

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed Revision of Site Plan (Minor Change) Special Exception Application No. 3734/01 requesting minor revision of Site plan for consolidated storage in accordance with Subtitle 27 of the Prince George’s County Code; and

WHEREAS, upon receipt of additional evidence the technical staff verbally amended the recommended conditions of approval and references to the building density figure in the technical staff report, at the Prince George’s County Planning Board hearing on July 24; 2003; and

WHEREAS, the Planning Board amended No. 6(c) of the recommended conditions of approval in the technical staff report.

WHEREAS, after consideration of the evidence presented at the public hearing on June July 24, 2003 the Prince George's County Planning Board finds:

A. **Location and Field Inspection:** The subject property is located at the northeast intersection of Donnell Drive and Donnell Place, approximately 250 feet south of Pennsylvania Avenue. The property comprises 5.64 acres and is currently undeveloped and heavily wooded. The property also contains .70 acre of floodplain. The property is zoned C-M and has approximately 565 feet of frontage on Donnell Drive and approximately 457 feet of frontage on Donnell Place. The property is accessed via Donnell Drive.

B. **Development Data:**

<u>Indicator</u>	<u>Existing</u>	<u>Previously Approved</u>	<u>Proposed</u>
Zoning	C-M	C-M	C-M
Use	Vacant	Consolidated Storage	Consolidated Storage
Gross Floor Area	N/A	107,900 SF	107,600 SF
Storage Units	N/A	800 internally accessed and ? externally accessed	900 internally accessed and 32 externally accessed
Residential unit		1 unit (1,500 SF)	1 unit (1,500 SF)
Parking Spaces		21	22
Loading Spaces		0	5
Lot Coverage Paved Area		159,912 SF (65%) 105,212 SF	111,002 (45.13%) 72, 577SF

- C. **History:** The property was rezoned from the R-10 to the C-M Zone during the 1986 Sectional Map Amendment for Suitland, District Heights and Vicinity. The zoning was approved with the condition that the property be developed with consolidated storage or with uses permitted in C-O Zone. The rezoning also requires Planning Board approval of a detailed site plan. The District Council approved Special Exception 3734 in April of 1987. In 1989, the Planning Board approved a detailed site plan (SP-87010) for the property; however, SP-87010 expired before construction was initiated. A new application for a detail site plan (SP-02046) is pending.
- D. **Master Plan Recommendation:** The 1986 Master Plan for Suitland District Heights and Vicinity recommends the property for commercial-office use. The 2002 General Plan places the property in the Developed Tier.
- E. **Request:** The applicant requests Planning Board approval of a minor change to an approved site plan for consolidated storage (SE-3734) to allow several minor modifications. The applicant proposes a modification of the designs of buildings that were approved with the original special exception site plan but never were constructed. The modification is needed to comply with new federal wetlands legislation, which became effective after the approval of SE-3734 and have restricted building construction within the central portion of the property. The proposed redesign of the building will exclude the wetland areas from the proposed development. The proposal also includes a revision of the previously approved landscape plan and the parking area. It also provides for loading spaces.
- F. **Neighborhood and Surrounding Uses:** The subject property is surrounded by the following uses:
- North: An office building and undeveloped property, both in the C-O Zone; across Pennsylvania Avenue, the Penn Mar and Forest Village Park Shopping Centers in the C-S-C Zone.
 - East: 400-unit condominium-apartments in the R-18 Zone.
 - South: Across Donnell Place, residential development (Forest Hills) in the R-80 Zone
 - West: Across Donnell Drive, an apartment complex (250 units) in the R-18 Zone.
- G. **Minor Change Provision: Section 27-325(b)(1) specifies that the Planning Board is authorized to approve the following minor changes:**
- A. **An increase of no more than 15 percent in the gross floor area**
 - B. **An increase of no more than 15 percent in the land area covered by a structure other than building.**
 - C. **The redesign of parking or loading areas.**

D. The redesign of a landscape plan.

The applicant's statement of justification indicates the proposed site plan is redesigned to exclude wetland areas that became unbuildable with the passage of new federal wetland legislation that came into effect after the approval of the original special exception. The current proposal includes the following revisions to the site and landscape plans:

- a. Relocate ten parking spaces from the wetlands area.
- b. Add five loading spaces to meet current requirements.
- c. Reconfigure the driveway entrance.
- d. Eliminate the proposed retaining wall and construct a new retaining wall at another location in the southern portion of the property.
- e. Revise the landscape plan to meet current requirements.

