



The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Development Review Division  
301-952-3530

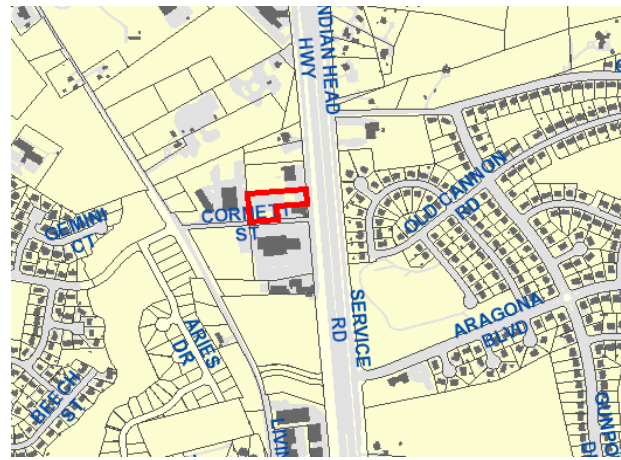
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

## Detailed Site Plan LIW Ironworks

## DSP-19057

REQUEST	STAFF RECOMMENDATION
To construct a contractor's office, with indoor storage and accessory fabrication.	With the conditions recommended herein: <ul style="list-style-type: none"><li>•Approval of Detailed Site Plan DSP-19057</li><li>•Approval of Type 2 Tree Conservation Plan TCP2-010-2017-01</li><li>•Approval of a Variance to Section 27-471(f)(2)</li><li>•Approval of a Variance to Section 27-471(f)(3)</li><li>•Approval of two Variances to Section 27-474(a)(1)(b)</li></ul>

<b>Location:</b> On the west side of MD 210, at Cornett Street, approximately 1,400 feet north of Aragona Boulevard.	
Gross Acreage:	1.50
Zone:	IE
Prior Zone:	I-3
Reviewed per prior Zoning Ordinance:	Section 27-1704(b)
Dwelling Units:	N/A
Gross Floor Area:	18,850 sq. ft.
Planning Area:	80
Council District:	08
Municipality:	None
<b>Applicant/Address:</b> LIW Ironworks, Inc. 611 Pennsylvania Avenue, Suite 293 Washington, DC 20003	
<b>Staff Reviewer:</b> Andrew Shelly <b>Phone Number:</b> 301-952-4976 <b>Email:</b> Andrew.Shelly@ppd.mncppc.org	



Planning Board Date:	02/02/2023
Planning Board Action Limit:	02/02/2023
Staff Report Date:	01/18/2023
Date Accepted:	07/28/2022
Informational Mailing:	12/31/2020
Acceptance Mailing:	06/23/2022
Sign Posting Deadline:	11/01/2022

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/). Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION  
  
PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT:       Detailed Site Plan DSP-19057  
                  Type 2 Tree Conservation Plan TCP2-010-2017-01  
                  LIW Ironworks

The Urban Design staff have reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

**EVALUATION CRITERIA**

The property is within the Industrial Employment (IE) Zone and was previously zoned Planned Industrial/Employment Park (I-3). However, this application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, as permitted by Section 27-1704(b) of the Zoning Ordinance, which allows for an approved project to continue to be reviewed and decided under the Zoning Ordinance and Subdivision Regulations under which it was approved. The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a.       The requirements of the prior Prince George's County Zoning Ordinance for the Planned Industrial/Employment Park (I-3) Zone.
- b.       The requirements of Preliminary Plan of Subdivision 4-20016;
- c.       The requirements of Conceptual Site Plan CSP-19010;
- d.       The requirements of the 2010 *Prince George's County Landscape Manual*;
- e.       The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- f.       The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- g.       Referral comments.

## FINDINGS

Based upon the evaluation and analysis of the subject application, Urban Design staff recommends the following findings:

- 1. Request:** This detailed site plan (DSP) requests the development of a contractor's office, with indoor storage and accessory fabrication. The applicant is requesting variances to the prior Prince George's County Zoning Ordinance. Specifically, a variance to Section 27-471(f)(2), to provide additional parking spaces within the yard with the front entrance; Section 27-471(f)(3), to permit a loading entrance area on the side of a building facing a street when the lot is bounded by two streets; and two variances to Section 27-474(a)(1)(b), for reduced building and parking setbacks.
- 2. Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	IE (prior I-3)	IE (prior I-3)
Use(s)	Vacant	Contractor's office, with indoor storage and accessory fabrication
Gross Acreage*	1.50	1.50
Square Footage/Gross Floor Area	0	18,850 sq. ft.

**Note:** \*Section 27-474(c)1 of the prior Zoning Ordinance requires a minimum lot area of 87,120 square feet in the I-3 Zone. However, a smaller lot area is permitted, if the lot has been classified by a sectional map amendment, and the owner does not own abutting property in the I-3 Zone. The owner does not own abutting property and the subject property was classified in the I-3 zoning category by the 2006 *Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment* (master plan). Therefore, the lot area of 1.50 acres is permissible.

