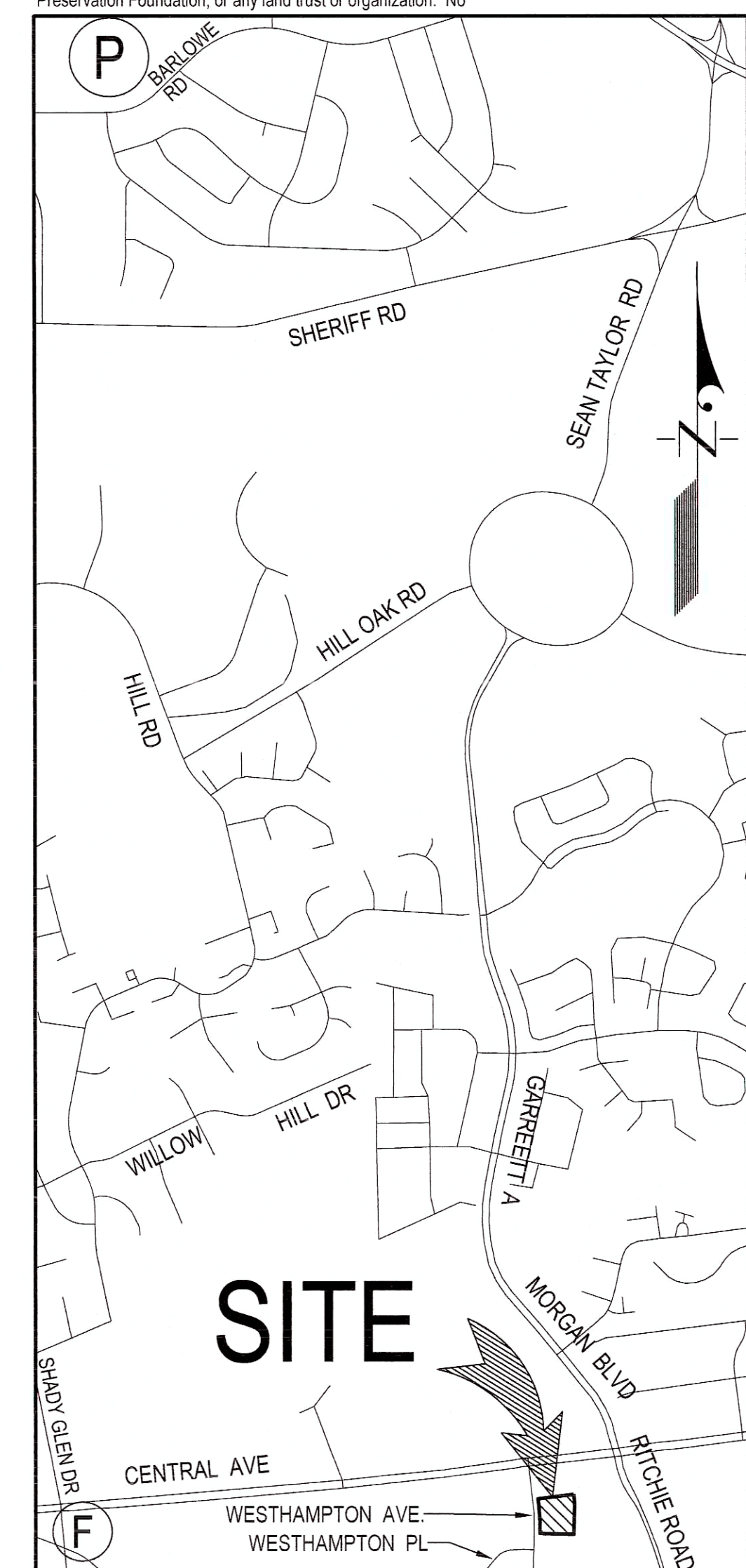


GENERAL NOTES

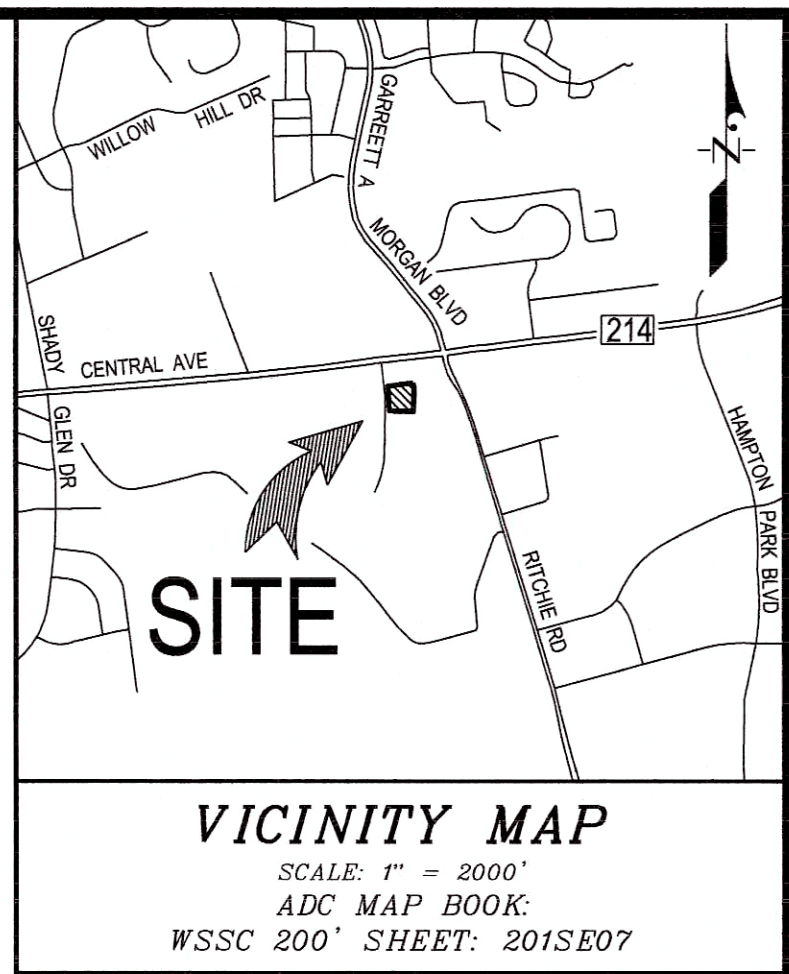
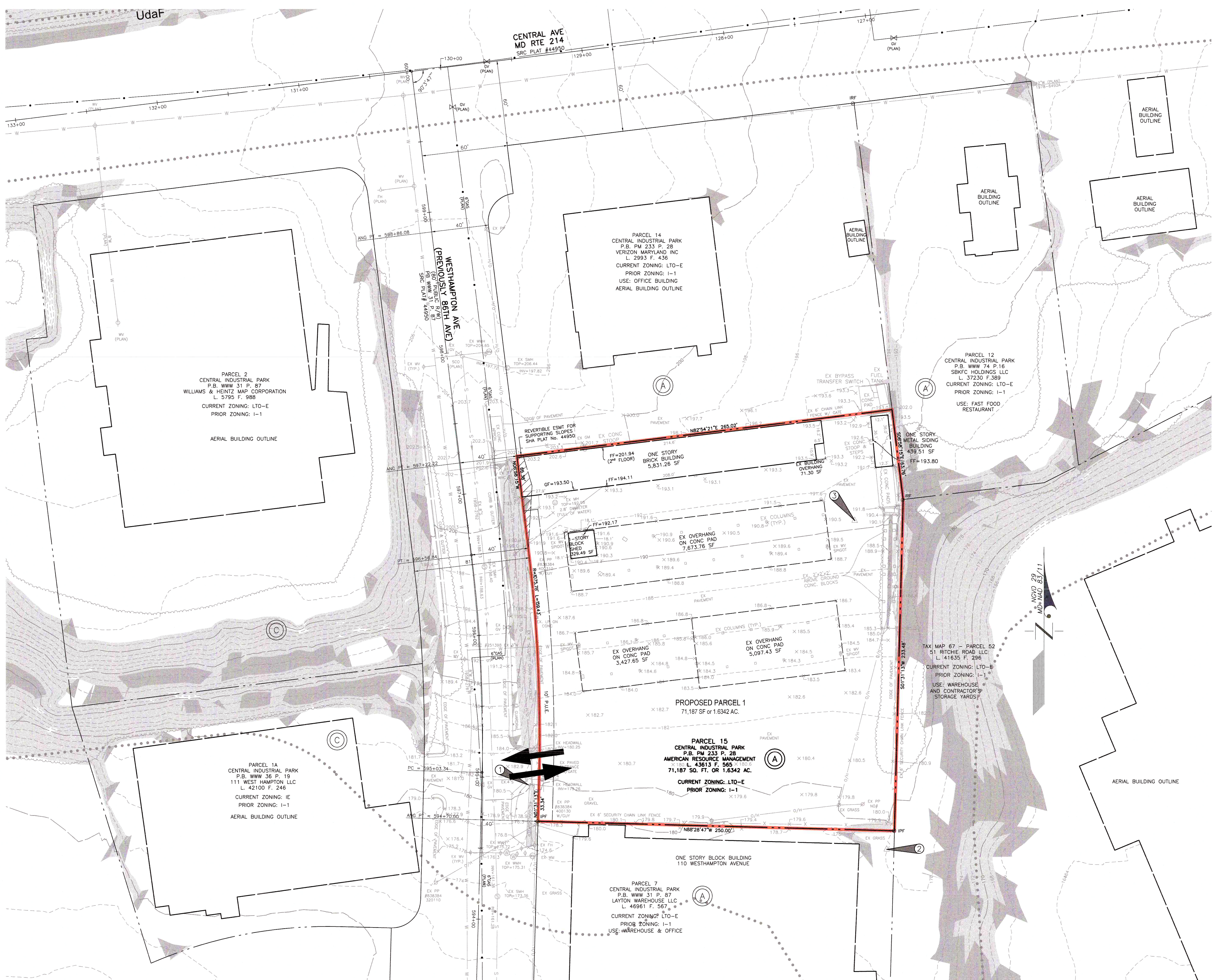
- Existing parcel lot, deed description/Liber/Folio and plat number
Existing Parcels Liber/Folio Plat Number
Parcel 15 L. 43613 F. 565 PM 233 P. 28
- Tax Map: 67 Grid B4
- 200 foot map reference (WSSC): 201SE07
- This plan is for the subdivision of Parcel 15 into 1 Parcel.
- Prior approvals: 4-08031, NRI-024-09, NRI-014-2024
- Site Area: Gross 1.6342 Ac.
Net: 1.6342 Ac.
- Net developable area outside PMA: 1.6342 Ac.
- Acres of Environmental Regulated Features: 0 Ac.
- Acres of 100-year floodplain: 0 Ac.
- Acres in road dedication: 0 Ac.
- Prior Zone: I-1 (Light Industrial), D-D-O (Development District Overlay)
Current Zone: LTO-E (Local Transit-Oriented Edge)
- Existing use: Vacant
Proposed use: Contractors Office and Storage Yard
- Minimum lot size required by Zoning Ordinance and Subdivision Regulations (24-130): N/A
- Minimum lot width at Front of Building Line: N/A
Minimum lot width at front street line: N/A
- Sustainable Growth Tier: Yes, #1
- Military Installation Overlay: Yes, Height, Area B
- Center or Corridor location: Yes, Morgan Blvd. Metro Center, Central Avenue Corridor
- Existing Gross Floor Area: 0.065 SF
Proposed Gross Floor Area: 15,563 SF
Total Gross Floor Area: 22,028 SF
- Stormwater Management Concept number and approval date: 33081-2024-00, pending
- Water/Sewer Category Designation Existing: 3 Proposed: 3
- Aviation Policy Area: No
- Mandatory Park Dedication Requirement: N/A
- Cemeteries on or contiguous to the property: No
- Historic Site on or in the vicinity of the property: No
- Type One Conservation Plan: Exempt
- Within Chesapeake Bay Critical Area: No
- Wetlands: No
- Streams: No
- Soils by soil type and source of soil information: See NRI-024-09
- In or adjacent to an easement held by Maryland Environmental Trust, The Maryland Agricultural Land Preservation Foundation, or any land trust or organization: No