The proposed revision proposes a 107, 600, square-foot, 2 ½ story plus basement building with 900 internally accessed and 32 externally accessed units. The revision represents 300 square feet (-1%) decrease in gross floor area and about 48, 900 Square feet (31 percent decrease) in lot coverage. As such, the changes proposed are well within the 15 percent increase limit that is allowed by **Section 27-325 (b) (A) and (B)**.

H. Specific Special Exception Requirements:

Note: Pursuant to Council Bill 29 of 2000 (CB-29), consolidated storage is no longer permitted as a special exception in the C-M Zone. The bill allows special exception applications filed prior to January 1, 2000, to continue through the review and hearing procedures in Part 4 of the Ordinance. Moreover, CB-29 also specifies that approved uses may continue in effect, may be revised or amended, and shall not be considered nonconforming. The previously approved special exception (SE-3734) was approved by the District Council in April of 1987.

Section 27-344.01 sets forth the specific requirements:

- (a) **Consolidated Storage may be permitted, subject to the following:**
 - (1) **The application shall be accompanied by:**
 - (A) **An impact statement explaining:**
 - (i) **The nature and scope of the operation.**

Section 27-224, which was in effect in 1987, when Special Exception 3734 was approved, concerns the sectional map amendment process and is not relevant to the landscaping requirements of the proposed facility. However, in compliance with current zoning standards and in accordance with **Section 27-328.02(a)** (Landscaping, Buffering and Screening), the applicant has submitted a landscape plan that meets and exceeds the requirements of the *Landscape Manual*.

2. *The chain-link fence shall be dark green or black vinyl clad.*

The proposed site plan indicates that the chain-link fence will be dark vinyl clad.

3. *A sidewalk shall be provided along Donnell drive.*

The proposed site plan shows that a sidewalk is provided along Donnell Drive.

4. *Hours of operation shall be from 7:00 a.m. to 7:00 p.m., except in those rare occasions when a customer, of necessity, must have other access.*

The applicant has indicated that this condition will be complied with. The condition is shown verbatim on the proposed special exception site plan under Note 5(4).

5. *If the existing fence on the east property line is replaced or moved, it shall be placed at least 10 feet inside the property line.*

The applicant indicated that the existing fence is not proposed to be replaced or moved.

6. *Roofs shall be “A” frame truss, containing dormers and cupolas as illustrated on exhibit 35*

Colored drawings and architectural elevations provided by the applicant comply with this condition.

7. *Doors and trim shall be of an earth tone color.*

The drawings submitted into the record indicate that the proposal complies with this condition.

8. *The location of any future dumpster pads, and its screening, shall be provided for on the site plan,*

The proposed site plan complies with this condition.

9. *No lighting shall glare or reflect off site.*

Note No. 5(9) of the proposed site plan reiterates this condition verbatim.

- 10. Signage, on the subject property, shall be limited to a ground sign near the entrance on Donnell Drive. It may be softly, internally lighted, turned off not later than 10:00 p.m. The base of the sign shall be brick or of the same masonry material the buildings are constructed of [sic].**

This condition has been placed on the site plan, verbatim, under Note 5(10). The applicant indicated that the precise size and configuration of the proposed sign, shown near the entrance to Donnell Drive on the site plan, will be detailed in a separate sign permit application. This condition will be discussed further under section M of this report.

- 11. No, grain, foodstuffs, other spoilable items, toxic, hazardous or inflammable materials may be stored.**

The applicant intends to comply with this condition. Note No. 5(11) of the proposed site plan reiterates this condition verbatim.

- 12. No repair work on the any item stored is permitted.**

The applicant intends to comply with this condition. Note No. 5(12) of the proposed site plan reiterates this condition verbatim.

- 13. All screening shall be properly shown and noted on the landscape plan.**

The applicant's proposed landscape plan provides screening in excess of the requirements of the *Landscape Manual*. In addition, the site and landscape plans provide for a six-foot-high, chain-link fence (with two chain-link sliding gates at the front portion of the property) surrounding the proposed building on its south, east (rear) and north sides. The plans also provide for a retaining wall with varying height (maximum 9 feet) on the east (rear) portion of the proposed building. The applicant has provided details of the fence, the gates and the retaining wall along with tree and shrub planting details.