### Parking and Loading

USE	NUMBER OF SPACES REQUIRED	NUMBER OF SPACES PROVIDED
Total Parking Spaces	37	39 (5 compact spaces, 2 handicapped accessible)
Total Loading	1	1

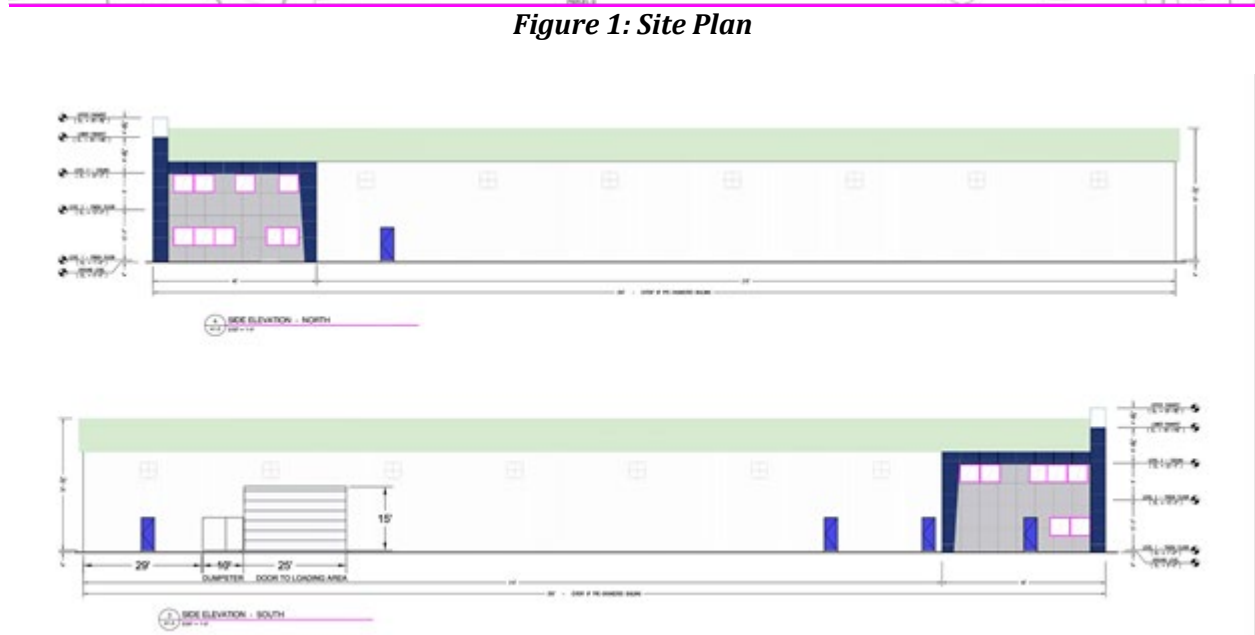
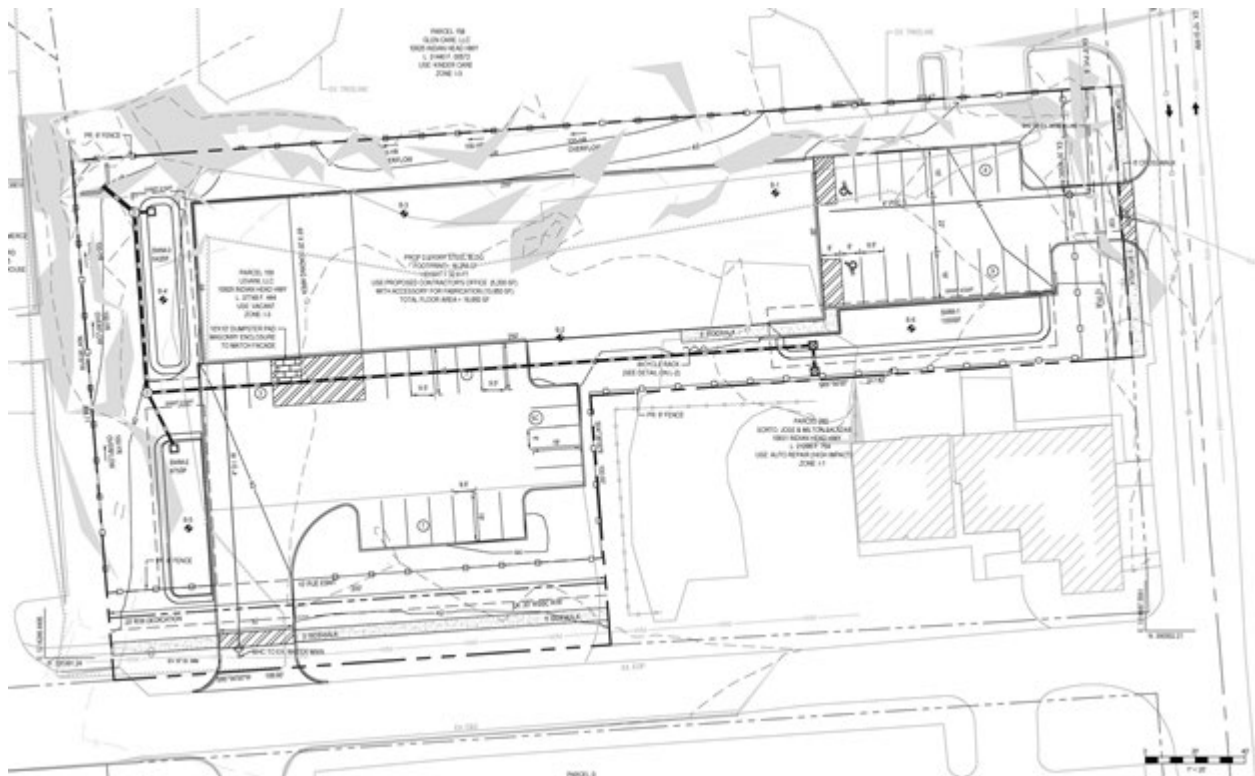
- 3. Location:** The subject site is located on the west side of MD 210, at Cornett Street, approximately 1,400 feet north of Aragona Boulevard, in Planning Area 80 and Council District 8. The site is zoned Industrial Employment (IE), but is being reviewed under the prior Planning Industrial/Employment Park (I-3) Zone of the prior Zoning Ordinance.

