

April 8, 2014

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Jimi Jones, Supervisor, Zoning Review Section, Development Review Division

FROM: Taslima Alam, Senior Planner, Zoning Review Section, Development Review Division

**SUBJECT: Supplemental Addendum to the Technical Staff Report for Certification of Nonconforming Use Application No. CNU-2764-12
Atlas Foundations of Washington, LLC**

On April 3, 2014, Certification of Nonconforming Use CNU-2764-12, Atlas Foundations of Washington, LLC, was scheduled for a public hearing before the Prince George's County Planning Board. Prior to the hearing, the applicant's representative provided a memorandum by e-mail to staff proposing to change the subject property's existing use from "contractors office with outdoor storage of materials, **including** outdoor storage of earthmoving or other heavy equipment and machinery" to "a contractor's office with outdoor storage of **materials only**." The memorandum further stated that the uses will be in conformance with the requirement of the Commercial Miscellaneous (C-M) zoning regulations. However, no revised site plan was submitted illustrating the applicant's proffers. For this reason, staff requested that the Planning Board continue the case two weeks to April 17, 2014 to afford time to evaluate a revised site plan that implements the applicant's proffers. This extension was granted by the Board. Subsequently, on April 7, 2014, a revised site plan was submitted by the applicant. The revised plan not only established the existing use to be a contractor's office with outdoor storage of materials only, but also proposed to restore the site to its previously approved plan by proposing to demolish all of the new construction except a 557-square-foot, two-story building addition and restore its parking, loading, and landscaping in accordance with the requirements of the zoning regulations at the time the use became nonconforming.

Based on the revised site plan and evidence provided by the applicant, it is clear that the use was lawfully established in accordance with the requirements of the Zoning regulations and it did not cease operation for more than 180 consecutive calendar days. Therefore, staff is changing its recommendation of Certification of Nonconforming Use Application No. CNU-2764-12, Atlas Foundations of Washington, LLC, reflected in the original technical staff report from **DISAPPROVAL** to **APPROVAL**.