SCALE: 1" = 1,000'

F PG&F FIRE STATION 802 - SHADY GLEN

P LANDOVER POLICE STATION



VICINITY MAP

SCALE: 1" = 800'
ADC MAP BOOK:
WSSC 200' SHEET: 201SE07

LEGEND

- EXISTING & PROPOSED PROPERTY BOUNDARY
- EXISTING 10 FT CONTOUR
- EXISTING 2 FT CONTOUR
- EXISTING SPOT ELEVATION
- EXISTING TREELINE
- CENTERLINE OF EXISTING ROAD
- IRON PIPE FOUND
- EXISTING & PROPOSED ACCESS
- EXISTING SEWER
- EXISTING WATER
- EXISTING STORM DRAIN
- PUBLIC UTILITY EASEMENT
- STEEP SLOPES 15-25%
- STEEP SLOPES 25% OR GREATER

PPS-4-23046
PRELIMINARY PLAN OF SUBDIVISION
PARCEL 15, BLOCK 'A'
CENTRAL INDUSTRIAL PARK
SEAT PLEASANT ELECTION DISTRICT No. 18
PRINCE GEORGE'S COUNTY, MARYLANDGRAPHIC SCALE 1"=30'
0 30' 60' 90'

SUBTITLE 32, DIVISION 2 CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE REQUIREMENTS OF SUBTITLE 32, DIVISION 2 OF THE PRINCE GEORGE'S COUNTY CODE AND THAT I HAVE INSPECTED THIS SITE AND THAT DRAINAGE ONTO THIS SITE FROM UPHILL PROPERTIES, AND FROM THIS SITE ONTO OTHER DOWNGRADE PROPERTIES, HAS BEEN ADDRESSED IN SUBSTANTIAL ACCORDANCE WITH APPLICABLE CODES.