- 14. Final planting at the storm drain and sewerage right-of-way may be deferred, modified or changed by the WSSC, but not eliminated as is shown by the approved landscape plan.**

The applicant's landscape plan proposes to retain the existing woodland vegetation in the area of the storm drain outfall and the WSSC sewer easement.

- 15. Amended landscape and site plans shall be filed for approval by the office of Zoning Hearing Examiner, in accordance with this decision, prior to any future permissions being granted on the basis of this decision**

The applicant indicated that landscape plans were submitted to and approved by the Zoning Examiner on December 4, 1989. The landscape plan filed with the current application has been revised to reflect other proposed revisions to the approved site plan as well as to comply with current zoning requirements with regard to landscaping.

In approving the application, the District Council determined that the applicant's proposal complied with the requirements of **Section 27-344.01**. The proposed revisions will not intensify the extent of development on the subject property in terms of footprint and number of buildings, beyond what was approved by SE-3734; rather, the proposed revision represents a reduction in pavement area and the number and size of buildings. However the revision adds a lower level (below grade) and a walk-out basement to the remaining building and, as such, the number of floors will increase from two to four floors (two-story building with one walk-out basement and one full basement below grade). Accordingly, the floor area ratio (FAR) will also increase slightly, thus resulting in a net effect of approximately 3.9 percent of increase but well within the 15 percent limit allowed by **Section 27-325 (b) (A) and (B)** for a minor revision of an approved special exception site plan.

The revision proposes to relocate 10 parking spaces and the provision of 5 new loading spaces. However, the overall size of paved area decreases by 31 percent, from 105,212 square feet to 72,577. The revision also results in a 30 percent reduction in lot coverage. Overall, the proposed revision reflects a more environmentally sensitive design and layout of the facility than the originally approved proposal. It also provides for extensive landscaping that meets and exceeds the requirements of the *Landscape Manual*, thus affording adequate and appropriate screening of the proposed facility from nearby residential uses. The applicant indicated that the amended plan proposes approximately 19.9 percent more green space than the previously approved special exception site plan.

Access to the property will be via Donnell Drive as was shown on the approved plan; however, on the revised plan the access driveway is shifted slightly to the south (approximately 40 feet). Since there is no significant change in the size of the proposed use, it is not likely to produce a significant increase in traffic. Moreover, the proposed use by its nature is a low-traffic-generating use, and the impact of the proposed 3.9 percent (4,375 Square feet) increase would be negligible. There will be no direct access from Donnell Place, the property's southern frontage.

Because the original special exception was approved prior to 1988, the subject application is exempt from the provisions of the requirements of **Sections 27-344.01(a)(6) and (7)** regarding visibility from the street and adjoining residential or commercial properties and orientation of entrances to individual storage units. However, due to the location of the proposed use in close proximity to residential developments, the applicant should provide evidence at the Planning Board hearing to demonstrate that the entrances to the 32 externally accessed storage units will not be visible from the streets and the adjoining properties.

- I. **Parking Regulations: Section 27-568 of the Zoning Ordinance requires one parking space for every 50 units having direct access only from within the building, plus four parking**

spaces for every 1,000 square feet of gross floor area (GFA) of office space. Two additional parking spaces are also required for every dwelling unit within a commercial building.

The parking schedule on the site plan shows a total of 900 internally accessed units, one residential unit, and 400 square feet of gross floor area of office space. A total of 22 spaces are required and provided (18 spaces for storage units, 2 spaces for the residential unit, and 2 spaces for the office use), including two van spaces for the physically handicapped. The number of total spaces has increased by one from what was shown in the parking schedule of the approved plan. The proposed revision also includes the relocation of 10 parking spaces. However, the relocation does not increase the overall paved area.

- J. **Loading Requirements: Section 27-582 of the Zoning Ordinance requires two loading spaces (per building) for consolidated storage comprising up to 10,000 square feet of GFA, plus one loading space for each additional 40,000 square feet of GFA (or fraction).**

Five loading spaces are required and provided; all five loading spaces are dimensioned at 12 feet wide by 45 feet long. There was no requirement for loading spaces at the time of approval of the original special exception in 1987. The new loading spaces require 260 square feet of new pavement. The new paving will take up an area formerly designated for a traffic island.

Note: No. 11(b) on the site plan should be revised to delete the reference to “15 spaces.”