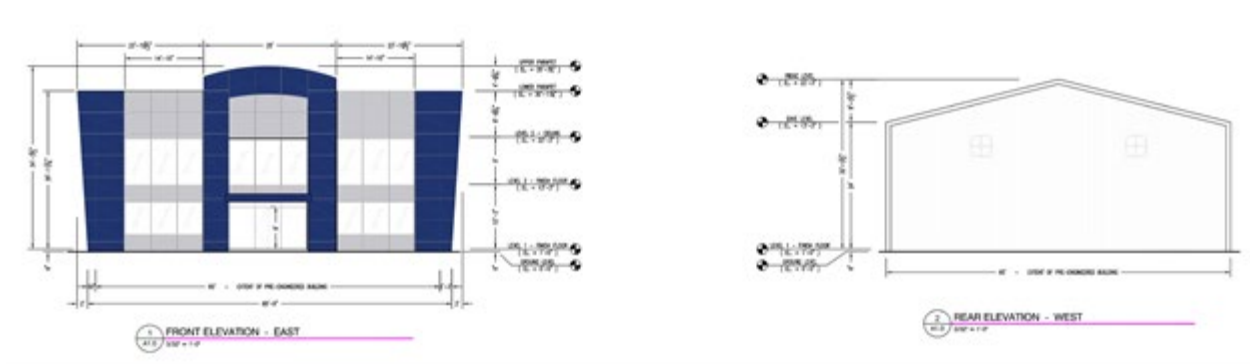
4. **Surrounding Uses:** The subject property is surrounded by other IE-zoned properties. The site is adjacent to an auto repair operation located to the southeast, in the IE Zone, which was previously zoned Light Industrial. A daycare facility is located to the north of the site and an industrial warehouse is located to the west. Properties in the Residential Estate Zone are located across MD 210.
5. **Previous Approvals:** The subject property contains an approved Preliminary Plan of Subdivision (PPS), 4-20016, and an approved Conceptual Site Plan, CSP-19010, both of which were for one parcel for development of 19,000 square feet of industrial/commercial use on the property. This DSP proposes development of 18,850 square feet of industrial and office space, keeping with the PPS and CSP approvals.

There are no prior record plats for the subject property. A final plat of subdivision will be required, following approval of this DSP, before any permits can be approved for the subject site. The final plat is required to be filed within the validity date of the PPS, December 2, 2023.

6. **Design Features:** The subject application proposes to develop an 18,850-square-foot building with a contractor's office, with indoor storage and accessory fabrication. The contractor's office will be within an open, indoor building which will have these dedicated areas: a contractor's office, a machinery and assembly area, and storage. The contractor's office, including storage on the ground floor and mezzanine level will be 10,400 square feet, and the fabrication area will be 8,450 square feet. Based on structural and mechanical requirements, the applicant proposes that 65 feet is the optimum width of the building, and a building length of 250 feet is necessary. The building will have no outside storage.

The proposed building will be two stories and 32.6 feet tall. The building materials will be a combination of light grey and dark blue metal panel, and a light stone wall panel with a brushed slate roof panel. The front narrow section of the building will accommodate the office function of the building. The site will be accessed from two points, with one entrance along a service road adjacent to MD 210, which does not have direct access to the freeway, and one entrance on Cornett Street. An interior loading area, accessed through a 25-foot by 15-foot metal door for the delivery of materials, and employee parking will be accessed on the south side from Cornett Street. There will be a total of 39 parking spaces, including 5 compact spaces, 2 handicap-accessible spaces, and 1 interior 65-foot by 25-foot loading space. The site will have a 6-foot-tall entry gate, a 10-foot by 10-foot dumpster enclosure, and two stormwater management (SWM) ponds. Building-mounted signage is being proposed to include a 22-foot-long channeled lettered sign that reads "LIW Ironworks" along the front elevation and signage related to loading access.





**Figure 2: Architecture Elevations**

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the I-3 Zone of the prior Zoning Ordinance.

The subject application is in conformance with the requirements of Sections 27-471, 27-473, and 27-474 of the prior Zoning Ordinance, with the exception of Sections 27-471(f)(2), 27-471(f)(3), and 27-474(a)(1)(b). The applicant has submitted variance requests for those sections, which is discussed below.

### Section 27-471. I-3 Zone (Planned Industrial/Employment Park)

#### (a) Purposes.

##### (1) The purposes of the I-3 Zone are:

- (A) To provide increased and enhanced employment opportunities for the residents of the County and areas for industries, research facilities, and offices which have common characteristics with respect to site requirements, desired amenities, compatibility of operations, general functional classifications, and access;
- (B) To provide for a mixture of industrial, research, office, and in certain instances specific retail commercial uses (along with compatible institutional, recreational, and service uses) in a manner which will retain the dominant industrial/employment character of the area, while also providing for the enhanced viability of the zone by providing for the location of certain retail commercial uses on the periphery of the area, specifically when the periphery fronts on, and is adjacent to, arterial roadways;