OWNER / APPLICANT
AMERICAN RESOURCE
MANAGEMENT
5550 TUXEDO ROAD
HYATTSVILLE, MD 20781

PROFESSIONAL SEAL STATE OF MARYLAND MICHAEL A. VOYSE LICENSE NO. 17111 EXPIRATION DATE 03/03/26	DATE JANUARY 2024	DESCRIPTION REVISIONS	BY J-B20033	DATE JANUARY 2024	REVISIONS 3.001-Z
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STATEMENT OF JUSTIFICATION IN SUPPORT OF
PRELIMINARY PLAN OF SUBDIVISION
CENTRAL INDUSTRIAL
4-23046

Preliminary Plan of Subdivision 4-23020 is filed on behalf of American Resource Management Group Limited Partnership (the "Applicant"). The Applicant is also the owner of the property which is the subject of this application. The property forming the subject matter of this application contains 1.6342 acres of land and is located generally on the east side of Westhampton Avenue, approximately 200 feet south of its intersection with Central Avenue (MD 214) in Capitol Heights. The Property is more particularly described as Parcel 15 as depicted on a plat of subdivision entitled "Parcels 14 & 15, Block A, Central Industrial Park", which plat is recorded among the Land Records of Prince George's County at Plat Book PM 233, Plat 28 (the "Subject Property"). This application will be filed under the provisions of the prior Zoning Ordinance.

This Statement of Justification addresses three matters. First, it addresses the election by the Applicant to process the application pursuant to the provisions of the prior Zoning Ordinance required by Section 27-1904. Second, the Applicant was requested to provide a discussion of how the application meets the applicable goals and strategies of the General Plan and Master Plan. Finally, it addresses a comment received

during pre-application review to provide a statement of justification of how the proposed development meets the environmental strategies and policies as shown in Chapter 5 of the 2010 Approved Subregion 4 Master Plan and Sectional Map Amendment.

The Subject Property is zoned LTO-e. Under the prior Zoning Ordinance, the Subject Property was zoned I-1/DDO. It was retained in the I-1 but made subject to a Development District Overlay Zone with the adoption of the 2010 Subregion 4 Master Plan and Sectional Map Amendment. The Subject Property is located within an area of approximately 30 acres which is served by two roadways, Westhampton Avenue and Westhampton Place. Although Westhampton Place is dedicated to public use from Westhampton Avenue to Walker Mill Road, it does in fact dead end at a stream (North Branch). Westhampton Avenue dead ends at the same stream. As a result, this industrial area is completely isolated from any surrounding properties because there is no through traffic. All the properties within this enclave are improved with industrial uses which have existed and operated since the early 1960's.

The Subject Property was owned for many years by Verizon Maryland, Inc. (the successor to C&P Telephone Company of Maryland), a public utility. The Property was initially subdivided in 1964 as part of a larger parcel of land containing 2.94 acres. The larger property is more particularly described

as Parcel 3 and is depicted on a plat of subdivision entitled "Parcel 3, Block A, Central Industrial Park." Parcel 3 was in the southeast corner of Central Avenue and Westhampton Avenue. It appears to have been utilized as a single parcel of land until 2010. In 2010, preliminary plan of subdivision 4-09031 was approved to subdivide Parcel 3 into two separate parcels of land, now known as Parcel 14 and Parcel 15. Parcel 14 contains 1.3070 acres of land and is located at the corner of Central Avenue and Westhampton Avenue. Parcel 15 (the Subject Property) contains 1.6342 acres of land and is located immediately south of Parcel 14. While Parcel 14 is still owned by Verizon Maryland Inc., Parcel 15 has changed ownership. From 2011 to 2020, Parcel 15 was owned by Nabely Family Living Trust and used as an electrical utility contractor's office and storage yard. The Applicant took title to Parcel 15 on May 20, 2020 by a deed recorded among the Land Records in Liber 43613 Folio 565.

The Subject Property is currently improved with a one-story brick building containing 5,831 square feet, a one-story block shed containing 329.49 square feet and a one-story metal sided building containing 439.51 square feet. In addition, two areas of the property have open-sided roofed structures to allow for vehicles to be parked and protected from the elements. The first covered area has an existing roof which covers 7,673 square feet and the second covered area has two separate roof structures which cover a total of 8,524 square feet. The

remainder of the Subject Property is paved with asphalt. All the existing structures were constructed prior to the Applicant purchasing the property, and the property is currently unoccupied. The Applicant does not propose to construct any additional structures but does desire the ability to enclose the existing roofed areas to provide greater security and weather protection for vehicles parked under them.

