

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 31, 2014, regarding Detailed Site Plan DSP-85098-03 for Inglewood Business Park, Lot 40, the Planning Board finds:

1. **Request:** Addition of uses as authorized by Section 27-548.26(b) of the Prince George’s County Zoning Ordinance, that certain restrictions be placed on these uses, and the application of I-3 (Planned Industrial/Employment Park) instead of C-O (Commercial Office) zoning regulations in evaluating modifications of the subject property defined as exempt from development district standards on pages 113 and 114 of the 2013 *Largo Town Center Approved Sector Plan and Sectional Map Amendment* (Largo Town Center Sector Plan and SMA). The subject approval is being made together with the three following similar approvals: DSP-85014-02, as formalized in PGCPB Resolution No. 14-87; DSP-81052-02, as formalized in PGCPB Resolution No. 14-86; and DSP-85099-02, as formalized in PGCPB Resolution No. 14-89.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	C-O/D-D-O	C-O/D-D-O
Use(s)	Office, Warehouse, Public School	Any use currently permitted in the C-O Zone or authorized by this approval*
Acreage	6.76	6.76
Lots	1	1
Square Footage/GFA	80,500	80,500

*No specific new uses are herein approved on the subject site at the present time as part of this approval.

3. **Location:** The site is in Planning Area 73, Council District 6. More specifically, it is located on the southern and southwestern sides of the cul-de-sac of Caraway Court, approximately 700 feet south of its intersection with McCormick Drive.
4. **Surrounding Uses:** The subject property is surrounded to the north by a hotel and commercial office condominium use; to the west by Arena Drive; to the south by vacant property in the M-U-I/D-D-O Zone; and to the east by 1221 Caraway Court.
5. **Previous Approvals:** The property is subject to the requirements of the approvals of DSP-85098 and DSP-85098-01 approved by the Planning Director on June 22, 2006 to add a set of stairs and

to the requirements of the approval of DSP-85098-03 approved by the Planning Director on September 21, 2002 for a fence and to convert warehouse space into office. The property is also subject to the requirements of the approval of a final plat, approved on November 25, 1985 and recorded on December 24, 1985 as Plat No. 46, containing Lot 40, in Plat Book NLP-125.

6. **Discussion of the justification for the proposed addition of permitted uses as authorized by Section 27-548.26(b) of the Zoning Ordinance, the adoption of certain restrictions of these uses and the application of I-3 instead of C-O zoning regulations in evaluating projects defined as exempt from development district standards on pages 113 and 114 of the 2013 Largo Town Center Approved Sector Plan And Sectional Map Amendment:** In the statement of justification dated April 23, 2014, the applicant offered the following:

“The Applicant purchased four flex industrial/office buildings at 1220 Caraway Court, 1221 Caraway Court, 1441 McCormick Drive and 9301 Peppercorn Place [the subject property] this June for over \$17 million. Unfortunately, the *Largo Town Center Sector Plan and Sectional Map Amendment* just a few weeks after their purchase rezoned the four buildings designed and built and occupied as flex space in the I-3 Zone to the very restrictive Commercial Office (C-O) Zone, which only allows office and a very few other uses. The applicant had no knowledge of the plan until after it purchased the buildings as the notice sent was to a prior entity and a different address. While the Plan allows existing lawful uses to continue, it restricts future tenants to only those uses permitted in the C-O Zone as modified by the Plan’s DDOZ.

“While many of the other buildings in this area were designed for office uses, the Applicant’s four buildings are distinct from these other properties and were specifically designed in accordance with the uses permitted in the I-3 Zone: lower parking ratios, warehouse components, loading docks, etc. Attached are photos demonstrating the character of the four properties owned by the Applicant in contrast to other properties within the Inglewood Business Park. We have analyzed the uses permitted in the I-3 Zone and the C-O Zone and given the nature and character of these existing buildings, there is great concern that the numerous uses prohibited under the C-O Zone will severely limit the Applicant’s marketing opportunities. Restricting future users of these buildings to only office tenants severely hampers the Applicant’s investment and could cause large vacancies within the park due to the restrictive nature of the C-O Zone.

“The applicant’s buildings are in good condition and are expected to have an additional fifty more or less-year life span. The roof systems will remain under warranty for another 18 years and the HVAC systems are expected to last a minimum of another eight years. Exterior windows have been maintained and wet sealing will not be needed in the next ten years. Therefore, redevelopment of these sites due to functional obsolescence will not be appropriate for some time. In addition, the buildings’ typical 30-foot column spacing results in marketable space for the types of uses requested.

