

**Pre-Preliminary Plan No. P-17002
6188 and 6192 Oxon Hill
Statement of Justification**

I. Introduction

On behalf of IPTV B CB OXON HILL LLC, an affiliate of Iron Point Titan Asset Management (the "Applicant") we are submitting this Pre-Preliminary Plan Application (the "Application") for the properties located at 6188 and 6192 Oxon Hill Road (collectively, the "Property"). The Applicant proposes to subdivide the Property into two lots, to facilitate the potential conveyance of one or both of the lots in the future. At this time, no redevelopment is proposed.

II. Property Background

A. Site Location, Characteristics and Existing Conditions

The Property is located along Oxon Hill Road, equidistant between St. Barnabas Road and Bock Road. The Property is comprised of two separate parcels:

- 6188 Oxon Hill Road is a platted lot more particularly known as Parcel "A" in the "Lucente Tract" subdivision, as recorded among the land records of Prince George's County at Plat Book WWW 71, Plat No. 14 ("Lot 1"). Lot 1 has a net lot area of 109,123 square feet (or 2.51 acres).
- 6192 Oxon Hill Road is an unrecorded parcel created by deed, recorded among the land records of Prince George's County at Liber 33036, Folio 00218 ("Lot 2"). Lot 2 has a net lot area of 71,008 square feet (or 1.63 acres).

The Property is currently improved with two office buildings that were constructed in the early 1970's. Lot 1 is improved with a 7-story office building containing approximately 66,064 square feet, and associate surface parking. Lot 2 is similarly improved with a 6-story office building containing approximately 54,600 square feet of gross floor area and associated surface parking.¹ Both buildings are currently, largely-unoccupied.

B. Zoning and Permitted Uses

The Property is zoned C-O. Pursuant to Section 27-461 of the Prince George's County Zoning Ordinance (the "Zoning Ordinance") office is a permitted use in the C-O Zone.

¹ The overall square footages reflected on the approved "Site and Paving Plan" have been updated to match the State Department of Assessment and Taxation ("SDAT") records, with corresponding changes to the amount of general office and medical office to ensure adequate parking exists for each lot to stand independently.

C. Surrounding Land Uses

The Property is surrounded by various commercial uses, including the Rivertowne Commons strip-commercial shopping center, which confronts the Property across Oxon Hill Road to the north; a 3-story office building to the east; a 6-story office building to the west; and a dense forested buffer to the south which separates the Property from single-family residential homes farther beyond.

III. Proposed Project

As mentioned above, the Property is comprised of two separate parcels – one deeded parcel and one record lot. The Applicant is interested in exploring opportunities to convey one or both of the office buildings. For marketability of these buildings, it is critically important that each lot is able to stand on its own from a zoning and building code perspective. Thus, to facilitate this future investment, the Applicant is seeking to subdivide the Property into two separate, individual lots.

A. Parking and Loading

Parking is more than sufficient to accommodate the office use on-site. For general office use, Section 27-568 of the Zoning Ordinance requires a minimum of one space per every 250 square feet, for the first 2,000 square feet of gross floor area; and one space per every additional 400 square feet (*i.e.* gross floor area above the first 2,000 square feet). For medical office use, in an office building, the Zoning Ordinance requires one parking space for each 200 square feet of gross floor area (*see* Section 27-568).

As the following table illustrates, there is adequate parking on-site to accommodate the parking required for each individual lot:

	Required	Provided
<u>Lot 1:</u> 66,064 square feet office use	216 parking spaces	216 parking spaces
<u>Lot 2:</u> 54,600 square feet office use	211 parking spaces	211 parking spaces
Total	427 parking spaces	427 parking spaces

No changes are proposed to the parking facilities on-site. Each Lot will continue to comply with all applicable landscaping requirements following subdivision. The Applicant is proposing to retain the existing fence along the southwest property line for Lot 1, which serves as a physical buffer between the existing office development and the single family residential homes father to the south. The fence was previously approved under alternative compliance.