The Applicant has elected to utilize the provisions of the prior subdivision and zoning ordinance as expressly permitted by Section 24-1900 et. seq. and by Section 27-1900 et. seq. Pursuant to Section 24-4102 of the Subdivision Regulations, "All lots in a subdivision shall be in conformance with all of the lot standards and requirements of Subtitle 27: Zoning Ordinance, applicable to the land subject to the subdivision. (See PART 27-4: Zones and Zone Regulations, of Subtitle 27: Zoning Ordinance)." For the reasons set forth below, the proposed development cannot conform to the requirements of Subtitle 27 set forth in the Zoning Ordinance but can conform to the requirements of the prior Zoning Ordinance.

As noted above, the Subject Property is zoned LTO-e. It was not placed in the most similar zone to which it was in the prior Zoning Ordinance. In the LTO-e Zone, industrial uses are virtually universally prohibited, and there is no process, short of a rezoning, that would allow the list of permitted uses to be expanded. To obtain approval of a preliminary plan of

subdivision in the new ordinance, the applicant must demonstrate that it complies with the requirements of that ordinance. The owner cannot do that in this instance. Thus, the owner has no other reasonable option to utilize the property it owns other than to file this preliminary plan under the prior ordinance. A detailed site plan will also be submitted as required by the DDOZ overlay to request approval of the continued use of the property as a contractor's office and storage yard.

**CONFORMANCE WITH THE ENVIRONMENTAL POLICIES AND
STRATEGIES OF THE 2010 MASTER PLAN.**

During pre-application review of the referenced preliminary plan of subdivision, the Environmental Planning Section requested "a statement of justification which addresses how this proposed plan meets the environmental policies and strategies found in the 2010 Approved Subregion 4 Master Plan and sections Map Amendment in Part III Infrastructure, Chapter 7, pages 195-2010." Chapter 7 of the Subregion 4 Master Plan addresses the environmental infrastructure within the plan boundaries. The purpose of the Chapter is to assess the condition of natural features to ensure that environmental resources are effectively protected, preserved and enhanced. The Master Plan notes that the much of the historical development in Subregion 4 was not carried out with a full recognition of the impacts of that development. Examples are the piping of streams and the removal of stream buffers. The policies and goals set forth in Chapter

7 were intended to restore or enhance the green infrastructure network.

The Master Plan discusses seven specific areas, Green Infrastructure, Water Quality and Stormwater Management, Air Quality and Greenhouse Gas Emissions, Noise Intrusion, Green Buildings/Sustainability, Chesapeake Bay Critical Area and Tree Canopy and Green Space. Each of these areas of concern is addressed.

Green Infrastructure (Page 196)

The Master Plan notes that the 2005 Green Infrastructure Plan divides the green infrastructure network into three categories—regulated areas, evaluation areas and network gaps. The Green Infrastructure Plan further states that the boundaries of the network should be examined and refined during the Master Plan process, and further states that “during the preparation of the Subregion 4 Master Plan, the green infrastructure network was reevaluated.” Of particular concern were the Primary Corridors and Secondary Corridors which drain into the Patuxent River and the Potomac River. Map 7-1, attached as Exhibit “A”, locates these corridors, and further highlights the location of Evaluation Areas, Countywide Gap, and Regulated Areas. FEMA Floodplain Zones are also identified. The Subject Property (which is identified with a yellow dot) is not within either a Primary Corridor or a Secondary Corridor, nor is it identified

as an Evaluation Areas, Countywide Gap, and Regulated Area. This is confirmed by the Natural Resources Inventory approved for the Subject Property. There are no wetlands, woodlands, streams, Forest Interior Dwelling Species or 100-year floodplain on the Subject Property. The property was completely developed under prior regulations and has been utilized as an industrial storage yard for the better part of the past 50 years.

The Policy for Green Infrastructure is to "protect, preserve and enhance the green infrastructure network in Subregion 4." Among the strategies to accomplish this goal are to "protect green infrastructure environmental corridors by focusing development outside the network" and to "limit impacts to the green infrastructure network to those necessary for the reasonable development of properties". As shown on Map 7-1, the Subject Property is not within the network and the NRI confirms there are no regulated environmental features. The Master Plan also aims to minimize the impact of development on the green infrastructure network and special conservation areas ("SCAs"). Two of the 13 SCAs in Prince George's County are within the boundaries of Subregion 4, the main stem of the Anacostia River and Suitland Bog. The Subject Property impacts neither of these SCA's. Given the lack of regulated environmental features and the location way from SCAs, the Subject Property is exactly the type of property where development is recommended to occur. It

is further noted that Section 24-130(b)(5) requires the Planning Board to find that regulated environmental features are preserved or restored to the fullest extent possible. Since the Subject Property is fully developed and includes no regulated environmental features, this finding can be made by the Planning Board consistent with policies and strategies of the Subregion 4 Master Plan. For these reasons, the development of the Subject Property will conform to policies of the Master Plan related to the protection of Green Infrastructure.