"In order to ensure the continued marketability of these properties, this application seeks approval of several uses that were permitted under the previous I-3 zoning in addition to those recently approved for the property through the imposition of the C-O/DDOZ zoning and Development District Standards of the Largo Town Center Sector Plan and SMA. The application also requests that the uses requested below be subject to the requirements of the Zoning Ordinance for the I-3 Zone, as the proposed activities fall within the defined exemptions of the DDOZ as noted on pages 113-114 of the Plan."

7. **Analysis of Applicant's Request:** The applicant in this approval had made a three-pronged request. First, the applicant had requested that the following additional uses be added to the permitted use list for the subject Development District Overlay (D-D-O) Zone (uses not herein approved by the Planning Board are denoted by strike-through; inserted text is denoted by underlining).

(1) **Commercial:**

(D) **Services:**

Blueprinting, photostating, or other photocopying establishment

Electrical or electronic equipment, radio or television, computer repair shop

~~Household appliance or furniture repair shop:~~

~~(i) — Furniture and small appliances only~~

Laboratory:

- (i) Accessory to allowed use
- (ii) Medical or dental
- (iii) Research, development, or testing
- (iv) All others

Photographic processing plant

Printing shop ~~(up to 2,000 square feet in size)~~

(2) **Industrial:**

(A) **Manufacturing:**

Cosmetics, medicinal, pharmaceutical, and toilet article products, fabrication

Drugs, compounding

(B) Fabrication

Communications equipment, computers, telephones, electronic equipment, radios, sound systems, or televisions (which may include parts for these items)

Containers:

- (i) Paper or plastic

Electrical lighting fixtures

Furniture, cabinets, fixtures, or interior decorating components

~~Household appliances:~~

- ~~(i) Small electrical household appliances, including televisions but excluding refrigerators and similar large appliances~~

Office supplies and equipment

(D) Manufacturing of Scientific, Specialized, and Technical Instruments and Equipment:

Engineering, computer, drafting, laboratory, office, research, and scientific instruments, devices, equipment and supplies

Optical, dental, medical, ophthalmic, orthopedic, and prosthetic devices and supplies

Photographic equipment and supplies

Timing, light, mixing, safety, temperature, or weight control devices

Watches, clocks, measuring, or time-keeping devices

(F) Miscellaneous Industrial, Manufacturing, and Related Uses:

Contractor's office (general) as a permanent use, including the businesses of siding, flooring, roofing, plumbing, air conditioning, heating, painting,

~~carpentry, and electrical work, landscaping, and the like,~~ with buildings and uses accessory to the business (as well as the office) use:

- (i) With storage of materials or equipment:
 - (aa) Indoors
- (ii) Including the fabrication (only within a wholly enclosed building) of plumbing, air conditioning, and heating, ~~carpentry (and the like)~~ parts for installation off[-]site
- (iii) Including the retail sale of parts and supplies as an accessory use

Jewelry manufacturing

Musical instruments, athletic goods, notions, novelties, sporting goods manufacturing

Pens, artist or drafting supplies, clerical equipment, business machines, or pencils manufacturing

Plastic products manufacturing, except as otherwise specified

~~Plastic products manufacturing, except as otherwise specified~~

~~Storage building accessory to:~~

- ~~(i) A permitted use~~

Warehousing:

- (i) Subject to Section 27-471(g)

(H) Printing, Publishing, Paper, and Related Industries:

Bookbinder manufacturing

Bookbinding

Printing and engraving (which may include all processes)

Publishing

(L) Textile Products:

Fabrication of finished goods

(M) Wholesale Trade:

Bakery products, wholesale

Electronic, glass, metal, paper, rubber, or wood products

Ornamental products made of china, clay, concrete, glass, or stone

Structural products made of clay, concrete, or stone, with:

(i) Indoor storage, only

Textile products

Wholesaling or distribution of materials (products) not used or produced on the premises

Wholesaling or distribution of materials (products) used or produced on the premises subject to Section 27-471(g)

(3) Institutional/Educational:

Adult day care center

(5) Public/Quasi-Public:

~~Ambulance service, private (dispatch only with no repair and/or storage of vehicles)~~

(6) Recreational/Entertainment/Social/Cultural:

Reducing/exercise salon or health club

~~Spa, public:~~

~~(A) Accessory to a reducing/exercise salon, health club, or summer camp~~

(7) Residential/Lodging:

Hotel or motel (which may include public spas, swimming pools, or tennis courts, provided they are enclosed by a fence or wall at least six feet high):

- (A) In an industrial park having a gross tract area of at least 25 acres or “hotel or motel, general,” subject to Footnote 22 of the commercial use table.
- (B) ~~All others~~

The applicant’s arguments in favor of adding to the list of permitted uses in this D-D-O Zone are persuasive, based upon the fact that the buildings and uses are existing and are according to the D-D-O Zone applicability section already exempt from the D-D-O Zone development standards. Additionally, the rezoning of the properties from I-3 (under which the existing buildings were constructed) to C-O during the 2013 Largo Town Center SMA changed the permitted uses on the property. In this case, and in light of issues with notice of the zoning recommendation, the subject property is herein accorded the benefit of additional permitted uses beyond those which are allowed in the C-O Zone as the recommendations of the sector plan can still be implemented. Consequently, the Planning Board has modified the requested permitted uses above as indicated by the strike-through (deleted) text and underlined (inserted) text where necessary. Additionally, a condition of this approval requires that, prior to signature approval, a general note be added to the plans stating that the above additional uses are permitted on the subject site. The modifications approved herein better serve the goals and purposes of the *Plan Prince George’s 2035 Approved General Plan* (Plan Prince George’s 2035), which acknowledges that existing land uses “represent what is actually only on the ground today and may not represent what the approved master plan envisions as the planned future land use” (page 69). Over time, land uses will transition in the Largo Town Center Sector Plan area toward more mixed-use office and institutional uses. In the short term, it is important to maintain the viability of existing buildings and uses.

Second, the applicant had requested that the following restrictions apply to the requested uses (uses not approved herein by the Planning Board are denoted by strike-through).

- “a. No use will be made of any site, or any portion thereof, or any building or structure thereon at any time, nor shall any materials or products be manufactured, processed, or stored thereon or therein, which shall cause an undue fire or health hazard to adjoining properties, or which shall constitute a nuisance or cause the emission of noxious odors or gases or smoke. No operation or uses shall be permitted or maintained which causes or produces any of the following effects discernible outside the improvements or affecting any adjacent property:
 - “1. Noise or sound that is objectionable because of its volume, duration, intermittent beat, frequency or shrillness;

- "2. Smoke;
- "3. Noxious, toxic or corrosive fumes or gases;
- "4. Obnoxious odors;
- "5. Dust, dirt or fly ash;
- "6. Unusual fire or explosive hazards; and
- "7. Excavation: only excavation made in connection with construction of an improvement shall be made, and then only when proper protection is afforded adjacent property; and upon completion thereof exposed openings shall be backfilled and disturbed grounds shall be graded, stabilized, and restored as close to its original condition as practicable.

"Loading areas located in side yards shall be set back and screened to minimize the effects from the street and neighboring properties. Loading doors and docks shall not be closer than one hundred (100) feet to the street property line. No loading areas shall be permitted on the front of any building.

"No materials, supplies or equipment (including company-owned or operated vehicles) including, but not limited to, trash and garbage receptacles shall be stored in any area on a site except inside a closed building, or behind a visual barrier screening such areas from the view of adjoining properties and public streets.

~~"b. The following operations and uses shall not be permitted on the subject properties:~~

- ~~"1. Residential;~~
- ~~"2. Truck terminals;~~
- ~~"3. Junk yards;~~
- ~~"4. Commercial excavation of building or construction materials;~~
- ~~"5. Distillation of bones;~~
- ~~"6. Dumping, disposal, incineration or reduction of garbage, sewerage, offal, dead animals or refuse;~~

- ~~"7. Fat Rendering;~~
- ~~"8. Stockyard or slaughter of animals;~~
- ~~"9. Refining of petroleum or of its products;~~
- ~~"10. Smelting of iron, tin, zinc or other ores;~~
- ~~"11. Raising of pets or livestock or other animals;~~
- ~~"12. Kennel or dog pound."~~

The Planning Board herein approves the applicant's proffered restrictions as a condition of approval, except for the partial list of prohibited uses for the sites. Only uses permitted in the C-O Zone by requirement of the Zoning Ordinance and those added by virtue of this approval will be permitted. All other uses will be prohibited. The Planning Board has made it a condition of this approval to formalize said restrictions on the uses by inclusion of a note stating the particular restrictions be added to the general notes of the approved DSPs.