- K. **Landscape Manual Requirements:** The 1987 approved special exception site plan was not subject to the *Landscape Manual* requirements since the *Landscape Manual* came into effect in 1989. The proposed revision, however, is subject to the requirements of Sections 4.2 (Commercial and Industrial Landscaped Strip Requirements), 4.3 (Parking Lot Requirements), and 4.7 (Buffering Incompatible Uses) of the *Landscape Manual*. The applicant’s landscape plan provides for a landscape treatment that exceeds the minimum requirements.

- L. **Zone Standards:** The proposed site plan conforms to all other development standards of the C-M Zone.

- M. **Sign Regulations: Section 27-614(a)(1):** The site plan shows a freestanding sign on the front portion of the property near the entrance to the facility on Donnell Drive. The applicant proposes a 108-square-foot monument sign. In addition, the proposed plan incorporates landscape materials (49 shore junipers) that would be planted at the base of the sign. Condition 10 of the approved site plan specifies the following:

“Signage, on the subject property, shall be limited to a ground sign near the entrance on Donnell Drive. It may be softly, internally lighted, turned off no later than 10 p.m. The base of the sign shall be brick or of the same masonry material the buildings are constructed on [sic].”

In addition, to further minimize potential adverse impact on the visual and environmental quality of the site and nearby residential uses (apartments across Donnell Drive), it is recommended that

the proposed sign does not exceed the maximum height (8 feet) and area (100 square feet). The specifics of the sign design should be approved prior to the issuance of permits and incorporated as part of the special exception site plan. The setback of the sign must also be provided on the site plan.

N. **Required Findings: Section 27-317(a) of the Zoning Ordinance provides that a special exception may be approved if:**

(1) The proposed use and site plan are in harmony with the purposes of this Subtitle.

The fundamental purposes of the Zoning Ordinance, as found in **Section 27-102**, are to protect the health, safety and welfare of the public and promote compatible relationships between the various types of land uses. Review of the applicant's site plan for conformance with the requirements of the Ordinance indicates no potential for adversely affecting these fundamental purposes. With the recommended conditions, the subject property can project a positive image that is compatible with other uses in the immediate neighborhood.

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.

The subject property is located in the C-M Zone. Although consolidated storage facilities are no longer permitted in the C-M Zone (CB-29, 2000), special exception applications filed prior to January 1, 2000, are allowed to continue through the review and hearing procedures as specified in the Ordinance for uses permitted by special exception. The proposed revision of the approved special exception site plan will conform to all applicable requirements and regulations of this Subtitle, provided that all the recommended conditions are met.

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Master Plan, the General Plan.

Upon reviewing the proposed plans, the Community Planning Division has determined that there are no master plan issues with the proposed development proposal. The 1985 Approved Master Plan for Suitland-District Heights and Vicinity recommends commercial-office use for the subject property. The master plan envisioned an office development concept for a major community activity center around the Forest Village and Penn-Mar Shopping Centers. The 2002 General Plan places the property in the Developed Tier. In 1985 the District Council approved Amendment No. 34 for the rezoning of the subject property to C-M rather than the recommended C-O Zone.

(4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

The proposed facility will not adversely affect the health, safety or welfare of residents or workers in the area nor will it be detrimental to the use or development of adjacent properties or the general neighborhood. The facility is designed in a manner that is compatible with and will complement existing developments in the immediate area. The proposed facility appears to be adequately screened from the nearest residential properties through a combination of architectural, topographical and landscaping features, which at the same time create an aesthetically pleasing environment on the subject property. In addition, the proposal meets the conditions of approval of the original Special Exception (SE-3734). There are no potential adverse impacts that would not be associated with any consolidated storage facility, located elsewhere near properties, uses and zones similar to the ones in the subject neighborhood. To ensure that the proposed use is adequately screened from nearby residential developments, it is recommended that the applicant should provide evidence that entrance to externally accessed storage units will not be visible from the street and the adjoining properties.

In a letter dated June 26, 2003, the Board of Directors of the Holly Hill Condominium Association voiced its concern regarding traffic conditions in the immediate area. The letter stated that the Board of Directors “strenuously objects” to the construction of the proposed facility.”