Water Quality and Stormwater Management (Page 200)

The Master Plan cites a history of issues with water quality and stormwater runoff in Subregion 4 which have negatively impacted the three major watersheds—the Anacostia, the Patuxent and the Potomac. Table 7-2 identifies twelve specific problem areas, and these problem areas are depicted on Map 7-2. The Subject Property is not near any of the identified problem areas. The Master Plan further notes that Environmental Site Design (ESD) processes have been identified as ways to improve water quality throughout Prince George's County. The year after the Master Plan was adopted, Prince George's County adopted a new Stormwater Management Ordinance requiring ESD processes be incorporated into all stormwater plans. To the extent that past development on the Subject Property occurred without proper stormwater management controls, that condition

will be as any future development occurs. At the present time, the Applicant does not intend to grade the property or expand the footprint of any of the existing structures. Any new development, however, will be required to conform to current stormwater management regulations. Thus, thus, the continued use and future development of the Subject Property will conform to the recommendations of the Master Plan related to Water Quality and Stormwater Management because the property is not near an area of water quality concern and stormwater management consistent with ESD processes will be implemented with any future development.

Air Quality and Greenhouse Gas Emissions (Page 205)

The Master Plan notes that the Washington Metropolitan area is a nonattainment area for ground level ozone and that one of the goals of the Master Plan is to improve air quality in Subregion 4. The strategies for accomplishing this are largely global in nature and not applicable to a specific property. Notwithstanding, the Subject Property is a re-use of a prior industrial storage yard. No new site development will be required to create this site, thereby reducing the greenhouse gas emissions which would be required to recreate this site elsewhere. To that extent, the Subject Property conforms to the policies of the Master Plan relative to Air Quality.

Noise Intrusion (Page 206)

The Master Plan notes that much of Subregion 4 is impacted by noise associated with Joint Base Andrews. The Subject Property is not within an area impacted by such noise. The Master Plan also notes that local highways generate noise. The Subject Property sole frontage and access is to an industrial street serving a larger industrial area. This roadway will be shared by other industrial uses in the same industrial park and will not impact the use of the Subject Property. Since residential development is currently not proposed for the Subject Property, it is therefore not impacted by highway noise. Once in operation, the proposed use of the Subject Property will be regulated to prevent the generation of noise on site which would impact other properties. Thus, the proposed subdivision conforms to the policies of the Master Plan to reduce adverse noise impacts.

Green Building/Sustainability (Page 207)

The goal of the Master Plan policy related to green building and sustainability is to encourage the use of green building techniques and reduce energy and resource consumption. Among the strategies outlined in the Master Plan are encouraging infill development and directing development to existing areas rather than green fields. As noted above, the Subject Property was previously developed, and the Applicant is seeking to

utilize the existing structures on site and does not propose to expand the footprint of any existing structure. For these reasons, the proposed subdivision conforms to the policies of the Master Plan to reduce adverse noise impacts.

Chesapeake Bay Critical Area (Page 208)

The Master Plan includes a goal of protecting, restoring and enhance the Chesapeake Bay Critical Area. While a small portion (14 acres) of Subregion 4 is in the Chesapeake Bay Critical Area, the Subject Property is not. The use of the Subject Property will have no impact on the Chesapeake Bay Critical Area.

Tree Canopy and Green Space (Page 209)

The Master Plan includes goals of meeting or exceeding 26 percent tree cover in the Developed Tier and improving the connectivity of green space. However, the Master Plan also notes that development is encouraged in the Developed Tier where the "grey infrastructure" is located. The re-use of the Subject Property will not result in the loss of any tree canopy coverage. In fact, any future development of the Subject Property will be subject to the provisions of the Tree Canopy Ordinance which requires that each development conform to certain minimum tree canopy coverage requirements. Any proposed future development will be evaluated for conformance with the

Tree Canopy Ordinance. One of the strategies set forth in the Master Plan was to require a minimum of 10% tree canopy coverage on all new development and redevelopment projects. The Subject Property is subject to a tree canopy coverage of 10%. As such, the proposed use of the Subject Property will not result in a reduction of tree canopy and future redevelopment of the Subject Property will be subject to the Tree Canopy coverage requirements.