Third, the applicant had requested that I-3 instead of C-O zoning regulations be utilized in evaluating exempt projects as defined on pages 113 and 114 of the Largo Town Center Sector Plan and SMA. Projects listed as exempt in the sector plan include the following:

1. Legally Existing Development;
2. Legally Existing Parking and Loading;
3. Single-Family Residential Dwellings;
4. Multifamily Development;
5. Nonresidential Development;
6. Existing Shopping Centers;
7. Additions to Existing Uses;
8. Nonconforming Buildings, Structures, and Uses;
9. General;
10. Signs; and
11. Valid Detailed Site Plans.

The Planning Board does not find support in the Zoning Ordinance or the Largo Town Center Sector Plan and SMA for the requested substitution of the former I-3 zoning regulations for the currently applicable C-O zoning regulations in evaluating exempt projects. No specific condition is necessary regarding this issue, as C-O zoning regulations will be applied by operation of law on the subject site.

8. **Zoning Ordinance:** The subject approval for the addition to the list of permitted uses for the subject property beyond those permitted in the C-O/D-D-O Zone complies with the applicable requirements of the Zoning Ordinance as follows:
- a. Section 27-548.26(b) regarding the addition of permitted uses in the C-O/D-D-O Zone by a property owner. The relevant portions of that section are included in **boldface** type below:
- (b) **Property Owner.**
- (1) **A property owner may request that the District Council amend development requirements for the owner's property, as follows:**
- (B) **An owner of property in the Development District may request changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.**
- (2) **The owner's application shall include:**
- (A) **A statement showing that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan; and**
- (B) **A site plan, either the Detailed Site Plan required by Section 27-548.25 or a Conceptual Site Plan.**
- (3) **Filing and review of the application shall follow the site plan review procedures in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and submit a report on the application, and the Planning Board shall hold a public hearing and submit a recommendation to the District Council. Before final action the Council may remand the application to the Planning Board for review of specific issues.**
- (5) **The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms to the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan, and meets applicable site plan requirements.**

The subject approval complies with the above requirements as it has been made by 3510 Inglewood, LLC, the owner of the property. It is located in the development district created by the Largo Town Center Sector Plan, and the approval augments the list of allowed uses on the subject property as authorized by Section 27-548.26(b) of the Zoning Ordinance. Further, both a statement of justification and a site plan have been submitted for the property in accordance with (2)(A) and (B) above. The approval does not propose any new development or site work of any kind. The purpose of the approval is solely to add permitted uses and certain restrictions which are designed to limit adverse effects and promote the recommendations of the sector plan.

The addition of uses and restrictions on those uses herein approved does not interfere with the purposes expressed on pages 5 and 6 of the Largo Town Center Sector Plan and SMA. The purposes include promoting and facilitating transit-oriented development around the Largo Town Center Metro Station in order to maximize transit ridership, revitalize the area through economic development while maintaining its socioeconomic diversity, and to adopt a sustainable development pattern that is conducive to its designation as a metropolitan center. The addition of the uses as approved by the Planning Board does not impinge on the vision for the D-D-O Zone to articulate vibrant and diverse neighborhoods, an efficient multimodal transportation system, sustainable and accessible environmental infrastructure, and pedestrian- and bicyclist-friendly urban design. The addition of the uses approved herein does not inhibit realization of the vision of a major institutional or governmental user within walking distance of the Metro station, such as a new regional medical center, an expanded university satellite campus, or a U.S. General Services Administration tenant.

In addition, approval of additional restricted uses does not interfere with the recommendations for land use contained on pages 55–87 of the Largo Town Center Sector Plan and SMA. This is because the subject site is located in what is defined as the northwest quadrant in Map 16 and not in the transit-oriented development core, which is designated to be located in the southwestern quadrant where the Metro station is located and where the retail main street, together with focused retail and integrated open space, are envisioned. The subject site, which is large in size, though currently developed with an industrial building, might in the future be redeveloped or the building adaptively reused in whole or in part for a major institutional user envisioned in the land use recommendations of the sector plan.

Lastly, in accordance with the last portion of this requirement, the approval meets applicable site plan requirements in accordance with the above either through the development district standards outlined on pages 111 through 157 of the Largo Town Center Sector Plan and SMA or the applicable regulations of the C-O Zone for those projects considered exempt from the development district standards on pages 113 and 114 of that plan.