In accordance with Section 27-582, one separate loading space will be provided for each building.

B. Vehicular and Pedestrian Circulation

Vehicular access to the Property is currently provided through two existing curb cuts along Oxon Hill Road. As such, following subdivision, each lot will be served by one, full-movement access point. The entrance to Lot 2 is located at a signalized intersection and the entrance to Lot 1 is located approximately ± 200 feet east of the signalized intersection. Both access points will remain unchanged by the proposed subdivision and will continue to provide safe, adequate and efficient vehicular circulation.

There is an existing five foot wide sidewalk along the Property's frontage that provides for safe and adequate pedestrian circulation. There is an existing bus stop located directly in front of the Property, which is served by multiple bus routes: Metrobus lines D12 and NH1.

IV. Sector Plan Compliance

The Property is located within the boundaries of the *2006 Approved and Adopted Henson Creek-South Potomac Planning Area* (the "Sector Plan"). The Sector Plan confirms the Property's C-O ("Commercial Office") zoning. The Sector Plan sets forth a long-term vision for Oxon Hill. The Property is located in the Core Area of Oxon Hill, which is recommended for "transit-oriented, pedestrian friendly mixed-use development with high concentration of residential and commercial uses, sidewalk level retail, structure[d] parking, [and] building height up to 10 stories." However, the Sector Plan recognizes that redevelopment of many of the existing uses is necessary to achieve the Sector Plan's transit-oriented development goals and that such redevelopment is not likely to be realized in the short- to mid-term.

V. Zoning Ordinance Conformance

The Preliminary Plan satisfies the requirements of Subtitle 27 of the Prince George's County Code. Section 27-462 sets forth the development standards for the C-O Zone. The Following chart compares these development standards with the proposed Project:

	Required	Provided
<i>Setback from Street</i>	<ul style="list-style-type: none">• 10' + an additional setback equal to one-third of the total building height if the building is 30' or more high	<ul style="list-style-type: none">• Oxon Hill Road:<ul style="list-style-type: none">○ <u>6188</u>: 150"○ <u>6192</u>: 210'• Thompson Lane:<ul style="list-style-type: none">○ <u>6188</u>: 44'
<i>Setback from rear lot line adjoining Residential Zone</i> <ul style="list-style-type: none">• Side yard	<ul style="list-style-type: none">• 12' or buffer required	<ul style="list-style-type: none">• N/A

<ul style="list-style-type: none"> • <i>Rear yard</i> 	<p><i>in Landscape Manual + an additional setback equal to one-third of the total building height if the building is 30' or more high</i></p> <ul style="list-style-type: none"> • <i>25' or buffer required in Landscape Manual + an additional setback equal to one-third of the total building height if the building is 30' or more high</i> 	<ul style="list-style-type: none"> • <u>6188</u>: 524' • <u>6192</u>: 125'
<p><i>Setback from adjoining land in any nonresidential zone</i></p>	<ul style="list-style-type: none"> • <i>None, except where building is 30' high (or higher), a distance equal to 1/3 the total building height, or the buffer required in the Landscape Manual, whichever is greater.</i> 	<ul style="list-style-type: none"> • <u>6188</u> <ul style="list-style-type: none"> ○ West: 45' • <u>6192</u> <ul style="list-style-type: none"> ○ East: 46' ○ West: 43'

VI. Subdivision Regulation Compliance

The Preliminary Plan satisfies the requirements of Subtitle 24 of the Prince George's County Code and indicates that the size, width, shape, and orientation of the proposed lots will be appropriate for the location of the proposed subdivision.

VII. Adequate Public Facilities

The public facilities will be more than adequate to support and service the proposed subdivision.

