anniversary of the approval of this Order, the applicant shall submit current photographs and evidence to DER to demonstrate full compliance again in the same way.
12. Failure to submit the required evidence in a timely way shall be grounds for revocation of the Use and Occupancy permit by DER. Failure to demonstrate by means of the photographs and evidence submitted full compliance with the intent of these conditions shall be grounds for revocation of the Use and Occupancy permit by DER.

Ordered this 28th day of March, 2005, by the following vote:

In Favor: Council Members Dean, Bland, Campos, Dernoga, Exum, Harrington, Hendershot, Knotts and Peters

Opposed:

Abstained:

Absent:

Vote: 9-0

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: \_\_\_\_\_  
Samuel H. Dean, Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council