- b. See Finding 14 regarding the project's conformance with the requirements of Section 27-285(b) regarding required findings for detailed site plans.
- 9. **Detailed Site Plan DSP-85098 and its revisions:** The subject approval conforms to the requirements of the approval of these cases. See Finding 14.
 - 10. **2010 Prince George's County Landscape Manual:** The subject project is exempt from the requirements of the 2010 *Prince George's County Landscape Manual*.
 - 11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The project is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance.
 - 12. **Prince George's County Tree Canopy Coverage Ordinance:** Pursuant to County Council Bill CB-19-2013, the subject property is exempt from the requirements of the Tree Canopy Coverage Ordinance.
 - 13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The comments are summarized as follows:
 - a. **Community Planning**
 - (1) The approval conforms to the recommendations of Plan Prince George's 2035 recognizing that existing land uses may not represent future land use recommendations, and those recommendations may be implemented over time through a combination of redevelopment and rezoning.
 - (2) The approval conforms to, and does not conflict with, the land use recommendations of the Largo Town Center Sector Plan and SMA, which recommends zoning and other development regulations to facilitate the continued evolution of this area into a higher density government services center. Adding permitted uses to the list of permitted uses allowed in the C-O Zone will assist in maintaining the viability and usability of existing structures, and allow for institutional and governmental uses in the future.
 - (3) The existing uses and building are legal and therefore exempt from the Largo Town Center development district standards and from DSP review.

Per Plan Prince George's 2035, the subject application is located within the Largo Town Center Regional Transit Center. The vision for regional transit centers is more dense development with offices, apartments, condominiums, retail, and other uses arranged vertically within buildings. However, the subject property is located in the northwest

quadrant of the plan area, which is recommended for a higher density government services center.

The preparation, adoption, and approval of the Largo Town Center Sector Plan and SMA incorporated an extensive community and stakeholder outreach effort that extended more than 12 months, from January 2012 through March 2013. The Planning Board held a number of meetings with commercial property owners, civic associations, county agencies, and county/state elected officials.

A number of owners of properties within the sector plan area that were then zoned I-3 expressed concerns about the future of their properties under the proposed Largo Town Center SMA at the joint public hearing held in July 2013. The applicant did not own the subject property at the time that notice of the public hearing was mailed out and therefore was not part of this group.

At the hearing, these owners requested that their I-3 zoning be retained by the new Largo Town Center Sector Plan and SMA. The Planning Board response to these concerns was included in the Public Hearing Digest of Testimony (pages 20 and 21) that was reviewed by both the Planning Board and the District Council.

The 2002 Prince George's County Approved General Plan designated the Largo Town Center as a metropolitan center in recognition of its changing character. A terminal Metro station is nearby that was built to serve much higher-intensity land uses than are currently located at Largo Town Center. Prince George's County continues to centralize more of its government operations along the McCormick Drive corridor. The county is also planning to construct a new regional medical center in an urban form that can potentially catalyze transit-oriented development at the Metro station.

On May 6, 2014, the District Council approved Plan Prince George's 2035, the update to the 2002 Prince George's County General Plan. Plan Prince George's 2035 designated the Largo Town Center Metro area as one of eight regional transit centers and one of three regional urban centers or new "downtowns" for Prince George's County. The Plan Prince George's 2035 designations reinforce the Largo Town Center Sector Plan's vision and acknowledge the county's ongoing efforts to expand the government services district that includes the subject property. Allowing the existing building and uses more flexibility so that they remain commercially viable prior to redevelopment is a key component of planning for future land uses. The permitted uses will not conflict with the goal of eventually realizing the recommended goal of an expanded government services center, but as this is a long-term vision for the area that will require both public and private investment, the application presents a reasonable accommodation for the existing uses and building. The permitted uses and the restrictions on those uses approved herein, have been reviewed and found to conform to the requirements of Plan Prince George's 2035 and the sector plan, and these uses will not thwart the long-term vision and recommendations of either plan.

At the time of rezoning to C-O, the Planning Board developed the following criteria to help determine what uses would be appropriate for inclusion in the Largo Town Center C-O Zone:

- (1) Compatibility—or at least non-interference—with health care, medical research, and government service activities within the Largo Town Center sector plan area
- (2) Little or no environmental impacts on adjacent properties such as:
 - (a) open storage of materials or assembled products (negative visual impact)
 - (b) noise from fabrication/manufacturing operations or heavy commercial vehicles
 - (c) on-site commercial vehicle storage and repairs
 - (d) traffic congestion
 - (e) negative impacts on pedestrian and bicyclist safety
 - (f) air or water pollution
- (3) Suitability of location based on the need to create vibrant public spaces within the sector plan area, especially in the vicinity of the Metro station.