The proposed subdivision will have no traffic impact, as no additional development is proposed. Lenhart Traffic Consulting has contacted Mr. Tom Masog, Supervisor of the Transportation Planning Staff (TPS), and obtained a signed and approved Transportation Guidelines Checklist (attached) for the Pre-Preliminary Plan and for the Preliminary Plan of Subdivision. Mr. Tom Masog has confirmed that ... "If the buildings are staying and no added square footage is proposed, the site would generate zero (0) new trips." As a result, the approval of this Preliminary Plan of Subdivision would have no impact on the transportation network.

Mr. Masog further advised that the need for a Bicycle and Pedestrian Impact Statement (BPIS) would be addressed at the time of Preliminary Plan of Subdivision. The applicant is requesting feedback during the review of this Pre-Preliminary Plan to determine if a BPIS is required at the time of Preliminary Plan of Subdivision, or if the Preliminary Plan would be grandfathered and therefore exempt from BPIS given that these are existing buildings that were constructed in the 1970's, long before the adoption of CB-2-2012 which established the BPIS requirements. It is our opinion that this application would be grandfathered given the fact that one of the required findings of the BPIS analysis is to demonstrate the nexus between the potential off-site improvements and the subject application. As stated, these are existing buildings and there is no proposed new development. Therefore, it would be difficult to demonstrate a nexus for any new offsite bike or pedestrian improvements. Furthermore, the calculation of the cost cap for off-site bike and pedestrian facilities as identified in Section 24-124.01c states that, "*the cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and three hundred dollars (\$300) per unit of residential development proposed in the application.*" It should be noted that there is no proposed development in this application given that these are existing buildings that were established prior to CB-2-2012. The sole purpose of this application is to create two legal lots so each building can stand alone, and as stated, there is no proposed development.

As discussed above, the vehicular access to the site will remain unchanged and continue to provide safe, adequate and efficient vehicular circulation. Adequate parking will be provided on each lot to support the office use. Additionally, the five foot wide sidewalk along the Property's Oxon Hill frontage accommodates bicycle and pedestrian circulation.

With respect to other public facilities, the Property is served by public water and sewer systems. Electric, gas and telecommunication services are also available. The subdivision does not propose any additional development and as such, will not affect the service capacity of existing police, or fire and rescue stations.

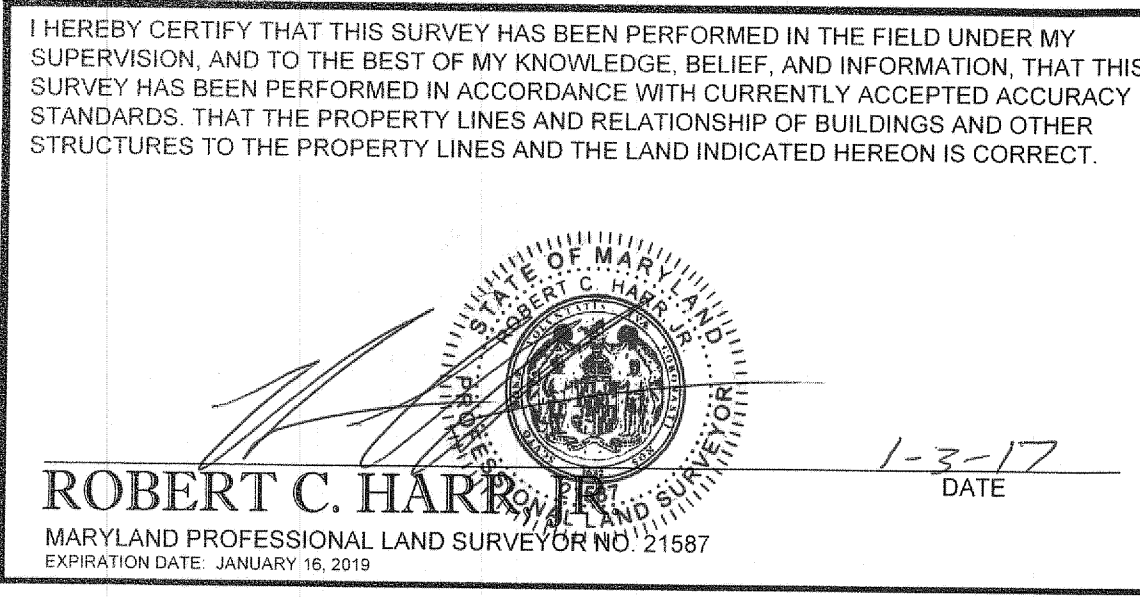
The development on the Property is entirely non-residential. As such, no school age children will be generated by the proposed subdivision.