- (C) To permit uses which, when compared to the uses permitted in other Industrial Zones, will minimize detrimental effects on uses of adjacent land, especially where adjacent land is being used commercially; and
  - (D) To provide development standards which assure the compatibility of proposed land uses with surrounding land uses, maximize open space so as to create a park-like setting, and improve the overall quality of industrial/employment areas in Prince George's County.
- (b) Landscaping, screening, and buffering of development in the I-3 Zone shall be provided as set forth in the Landscape Manual.
  - (1) Additional buffering and screening may be required to protect the park-like setting of the Planned Industrial/Employment Park from adjoining or interior incompatible land uses.
- (c) Outside uses.
  - (1) With the exception of off-street parking and loading areas, recreational facilities (unless otherwise provided), airports, agricultural uses, sidewalk cafes (as an accessory use), surface mining operations, towers (poles, whips, and antennas), vehicle rental lots, and public utility uses, all uses allowed in the Table of Uses shall be located in wholly enclosed buildings. Outdoor storage is prohibited.
- (d) Site plans.
  - (1) A Conceptual Site Plan and a Detailed Site Plan shall be approved for all uses and improvements, in accordance with Part 3, Division 9, of this Subtitle.
  - (2) In addition to the requirements of Part 3, Division 9, the Detailed Site Plan shall show the design and size of lettering, lighting, and all other features of signs proposed (except those for directional or informational purposes containing not more than four (4) square feet). These signs shall be reviewed and approved or disapproved at the same time the Detailed Site Plan is acted upon.
- (e) Uses.
  - (1) The uses allowed in the I-3 Zone are as provided for in the Table of Uses (Division 3 of this Part).
- (f) Regulations.
  - (1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the I-3 Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Tables

**(Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

- (2) Not more than twenty-five (25%) of any parking lot and no loading space shall be located in the yard to which the building's main entrance is oriented, except that the Planning Board may approve up to an additional fifteen percent (15%) in its discretion if increased parking better serves the efficiency of the particular use; improves views from major arteries or interstate highways; and makes better use of existing topography or complements the architectural design of the building.**
- (3) No loading docks shall be permitted on any side of a building facing a street except where the lot is bounded by three (3) or more streets.**

**(g) Warehousing.**

- (1) Warehousing, wholesaling, distribution, or storage of materials not used, or products not produced, on the premises may be permitted, subject to the following:**
  - (A) Not more than twenty percent (20%) of the net tract area of the entire Planned Industrial/Employment Park shall be devoted to these uses (including accessory uses such as off-street parking and loading areas).**
  - (B) More than twenty percent (20%), but not more than thirty percent (30%), of the net tract area of the entire Planned Industrial/Employment Park may be devoted to these uses if at least five percent (5%) of the net lot area (of the lot on which the use is proposed) is devoted to green area. This green area shall be in addition to any other green area required by this Part. This additional green area shall either serve to preserve irreplaceable natural features, be designed so that the visual impact of the facility will be relieved (either by natural features or changes in grade), or provide distinctive furnishings (such as sculptures, fountains, and sidewalk furniture).**
  - (C) More than thirty percent (30%), but not more than fifty percent (50%), of the net tract area of the entire Planned Industrial/Employment Park may be devoted to these uses if, in addition to meeting the requirements of (B), above, the Planning Board finds:**
    - (i) That the tract is suited for these uses because of its accessibility to railways or highways that readily accommodate warehousing;**
    - (ii) That the traffic generated by the uses is not directed through residential neighborhoods;**

- (iii) That the use is compatible with surrounding existing land uses and those proposed on the Master Plan. In determining compatibility, the Planning Board shall consider architectural or physical features of the facility and may require that these features be compatible with surrounding land uses.
  - (D) The remainder of the park shall be devoted to other uses, in the case of (A), (B), or (C), above.
  - (E) Notwithstanding the provisions of Subsections (g)(1)(A) through (D) of this Section, above, the development restrictions on warehousing, wholesaling, distribution, or storage of materials not used, or products not produced, on the premises shall not apply to property which lies entirely within the I-95/I-495 (Capital Beltway), contains less than 15 acres, is vacant at the time of filing of a Conceptual Site Plan application, and was originally classified in the I-3 Zone pursuant to a Sectional Map Amendment approved before January 1, 1978.
- (h) Required access.
- (1) Each Planned Industrial/Employment Park (including each property in separate ownership) shall have frontage on, and direct vehicular access to, a street having a right-of-way width of at least seventy (70) feet.
- (i) Minimum area for the development.
- (1) The minimum area for the development of any Planned Industrial/Employment Park shall be twenty-five (25) gross acres.
  - (2) If the area is less than twenty-five (25) acres but not less than fifteen (15) acres, the property may be classified in the I-3 Zone when the property adjoins property in the C-O Zone, provided that the area of the combined properties is at least twenty-five (25) gross acres.
  - (3) If the area is less than twenty-five (25) acres, the property may be classified in the I-3 Zone when the property adjoins property in the I-3 or E-I-A Zone, provided that the area of the combined properties is at least twenty-five (25) gross acres.
  - (4) If the area is less than twenty-five (25) acres, and the land was classified in the I-3 Zone prior to October 31, 1977, or upon approval of a Sectional Map Amendment, it may be developed in accordance with this Part, provided the owner of record does not own abutting undeveloped land in the I-3, E-I-A, or C-O Zone that could be used to comply with the provisions of paragraph (1), (2), or (3), above.