In conclusion, the Subregion 4 Master Plan outlined several goals for environmental infrastructure. Subregion 4 is unique in that all the land area is within the former Developed Tier. The Master Plan encourages the development of land which does not impact regulated environmental features or areas of special concern identified in the Master Plan. The Subject Property satisfies these goals. The Subject Property is a developed infill site. The Subject Property is not within a Primary or Secondary environmental corridor, is not in the Chesapeake Bay Critical Area and contains no regulated environmental features. Several of the other environmental policies are broader in nature and represent encouragement to incorporate more sustainable design practices. Any proposed use or future development of the Subject Property will take such practices into account. For all the reasons set forth above, the

development of the Subject Property conforms with the Environmental Policies of the Master Plan.

**CONFORMANCE WITH THE GOALS AND STRATEGIES
OF THE GENERAL PLAN AND MASTER PLAN.**

The 2010 Subregion 4 Master Plan and Sectional Map Amendment retained the I-1 zoning for the Subject Property, but established a Development District Overlay Zone. The establishment of a DDOZ was not recommended in the Preliminary Master Plan but was the result of an amendment to the Master Plan with the adoption of CR-49-2010. The Amendment, referenced as Amendment 13, established a DDOZ over properties which fronted on Central Avenue between Hampton Park Boulevard and Richie Marlboro Road (with the exception of a church owned property and land owned by MNCPPC across from Norair Avenue). A copy of the land impacted by Amendment 13 is attached as Exhibit "B", and the Subject Property is highlighted with an asterisk on Exhibit "B".

At the time the DDOZ was established, the Council was concerned that properties fronting on Central Avenue be used and/or developed such that they did not distract from the viewshed of the road, understanding that the long-term goal of the Master Plan was to improve the Central Avenue Corridor. In fact, Amendment 13 includes a statement as to reason for establishing the DDOZ:

The purpose of this DDOZ is to establish regulations that supplement the regulations of the underlying industrial zones. The proposed DDOZ regulations for the Business Park Character Area will revise the list of permitted uses and development standards and regulations regarding landscaping, screening, fencing, lighting, building intensity and materials. The new regulations are intended to ensure that new development and redevelopment in this area will result in an attractive, low-intensity functional business park that provides a distinctive gateway on Central Avenue to the Subregion 4 Master Plan area.

At the time the Master Plan was adopted in June, 2010, the Subject Property was part of a larger parcel that fronted on Central Avenue, and thus was included within the boundaries of the DDOZ. A month later, in July 2010, Preliminary Plan 4-09031 was approved to divide the property into two parcels, one of which fronted on Central Avenue and one (the Subject Property) which did not. In fact, any outside storage or vehicular parking areas on the Subject Property is not visible from Central Avenue. Had the Subject Property been subdivided prior to the adoption of the Master Plan, the Applicant submits that it would not have been included in the DDOZ.

As noted above, the Subject Property was used as an industrial storage yard at the time the Master Plan was adopted. At that time, the owner was Verizon. It was later used as a contractors office and storage yard by an electrical contractor prior to the acquisition by the Applicant. The Applicant now seeks to continue to use the Subject Property, and the existing improvements, in the same manner. Due to the understandable restriction on certain types of uses, including contractors

storage yards, for properties fronting on and visible from Central Avenue, the Applicant must seek an amendment to the approved use list and address the development district standards contained in the Subregion 4 Master Plan through the filing of a detailed site plan. All these issues will be fully addressed at that time.

For purposes of this application, continued use of the Subject Property for industrial purposes is consistent with the recommendations of the Master Plan, subject to the review required by the DDOZ. Although the proposed land use plan included in the Master Plan (Map 4-3) recommends Mixed-Use Commercial land use for the Subject Property and medium-high residential for the bulk of the industrial park, the Sectional Map Amendment retained the I-1 zoning for the industrial park. The Master Plan clearly acknowledges the importance of establishing a balance of land uses, including industrial land uses. The Master Plan states:

"The vision also calls for maintaining certain industrial properties as employment centers through improvements that will minimize their visual and environmental impact and protect established neighborhoods. Industrial-zoned areas, specifically I-1 areas, are important to the county and subregion as an employment and tax base. The master plan identifies a number of goals to be implemented through the development district standards to achieve these visions.

The proposed use of the property will not involve constructing new buildings or redeveloping the property—no grading is proposed. The goal of the land use recommendation was to

promote the development of mixed-use commercial projects. Since no new development is proposed, the proposed subdivision conforms to the requirements of Section 24-121(a)(5), which provides as follows:

The preliminary plan and final plat shall conform to the area master plan, including maps and text, unless the Planning Board finds that events have occurred to render the relevant recommendations within the comprehensive plan no longer appropriate, is no longer applicable, or the District Council has not imposed the recommended zoning.