Based on the above criteria and the land use recommendation for the subject property, the Planning Board has reviewed the list of proposed uses submitted by the applicant and determined that the following uses in this list may be considered as suitable additions to the list of permitted uses within the approved Largo Town Center C-O Zone. Following each use, the Planning Board has indicated each permitted use classification in accordance with the classifications of the use contained in the commercial and industrial tables in Sections 27-461 and 27-473 of the Zoning Ordinance. The prohibited uses have been omitted. The permitted use categories are as follow:

P—Permitted

SE—Special exception

PA—Accessory, subject to Sections 27-461 and 27-473(a)(3)

PB—Secondary, subject to requirements of Sec. 27-461 and 27-473(a)(4)

Note that page 115 of the Largo Town Center Sector Plan and SMA (page 115) states, “A use that would normally require a special exception in the underlying zone is permitted if it is not included in the list of uses prohibited within the DDOZ.” Therefore, in this case,

the Planning Board is applying this principle to the requested uses listed as requiring a special exception in the I-3 Zone.

(1) Commercial:

(D) Services:

Blueprinting, photostating, or other photocopying establishment **P**

Electrical or electronic equipment, radio or television, computer repair shop **P**

Laboratory:

- (i) Accessory to allowed use **P**
- (ii) Medical or dental **P**
- (iii) Research, development, or testing **P**
- (iv) All others **P**

Photographic processing plant **P**

Printing shop **P**

(2) Industrial:

(A) Chemical and Allied Manufacturing:

Cosmetics, medicinal, pharmaceutical, and toilet article products, fabrication **P**

Drugs, compounding **P**

(B) Fabrication of Wood, Metal, Paper, Plastic, and Glass Products from Materials Produced Elsewhere:

Communications equipment, computers, telephones, electronic equipment, radios, sound systems, or televisions (which may include parts for these items) **P**

Containers:

- (i) Paper or plastic **P**

Electrical lighting fixtures **P**

Furniture, cabinets, fixtures, or interior decorating components **P**

Office supplies and equipment **P**

(D) Manufacturing of Scientific, Specialized, and Technical Instruments and Equipment:

Engineering, computer, drafting, laboratory, office, research, and scientific instruments, devices, equipment and supplies **P**

Optical, dental, medical, ophthalmic, orthopedic, and prosthetic devices and supplies **P**

Photographic equipment and supplies **P**

Timing, light, mixing, safety, temperature, or weight control devices **P**

Watches, clocks, measuring, or time-keeping devices **P**

(F) Miscellaneous Industrial, Manufacturing, and Related Uses:

Contractor's office (general) as a permanent use, including the businesses of plumbing, air conditioning, heating, and electrical work, with buildings and uses accessory to the business (as well as the office) use:

(i) With storage of materials or equipment:

(aa) Indoors **P**

(ii) Including the fabrication (only within a wholly enclosed building) of plumbing, air conditioning, heating, parts for installation off-site **PB**

(iii) Including the retail sale of parts and supplies as an accessory use **PB**

Jewelry manufacturing **P**

Musical instruments, athletic goods, notions, novelties, sporting goods manufacturing **P**

Pens, artist or drafting supplies, clerical equipment, business machines, or pencils manufacturing **P**

Plastic products manufacturing, except as otherwise specified **P**

Warehousing:

(i) Subject to Section 27-471(g) **P**

(H) Printing, Publishing, Paper, and Related Industries:

Bookbinder manufacturing **P**

Bookbinding **P**

Printing and engraving (which may include all processes) **P**

Publishing **P**

(L) Textile Products:

Fabrication of finished goods **P**

(M) Wholesale Trade:

Bakery products, wholesale **P**

Electronic, glass, metal, paper, rubber, or wood products **P**

Ornamental products made of china, clay, concrete, glass, or stone **P**

Structural products made of clay, concrete, or stone, with:

(i) Indoor storage, only **P**

Textile products **P**

Wholesaling or distribution of materials (products) not used or produced on the premises **P**

Wholesaling or distribution of materials (products) used or produced on the premises, subject to Section 27-471(g) **P**

(3) Institutional/Educational:

Adult day care center **P**

(6) Recreational/Entertainment/Social/Cultural:

Reducing/exercise salon or health club **P**

(7) Residential/Lodging:

Hotel or motel (which may include public spas, swimming pools, or tennis courts, provided they are enclosed by a fence or wall at least six feet high) in an industrial park having a gross tract area of at least 25 acres or "hotel or motel, general," subject to Footnote 22 of the commercial use table. **P**

In addition, the Planning Board herein approves the following limitations to those uses on the subject site:

- (1) No use will be made of the site or any portion thereof or any building or structure thereon at any time, nor shall any materials or products be manufactured, processed, or stored thereon or therein, which shall cause an undue fire or health hazard to adjoining properties, or which shall constitute a nuisance or cause the emission of noxious odors, gases, or smoke.
- (2) No operation or uses shall be permitted or maintained which causes or produces any of the following effects discernible outside the improvements or affecting any adjacent property:
 - (a) Noise or sound that is objectionable because of its volume, duration, intermittent beat, frequency, or shrillness;
 - (b) Smoke;
 - (c) Noxious, toxic, or corrosive fumes or gases;
 - (d) Obnoxious odors;
 - (e) Dust, dirt, or fly ash;
 - (f) Unusual fire or explosive hazards; and
 - (g) Excavation: only excavation made in connection with construction of an improvement shall be made, and then only when proper protection is afforded adjacent property; and upon completion thereof exposed openings shall be backfilled and disturbed grounds shall be graded, stabilized, and restored as close to its original condition as practicable.

- (3) Loading areas located in side yards shall be set back and screened to minimize the effects from the street and neighboring properties. Loading doors and docks shall not be closer than one hundred (100) feet to the street property line. No loading areas shall be permitted on the front of any building.
- (4) No materials, supplies, or equipment (including company-owned or operated vehicles) including, but not limited to, trash and garbage receptacles shall be stored in any area on a site except inside a closed building, or behind a visual barrier screening such areas from the view of adjoining properties and public streets.

A condition in of this approval implements the above.

- b. **Department of Permitting, Inspections and Enforcement (DPIE)**—In an e-mail dated June 17, 2014, DPIE stated that there is no stormwater management requirement for the subject property, as it is already being serviced by regional stormwater management facilities.
- c. **The Prince George's County Health Department**—In a memorandum dated June 18, 2014, the Health Department stated that they had completed a health impact assessment for the subject project and offered the following comment:

While the vicinity of the project is quite walkable, it is recommended that future use of the building include additions of infrastructure and amenities to help make the area more bikeable, such as secure bicycle racks and appropriate signage. The applicant is also encouraged to add showers and locker facilities towards this end. This would contribute to the multi-modal character of the area and to the general health status of the persons employed at and visiting the subject property.

As the subject approval is solely to allow additional uses to be permitted on the site as authorized by Section 27-548.26(b) of the Zoning Ordinance, this information is noted and will be more appropriate at a future date when the property is subject instead to a DSP that proposes physical improvements to the site.

- 14. For the subject detailed site plan discussed herein, the subject approval by the Planning Board of additional uses to be permitted on the property will have no effect on previous Planning Board findings that, in accordance with Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents reasonable alternatives for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan

DSP-85098-03, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the plans shall be revised to include the following notes:

- a. The following uses are permitted (**P**), permitted as an accessory use (**PA**), or permitted as a secondary use (**PB**) as indicated on the subject property:

(1) Commercial:

(D) Services:

Blueprinting, photostating, or other photocopying establishment **P**

Electrical or electronic equipment, radio or television, or computer repair shops **P**

Laboratory:

- (i) Accessory to allowed use **P**
- (ii) Medical or dental **P**
- (iii) Research, development, or testing **P**
- (iv) All others **P**

Photographic processing plant **P**

Printing shop **P**

(2) Industrial:

(A) Chemical and Allied Manufacturing:

Cosmetics, medicinal, pharmaceutical, and toilet article products, fabrication **P**

Drugs, compounding **P**

(B) Fabrication of Wood, Metal, Paper, Plastic, and Glass Products from Materials Produced Elsewhere:

Communications equipment, computers, telephones, electronic equipment, radios, sound systems, or televisions (which may include parts for these items) **P**

Containers:

- (i) Paper or plastic **P**

Electrical lighting fixtures **P**

Furniture, cabinets, fixtures, or interior decorating components **P**

Office supplies and equipment **P**

(D) Manufacturing of Scientific, Specialized, and Technical Instruments and Equipment:

Engineering, computer, drafting, laboratory, office, research, or scientific instruments, devices, equipment or supplies **P**