**Section 27-473. – Uses permitted.**

- (a) No use shall be allowed in the Industrial Zones, except as provided for in the Table of Uses or in Subsection (c) of this Section. In the table, the following applies: (in part)**
  - (4) The letters “PB” indicate that the use is permitted subject to the following:**
    - (A) The use shall be related to, dependent on, and secondary to a primary use on the premises;**
    - (B) The use shall be located on the same record lot as the primary use;**
    - (C) The use shall not be located within a building not occupied by the primary use; and**
    - (D) The floor area of any building (and the land area occupied by any structure other than a building) devoted to the use shall not exceed an area equal to forty-five percent (45%) of the gross floor area of the building within which the primary use is located, unless otherwise provided.**

The intent of the I-3 Zone is to provide increased and enhanced employment opportunities for the residents of the County and areas for industries, research facilities, and offices which have common characteristics with respect to site requirements, desired amenities, compatibility of operations, general functional classifications, and access. The I-3 Zone also provides development standards to assure the compatibility of proposed land uses with surrounding land uses, maximize open space to create a park-like setting, and improve the overall quality of industrial/employment areas.

The proposed contractor's office, as a permanent use, including the indoor storage and accessory indoor fabrication are permitted uses in the I-3 Zone. The application states that the fabrication use will mostly be the cutting of parts to size, such as fencing materials, steel stairs, and railings for off-site jobs and installation with some assembly of the parts and welding, but the welding will be about five percent of the overall fabrication work. According to Section 27-473, under Miscellaneous Industrial, Manufacturing, and Related Uses, a contractor's office, including indoor storage and accessory indoor fabrication (only within a wholly enclosed building) of plumbing, air conditioning, heating, carpentry (and the like), parts for installation off-site is permitted subject to the following, and the proposed uses are also allowed in this zone, with approval from the Prince George's County Planning Board.

The subject application meets the specific requirements of Section 27-473(a)(4) listed above. The proposed floor plan and DSP indicate that the fabrication component does not exceed 45 percent of the gross floor area of the building. The proposed area for fabrication is 8,450 square feet and the area for storage of components is 5,200 square feet. The total square footage of the building is 18,850 square feet. The total area of the fabrication area is

44.8 percent of the gross floor area of the building, which complies with the space allocation requirement of this use in this zone.

The proposed development provides appropriate landscaping, screening, and buffering, in conformance with the 2010 *Prince George's County Landscape Manual*. The proposed site access and site layout are adequate, and the proposed development maintains the overall character of the surrounding area. The applicant is requesting variances to regulations for building and parking setbacks, loading space location, and distribution of parking spaces relative to the main entrance for Sections 27-471(f)(2), 27-471(f)(3), and 27-474(a)(1)(b).

The master plan recommends future mixed-use on the subject property and identifies the area as the Broad Creek Transit Village. The subject property is recommended for senior housing or commercial development. However, the Prince George's County District Council has not applied the appropriate zoning to realize this land use recommendation. The property is zoned for industrial use (I-3) and abuts an auto repair facility.

The master plan provides the following guidance for the I-3 zone:

***"Uses that will minimize detrimental effects on residential and other adjacent areas; a mixture of industrial, research, and office uses with compatible institutional, recreational, and service uses in a manner that will retain the dominant industrial/employment character of the zone; standard minimum tract size of 25 adjoining gross acres; standard minimum lot size of two acres; Conceptual and Detailed Site Plan approval required; 25 percent green area required; outdoor uses restricted; warehousing and wholesaling uses limited."***

This under-sized (1.5 acres) subject parcel is part of the larger industrial district extending to the south from Fort Washington Road. The project proposes approximately 30,000 square feet of green area, which is 47 percent of the site, where a minimum of 25 percent is required. The proposed uses are consistent with the dominant industrial/employment character of the zone. No outdoor storage is proposed. The proposal is consistent with the master plan's recommendations for uses in the I-3 zone.

The Planning Board, at the time of its review of the CSP, imposed additional conditions on the proposed use and the current plan satisfies these additional conditions analyzed in Finding 9.

### **Variance Requests**

The applicant has requested four variances to the requirements of Sections 27-471(f)(2), 27-471(f)(3), and 27-474(a)(1)(b), for building and parking setbacks, loading space location, and distribution of parking spaces relative to the main entrance.

Section 27-230(a) of the prior Zoning Ordinance states that a variance may only be granted when the Planning Board finds that:

- (1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific**

**parcel (such as historical significance or environmentally sensitive features);**

- (2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property;**
- (3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;**
- (4) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the general plan or any area master plan, sector plan, or transit district development plan affecting the subject property; and**
- (5) Such variance will not substantially impair the use and enjoyment of adjacent properties.**
- (6) Notwithstanding any other provision of this Section, a variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.**

**Variance Request 1—Section 27-471(f):**

- (2) Not more than twenty-five (25%) of any parking lot and no loading space shall be located in the yard to which the building's main entrance is oriented, except that the Planning Board may approve up to an additional fifteen percent (15%) in its discretion if increased parking better serves the efficiency of the particular use; improves views from major arteries or interstate highways; and makes better use of existing topography or complements the architectural design of the building.**

The development proposes parking within the yard where the building's main entrance is oriented, which exceeds the 25 percent requirement. The proposal provides 39 total site spaces, which would allow for 13 spaces in this location, if following the 25 percent requirement. The development proposes 17 parking spaces for a total of 43.5 percent of the parking located in this yard. The requirement has the provision that the Planning Board may approve up to an additional 15 percent at their discretion if the increased parking would better serve the efficiency of the use. This approval would allow 40 percent of the parking spaces to be located in this yard where the building's main entrance is oriented and would increase the efficiency of the site. The applicant is requesting that the Planning Board approve the additional 15 percent, and in addition, has requested a variance for an additional 3.5 percent, to allow a total of 17 parking spaces within the yard.