The Transportation Planning Section has offered the following comments:

When the original special exception was reviewed, there were concerns about the proposed “mini-warehouse facility” and its impact upon traffic in the immediate vicinity, and it was determined that a maximum of 33 PM peak-hour vehicle trips would be generated by the use. On that basis, the use was approved for the subject property, with a square footage of 107,900 square feet. The revision currently proposes a 107,600-square-foot facility.

The *Guidelines for the Analysis of the Traffic Impact of Development Proposals* does not include rates for consolidated storage; therefore, the Institute of Transportation Engineers' *Trip Generation Manual* (sixth edition) is used to provide trip generation rates for the use. Trip generation can be estimated using either gross square footage or the number of storage units in the facility. Based on square footage of 107 600, the site would generate 16 AM and 28 PM peak-hour vehicle trips. Based on 932 storage units, the site would generate 18 AM and 29 PM peak-hour vehicle trips. Using either method of computation, the site's trip impact is within the 33 trips that were considered in the approval of the original special exception.

During review of the original special exception, there was discussion that the applicant should confirm that the majority of vehicles using the site would be

cars, vans, or small trucks; however, this was not made a condition of approval. In describing the use, the *Trip Generation Manual* states, “truck trips accounted for 2 to 15 percent of the weekday traffic at the sites surveyed.” While the manual does not clarify if the truck trips are small or large trucks, based on the weekday trip generation the site would serve between 3 and 20 trucks per day. This is clearly not a majority of the traffic using the site.

Therefore, from the standpoint of transportation, the proposed site plan revision would not pose health, safety or welfare issues beyond those that would have been considered at the time of the original approval.

(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

The Environmental Planning Section has indicated that a Tree Conservation Plan (TCPI/41/03) was reviewed and was found to require minor revisions to the plan and worksheet in compliance with requirements of the Woodland Ordinance. The Environmental Planning Section has recommended that the Type I Tree Conversation Plan shall be revised as follows:

- a. Clearly show woodland preservation areas with their respective acreages
- b. Clearly identify and label each area not counted toward woodland requirements.
- c. Correct the worksheet to reflect changes to the plan.
- d. Have the revised plan signed and dated by qualified professional preparing the plan.

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 ROSP SE-3734/01 (Minor Change), subject to the following conditions:

1. The chain-link fence shall be dark green or black vinyl clad.
2. Hours of operation shall be from 7:00 a.m. to 7:00 p.m., except on those rare occasions when a customer, of necessity, must have other access.
3. All architectural and decorative features, building materials and colors shall be consistent with the colored architectural elevations identified as P-1, P-1A and P-3.
4. No lighting shall glare or reflect off the site.
5. The freestanding sign shall be designed as a ground-mounted, landscaped feature and it shall meet the following criteria:

- a. It may be softly, internally lighted, turned off not later than 10:00 p.m.
 - b. It shall be compatible in design, color and material with the overall character of the development on the site.
 - c. The proposed sign shall not exceed the maximum height of 8.0 feet and the maximum area of 100 square feet.
 - d. The specifics of the sign design shall be approved by the Permit Review Section staff as the Planning Board’s designee prior to the issuance of permits and incorporated as part of the special exception site plan. The setback of the sign shall also be provided on the site plan.
6. No, grain, foodstuffs, other spoilable items, toxic, hazardous or inflammable materials may be stored.
 7. No repair work on the any item stored is permitted.
 8. The Type I Tree Conversation Plan shall be revised as follows:
 - a. Clearly show woodland preservation areas with their respective acreages.
 - b. Clearly identify and label each area not counted toward woodland requirements.
 - c. Correct the worksheet to reflect changes to the plan.
 - d. Have the revised plan signed and dated by the qualified professional preparing the plan.
 9. The applicant shall demonstrate and provide evidence at the Planning Board hearing that the entrances to the 32 externally accessed storage units will not be visible from the streets or the adjoining properties. The colored architectural elevations shall be revised accordingly and reviewed by the Urban Design Section staff as the Planning Board’s designee prior to the issuance of permits and incorporated as part of the special exception site plan.
 10. Note No. 11(b) on the site plan shall be revised to delete the reference to “15 spaces.”

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the Circuit Court for Prince George’s County, Maryland within thirty (30) days of the final notice of the Planning Board’s decision.

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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 Scott, seconded by Commissioner Eley, with Commissioners Scott, Eley, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Lowe absent at its regular meeting held on Thursday, July 24, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of September 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:ET:rmk