Optical, dental, medical, ophthalmic, orthopedic, and prosthetic devices and supplies **P**

Photographic equipment and supplies **P**

Timing, light, mixing, safety, temperature, or weight control devices **P**

Watches, clocks, measuring, or time-keeping devices **P**

(F) Miscellaneous Industrial, Manufacturing, and Related Uses:

Contractor's office (general) as a permanent use, including the businesses of plumbing, air conditioning, heating, and electrical work, with buildings and uses accessory to the business (as well as the office) use:

- (i) With storage of materials or equipment:

- (aa) Indoors **P**

- (ii) Including the fabrication (only within a wholly enclosed building) of plumbing, air conditioning, and heating parts for installation off-site **PB**

- (iii) Including the retail sale of parts and supplies as an accessory use **PB**

Jewelry manufacturing **P**

Musical instruments, athletic goods, notions, novelties, sporting goods manufacturing **P**

Pens, artist or drafting supplies, clerical equipment, business machines, or pencils manufacturing **P**

Plastic products manufacturing, except as otherwise specified **P**

Storage building accessory to:

- (i) A permitted use **P**

Warehousing:

- (i) Subject to Section 27-471(g) **P**

(H) Printing, Publishing, Paper, and Related Industries:

Bookbinder manufacturing **P**

Bookbinding **P**

Printing and engraving (which may include all processes) **P**

Publishing **P**

(L) Textile Products:

Fabrication of finished goods **P**

(M) Wholesale Trade:

Bakery products, wholesale **P**

Electronic, glass, metal, paper, rubber, or wood products **P**

Ornamental products made of china, clay, concrete, glass, or stone **P**

Structural products made of clay, concrete, or stone, with:

- (i) Indoor storage, only **P**

Textile products **P**

Wholesaling or distribution of materials (products) not used or produced on the premises **P**

Wholesaling or distributing of materials (products) used and produced on the premises, subject to Section 27-471(g) **P**

(3) Institutional/Educational:

Adult day care center **P**

(6) Recreational/Entertainment/Social/Cultural:

Reducing/exercise salon or health club **P**

(7) Residential/Lodging:

Hotel or motel (which may include public spas, swimming pools, or tennis courts, provided they are enclosed by a fence or wall at least six feet high) in an industrial park having a gross tract area of at least 25 acres or "hotel or motel, general," subject to Footnote 22 of the commercial use table. **P**

b. The following restrictions shall apply to the permitted uses listed above:

(1) No use will be made of the site or any portion thereof or any building or structure thereon at any time, nor shall any materials or products be manufactured, processed or stored thereon or therein, which shall cause an undue fire or health hazard to adjoining properties, or which shall constitute a nuisance or cause the emission of noxious odors or gases or smoke.

(2) No operation or uses shall be permitted or maintained which causes or produces any of the following effects discernible outside the improvements or affecting any adjacent property:

(a) Noise or sound that is objectionable because of its volume, duration, intermittent beat, frequency, or shrillness;

(b) Smoke;

(c) Noxious, toxic, or corrosive fumes or gases;

(d) Obnoxious odors;

(e) Dust, dirt, or fly ash;

- (f) Unusual fire or explosive hazards; and
 - (g) Excavation: only excavation made in connection with construction of an improvement shall be made, and then only when proper protection is afforded adjacent property; and upon completion thereof exposed openings shall be backfilled and disturbed grounds shall be graded, stabilized, and restored as close to its original condition as practicable.
- 2. Loading areas located in side yards shall be set back and screened to minimize the effects from the street and neighboring properties. Loading doors and docks shall not be closer than one hundred (100) feet to the street property line. No loading areas shall be permitted on the front of any building.
- 3. No materials, supplies, or equipment (including company-owned or operated vehicles) including, but not limited to, trash and garbage receptacles shall be stored in any area on a site except inside a closed building, or behind a visual barrier screening such areas from the view of adjoining properties and public streets.
- 4. All uses on the subject property that were not existing legal uses as of the date of the 2013 Largo Town Center Sector Plan and Sectional Map Amendment approval shall be subject to the requirements of the C-O Zone as modified by the Largo Town Center D-D-O Zone development standards and the resolution(s) of detailed site plan approval for Inglewood Business Park, Lot 40.

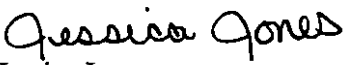
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, July 31, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of September 2014.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:RG:arj

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date 8/26/14