Staff has reviewed the variance request and determined that the very narrow shape of the lot is an exceptional condition and the increased parking in this location will better serve the efficiency of the use. The variance will allow more parking spaces to serve the contractor's office use, which is located close to the main entrance of the building, in the narrow part of the site for optimal use of the building site. Additional parking in this

location will create a more efficient and functional front entrance to the building. Staff recommends that the Planning Board approve the additional 15 percent and the additional 3.5 percent variance requested.

**Variance Request 2—Section 27-471(f):**

- (3) No loading docks shall be permitted on any side of a building facing a street except where the lot is bounded by three (3) or more streets.**

The development proposes a 65-foot by 25-foot interior loading area within the building, with the entrance for trucks on the side of the building facing Cornett Street. The building is bounded by two streets, and as such, the proposed location of the door to the interior loading area is technically not in compliance with Section 27-471(f)(3). The interior loading area will have a 25-foot by 15-foot metal door facing Cornett Street. Interior truck turning plans have been reviewed by Transportation Planning staff and are in conformance with the prior Zoning Ordinance. The interior loading space and exterior door are consistent with the design standards shown in Section 27, Part 11, Division 3 of the prior Zoning Ordinance. The applicant requests that the Planning Board grant a variance to permit a loading area entrance on the side of a building facing a street where the lot is bounded by two streets.

Staff has reviewed the variance request and determined that there are practical difficulties regarding conformance with this regulation due to the exceptional conditions of the property. The proposed location of truck access to the indoor loading area with an exterior loading door is adequate, given the unique shape of the site and the need for optimal efficiency of the space and its proposed use. Due to the unique physical conditions of the property, the exterior loading door needs to face the street, and if the exterior loading door was not permitted in this location, the applicant would be required to redesign the site, including relocation of the parking area which has been strategically placed. The site plan and building design are restricted by the size and narrowness of the site and this is the most efficient use of the site. In addition, accessing the loading area on the south side of the building locates it away from the day care center use on the north side of the building and the loading area will be adequately screened. Staff recommends that the Planning Board approve the variance to Section 27-471(f)(3) and allow an exterior loading area to face a street in a lot bounded by two streets.

**Variance Request 3—Section 27-474 (a)(1)(b). Setback requirement for all yards:**

- Footnote 2 Plus one (1) foot for each foot of building height up to a maximum of seventy-five (75) feet required**

The regulations for setbacks require a minimum of 20 feet within the I-3 Zone, plus an additional foot for each building height, as outlined in Footnote 2. The development proposes a two-story building that is 32.6 feet in height and requires a setback of 52.6 feet. The proposed development does not meet this requirement on the north, west, and a portion of the south sides of the building. The proposed building is set back 20 feet from the property line on the north side, requiring a variance of 32 feet, 6 inches. The building is set back 44 feet, 4 inches from the property line on the west side, requiring a variance of 8 feet, 4 inches. The building is set back 23 feet, 8 inches on a portion of the south side, requiring a variance of 28 feet, 8 inches.

Staff has reviewed this variance and determined that the subject development is located on a significantly smaller site for the zone, which is only 1.5 acres in size, and providing the required 52.6-foot setback within multiple yards would have a significantly negative impact on the building footprint and efficiency of use. If 52 feet, 6-inch setbacks were provided in this portion of the site, the available building envelope would be reduced to 5.5 feet, which would cause practical difficulties.

**Variance Request 4—Section 27-474(a)(1)(b). Surface parking setbacks:**

**Footnote 3 Including surface parking and loading areas, except that fifty percent (50%) of this additional yard (created under Footnote 1 or 2) may be used for surface parking.**

Footnote 3 allows for a 50 percent reduction of the additional required yard that was created by Footnote 2, reducing the setback requirement by 16.3 feet. For this application, the parking and loading must be set back a minimum 52.6 feet, however, with the 16.3-foot reduction, the setback would be 36.3 feet. The parking setbacks on both the east and south property line do not meet this requirement. The proposed parking on-site is set back 28 feet from the east property line and 13 feet from the south property line. The applicant is requesting a variance of 8.3 feet for the parking setback on the east property line and a 23.3-foot parking setback on the south property line.

Staff has reviewed the request and determined that the plan provides for an efficient use of the site, and due to the significantly reduced size of the lot for this zone, providing the parking setback would decrease the number of parking spaces and prevent the site from providing the minimum amount of parking to satisfy the use.

Overall, for all four of the variance requests, staff finds that there is an exceptional condition of the property due to its size and shape and that this condition results in practical difficulties. The variances requested are the minimum reasonably necessary to construct this building and efficiently use the site with its exceptional physical condition. The variances can be granted without impairment to the applicable area plans, including the *2014 Plan Prince George's 2035 Approved General Plan* and the master plan, or impairment to the use and enjoyment of neighboring properties. Finally, the practical difficulties are not self-inflicted, as they are a result of the unique conditions of the property.

This specific parcel of land is impacted by its narrowness, irregular shape, and the fact that it is considerably smaller than other lots within the subject zone, all factors which meet the extraordinary situation criteria. The subject parcel is an irregularly L-shaped piece of property. The narrow section will be used for visitor and office parking, and adjacent to the front part of the building will be the office space. The subject parcel is only 1.50 acres, and this zone requires a minimum lot area of 87,120 square feet. Though the size of this lot is permissible (see Section 2 above), an extraordinary situation exists, since the site is exceptionally tight and a challenging shape for development and, as such, staff finds it meets the criteria to grant the variances.