VIII. Environment

The Preliminary Plan conforms to the environmental regulations contained in Division 5 of the Subdivision Regulations. The Property is not located within a one-hundred year floodplain. There are no streams, floodplains, wetlands, or environmental buffers on the Property. Additionally, the Property does not contain any rare, threatened or endangered species or critical habitats listed by the Maryland Department of Natural Resources. An NRI and Woodland Forest Conservation Exemption will be filed in connection with the Preliminary Plan.

IX. Conclusion

The proposed subdivision will allow for continued investment in the existing office buildings on the Property. Thus, the subdivision will take an important first step toward realizing the goals for this area, as established by the Sector Plan. As demonstrated by this Statement, the subdivision complies with all applicable requirements of the Zoning Ordinance and the Subdivision Regulations.



The map shows the 'SITE' located on Oxen Hill, which is a road branching off from US Highway 158. The site is circled in black. Surrounding streets include Lenoir Ave, Sycamore Rd, Rockledge Dr, and others. A compass rose in the top left corner indicates North, South, East, and West. The map also shows various other roads and landmarks in the area, including US Highway 101 and US Highway 158.


NOTES:

1. PROPERTY BEING THE LANDS OF IPTV-8-CB-OXON HILL, LLC, AS RECORDED IN LIBER 33036 FOLIO 218. AMONG THE LAND RECORDS OF PRINCE GEORGE'S COUNTY, AND HAVING A TAX MAP NUMBER OF 0096 004 0236 AND 0096 004 0000 PER THE EXAMINATION OF ASSESSMENTS.
2. PARCEL 1 AREA= 109.123 SQUARE FEET OR 2.5051 ACRES (R)
109.186 SQUARE FEET OR 2.507 ACRES (M)
PARCEL 2 AREA= 71.008 SQUARE FEET OR 1.630 ACRES (R&M)
TOTAL AREA = 180.131 SQUARE FEET OR 4.1351 ACRES (R)
180.194 SQUARE FEET OR 4.137 ACRES (M)
3. LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE. SOURCE INFORMATION FROM PLANS AND MARKINGS HAS BEEN COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY DETERMINED. COMPLETELY AND RELIABLY DEPICTED, WHERE ADDITIONAL OR MORE DETAIL INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
4. THIS SURVEY WAS PERFORMED IN THE FIELD ON THE GROUND UTILIZING THE REFERENCE MATERIAL AS LISTED HEREON AND DEPICTS BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS THEREON, ON DECEMBER 13, 2016, BY BOHLER ENGINEERING.
5. THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS, WRITTEN OR IMPLIED. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
6. THE PROPERTY IS LOCATED IN OTHER AREAS ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 2% ANNUAL CHANCE FLOODPLAIN) PER MAP ENTITLED "FIRM FLOOD INSURANCE RATE MAP, PRINCE GEORGE'S COUNTY, MARYLAND AND INCORPORATED AREAS, PANEL 240 OF 468", MAP NUMBER 240330240E, WITH A MAP EFFECTIVE DATE OF SEPTEMBER 2015.

FILE NO.
SB162198

DATE
12/30/2016

FIELD DATE
12/13/2016



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DRAWN
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REVIEWED
R.T.

APPROVED
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SCALE
1" = 40'

DWS NO
1 OF 1