In this instance, the District Council did not impose the zoning which would be needed to implement the mixed commercial or residential development vision as set forth on the proposed land use map. As this project proceeds through the approval process, the screening and landscaping along the perimeter of the Subject Property can address the primary concerns identified in the Master Plan that led to the establishment of the DDOZ. All these issues will be addressed with the DSP.

CONCLUSION



Thomas H. Haller
Gibbs and Haller
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(301) 306-0033

EXHIBIT "A"

Map 7-1: Green Infrastructure—Primary and Secondary Corridors

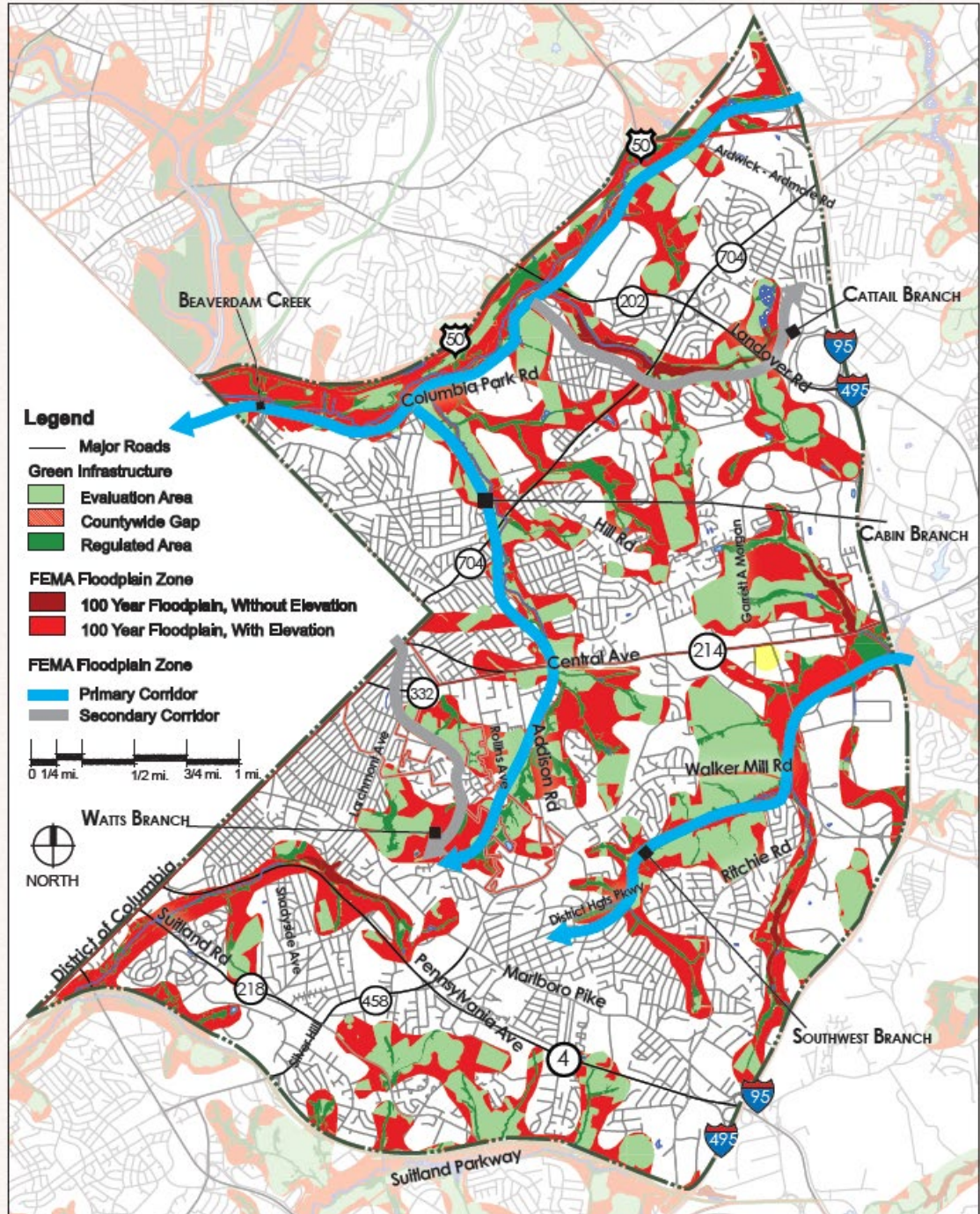


Exhibit "B"

ATTACHMENT A

AMENDMENT 13 CENTRAL AVENUE EAST DEVELOPMENT DISTRICT OVERLAY ZONE (DDOZ) BOUNDARIES