In addition, the strict application of these specific zoning regulations would result in practical difficulties. The requirement to meet the building and parking setbacks would significantly reduce the building footprint and number of parking spaces that are needed for the proposed office and warehouse uses. The variances are needed because of the parcel's

substandard size and irregular L-shape, and the building has been designed in response to the irregular configuration of the site. The narrower part of the site is 108.7 feet wide and will be used for visitor and office parking and the front part of the building will be the office, leaving the wider part of the site for the warehouse, which is an efficient layout for the site.

8. **Preliminary Plan of Subdivision 4-20016:** This DSP proposes development of 18,850 square feet of industrial and office space. The Planning Board approved 4-20016 for the development of 19,000 square feet of industrial/commercial use on the property, subject to six conditions. The relevant conditions are discussed, as follows:

1. **Prior to approval of a final plat of subdivision, the final plat shall grant 10-foot-wide public utility easements along the public rights-of-way, in accordance with the approved preliminary plan of subdivision.**

The property has frontage along MD 210 and Cornett Street. The required 10-foot-wide public utility easement (PUE) is shown on the DSP, along the public right-of-way of Cornett Street, in accordance with the approved PPS. The PUE along the frontage of MD 210 is also shown, in accordance with the approved PPS. However, the PUE conflicts with an existing Washington Suburban Sanitary Commission (WSSC) easement located adjacent to the right-of-way, along approximately half of the property's frontage. The applicant should confirm with WSSC if the establishment of the PUE, in its location on the PPS, will be approved for colocation within the existing WSSC easement. If the current location of the PUE is not approved by WSSC, the PUE will need to be relocated so that it does not overlap with the existing WSSC easement, and thus, will no longer be parallel, contiguous, and adjacent to MD 210. A variation from the normal requirement of Section 24-122(a) of the prior Prince George's County Subdivision Regulations will be required.

Prior to approval and along with the submittal of the final plat, the applicant shall submit a SOJ, in accordance with Section 24-113 of the prior Subdivision Regulations, for any relocation or omission of the required PUE.

2. **Any residential development on the subject property shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.**

The subject DSP proposes development, in accordance with the approved PPS, and no residential development is proposed. A new PPS is not required at this time.

3. **Development of the site shall be in conformance with the approved Stormwater Management Concept Plan 1220-2017-01 and any subsequent revisions.**

A copy of an approved SWM concept plan and letter were submitted with the subject DSP.

4. **Development of this subdivision shall be in compliance with an approved Type 1 Tree Conservation Plan (TCP1-008-2020-01). The following note shall be placed on the final plat of subdivision:**

**“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-008-2020-01), or as modified by a future Type 2 tree conservation plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”**

This condition will be addressed at the time of final plat review.

5. **Total development within the subject property shall be limited to uses, which generate no more than 22 AM peak-hour trips and 21 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The submitted application is consistent with the land use and density considered in the prior approval and, as such, does not modify the approved trip cap.

6. **In conformance with the 2010 *Approved Countywide Master Plan of Transportation and the 2006 Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area*, the applicant, and the applicant's heirs, successors, and/or assignees shall provide the following on the detailed site plan, prior to its acceptance, for the subject site that depicts:**

- a. **A “bicycles may use full lane” signage assembly and shared-lane markings (sharrows) along the subject property’s frontage of MD 210 (Indian Head Highway), subject to modification by the Maryland State Highway Authority, with written correspondence.**
- b. **A 5-foot-wide sidewalk along the subject property’s frontage of MD 210 (Indian Head Highway).**
- c. **A 5-foot-wide sidewalk along the subject property’s frontage of Cornett Street.**
- d. **A crosswalk crossing the drive aisle at both points of vehicle entry.**
- e. **One bicycle rack at a location convenient to the entrance of the building.**

The site fronts a service road that is adjacent to MD 210 which does not have direct access to the freeway. The road is not a designated shared roadway; therefore, the sidewalk along MD 210, the shared road pavement markings, and signage are not required with this application. Staff finds that the latest site plan submission meets all the applicable conditions of the prior approved PPS.

9. **Conceptual Site Plan CSP-19010:** This DSP proposes development of 18,850 square feet of industrial and office space. The District Council approved CSP-19010 for the development of 19,000 square feet of industrial/commercial use on the property, subject to seven conditions. The relevant conditions are discussed, as follows:

- (c) **At the time of Detailed Site Plan (DSP), Applicant shall provide a detailed evaluation of air and water quality environmental impact to surrounding properties based on a description of materials and substances that will be stored and used for the proposed fabrication facility.**

The applicant has satisfied this condition and provided the information in the backup.

- (d) **At the time of Detailed Site Plan (DSP), Applicant shall be required to provide or obtain approval for placement of adequate road signage at the entrance of the existing and adjacent daycare facility to serve as notice of any and all truck traffic associated with the proposed fabrication facility.**

The applicant has not fulfilled this condition. The applicant has stated in the SOJ that the placement of road signage at the entrance of the existing and adjacent daycare facility is not possible, as MD 210 is a state highway under the jurisdiction of the Maryland State Highway Administration (SHA), which does not allow signage of any kind to be placed in the public right-of-way. A record from SHA has been provided in the backup.

- (e) **At the time of Detailed Site Plan (DSP), Applicant shall be required to provide or obtain approval for placement of adequate road signage on any shared roadways or driveways with adjacent or adjoining property owners to prohibit illegal parking of trucks or automobiles associated with the proposed fabrication facility.**

The applicant has not fulfilled this condition. The applicant has stated that the adjacent street to the south, Cornett Street, is County-owned and the Prince George's County Department of Public Works and Transportation prohibits the applicant from placing any signage of any kind in its public right-of-way.

- (f) **Prince George's County Tree Canopy Coverage Ordinance – Subtitle 25, Division 3, requires minimum percentage of tree canopy coverage (TCC) on projects that need a grading permit. Properties zoned I-3 are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The subject site is 1.5 acres in size and the TCC is 0.15 acre (6,534 square feet). At the time of Detailed Site Plan, Applicant shall ensure full compliance with the requirements of the Tree Canopy Coverage Ordinance.**

The applicant has fulfilled this condition and provided the required tree canopy coverage (TCC).

10. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of Section 4.2, Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.

The landscape and lighting plan provided with the subject DSP contains the required schedules demonstrating conformance to these requirements, including a Type C Buffer, a 6-foot-high opaque fence, and 251 planting units along the boundary of incompatible uses.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in size and previously contained more than 10,000 square feet of existing woodland. A Type 2 tree conservation plan (TCP2-010-2017-01) was submitted with the DSP application.

This site was previously cleared of all on-site woodland prior to 2006, without a TCP2 or permit from the previous owner. In 2017, the current owner was required to provide a natural resources inventory equivalence letter and a TCP2 to reflect the current environmental features and to meet the requirement for the previous woodland clearing. This site contained 1.05 acres of woodland, which has all been cleared, resulting in a woodland conservation requirement of 0.66 acre. A fee in-lieu of \$8,624.88 was paid through the approval of the prior TCP2, to meet the requirement for the clearing of all on-site woodlands. The current submitted TCP2 shows that vegetation remains along the northern and western property lines, but these areas do not qualify as forested area.

12. **Prince George's County Tree Canopy Coverage Ordinance:** The DSP is subject to the requirements of the Prince George's County Tree Canopy Coverage Ordinance. Section 25-128 of the Prince George's County Code requires a minimum percentage of TCC on projects that propose more than 5,000 square feet of disturbance. The subject property is located in the I-3 Zone, which requires a minimum of 10 percent TCC, or 0.15 acre. The subject DSP provides the required schedule demonstrating conformance to these requirements through existing trees and the provision of new plantings on the subject property.

13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and are incorporated herein by reference:

- a. **Subdivision**—In a memorandum dated September 30, 2022 (Gupta to Butler), the Subdivision Section noted that the DSP has been found to be in conformance with the approved PPS.
- b. **Transportation Planning**—In a memorandum dated September 30, 2022 (Smith to Butler), the Transportation Planning Section noted that the plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance.
- c. **Environmental Planning**—In a memorandum dated October 3, 2022 (Schneider to Butler), the Environmental Planning Section noted that the proposed tree conservation plan is acceptable.

- d. **Historic Preservation**—In a memorandum dated September 27, 2022 (Smith to Butler), it was noted that the subject property does not contain and is not adjacent to any Prince George’s County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites.
  - e. **Permit Review**—In a memorandum dated August 12, 2022 (Barlett to Butler), it was noted that the plan was acceptable with the technical conditions regarding dimensions and details for parking, fencing, trash enclosure, and setbacks, as listed in the Recommendation section of this technical staff report.
  - f. **Community Planning**—In a memorandum dated September 28, 2022 (Umeozulu to Butler), it was noted that the plan conforms to the master plan.
14. As required by Section 27-285(b) of the prior Zoning Ordinance, the DSP represents a reasonable alternative 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.
15. Per Section 27-285(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.**

The site does not impact any regulated environmental features.

## RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-19057, and Type 2 Conservation Plan TCP2-010-2017-01, for LIW Ironworks, subject to the following conditions:

- 1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided as follows:
  - a. Revise the 10-foot-wide public utility easement along the public right-of-way of MD 210 to not conflict with the existing Washington Suburban Sanitary Commission easement. Development Review Division staff shall review any necessary revisions and modifications prior to certification.
  - b. Provide side and rear building setback dimensions.
  - c. Include the proposed trash enclosure in the elevations and provide trash enclosure details.
  - d. Add the location, height, and type of the proposed fence.

- e. Provide the correct square footage breakdown for each use on all plans.
  - f. Replace all Type 2 fence material from chain link to black vinyl coated chain link on the landscape plan.
  - g. Show additional evergreen shrubs on the landscape plan to adequately screen the exterior loading door from Cornett Street.
  - h. Add a note on the landscape plan demonstrating conformance with Section 4.4 of the 2010 *Prince George's County Landscape Manual*.
  - i. Revise the parking layout on the landscape, photometric, and sign exhibit plans.
2. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall submit a variation from Section 24-122(a) of the prior Prince George's County Subdivision Regulations, in accordance with Section 24-113 of the prior Subdivision Regulations, for the provision of a nonconforming public utility easement adjacent to the public right-of-way of MD 210, if required.
3. Prior to certification, the Type 2 tree conservation plan (TCP2-010-2017-01) shall be revised, or additional information shall be provided as follows:
- a. Revise the parking layout and building footprint to match the detailed site plan.
  - b. Revise the building setbacks to match the detailed site plan.
  - c. Revise the stormwater layout to match the detailed site plan.
4. Prior to certification of the detailed site plan, the applicant shall revise the stormwater management concept plan, unless communication is provided from the Prince George's County Department of Permitting, Inspections and Enforcement that no revision is needed.