

RESOLUTION

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 November 10, 2016, regarding Detailed Site Plan DSP-16034 for H&E Equipment Services, Forestville Commercial Center, Lot 12, Block D, the Planning Board finds:

1. **Request:** The subject application proposes a change to the Development District Overlay Zone (D-D-O) Zone use table to allow the sales and rental of heavy motorized equipment or construction equipment of all kinds with outdoor display, including maintenance of said equipment within an enclosed building, and two amendments to the development district standard to reduce the parking to no more than 30 spaces and to allow the existing barbed wire and chain-link fencing at the perimeter of the site.

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
<b>Zone</b>	I-1/D-D-O	I-1/D-D-O
<b>Use</b>	See Note*	See Note*
<b>Acreage</b>	1.71	1.71
<b>Building Gross Floor Area (sq. ft.)</b>	21,000	21,000

**Parking**

	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>Regular Spaces</b>	47	23
<b>Compact Spaces</b>	-	5
<b>Handicapped Spaces</b>	-	2
<b>Total</b>	47**	30

**Notes:**

\*The applicant, H&E Equipment Services, Inc. is currently operating out of the subject property. A use and occupancy permit was applied for and reviewed by the M-NCPPC Permit Review Section on February 4, 2016 and the permit was placed on hold as it was identified that the proposed use is not an allowed use per the 2009 Approved Marlboro Pike Sector Plan and SMA. Therefore, the applicant has submitted this request to adjust the use table, and the Planning Board recommends approval of the change to the use table to allow the sales and rental of heavy

motorized equipment or construction equipment of all kinds, with outdoor display, including maintenance of said equipment within an enclosed building for the subject property.

\*\*The applicant has requested an amendment to the number of parking spaces required to allow only 30 spaces to be provided.

3. **Location:** The subject site is located on the south side of Parston Drive, approximately 1,400 feet east of its intersection with Forestville Drive. The site is also located in Planning Area 75A and Council District 6.
4. **Surrounding Uses:** The site is surrounded by I-1 zoned property. To the east is undeveloped property consisting of woodland, southeast by property owned by the Board of Education and used for a bus storage yard, and further to the south by property owned by Prince George's County for a bus maintenance facility; to the south west is a single-family detached home. To the west is a contractor's yard.
5. **Previous Approvals:** The property was originally the subject of a Preliminary Plan of Subdivision (PPS) 4-04054 approved by the Prince George's County Planning Board on June 24, 2004, which adopted the resolution of approval (PGCPB Resolution No. 04-156) on July 15, 2004 formalizing that approval. The 2009 Marlboro Pike Sector Plan and SMA retained the property in the I-1 Zone and superimposed a D-D-O Zone on the property.

A building permit was approved for the property with 17,100 square feet as a one story warehouse. The detailed site plan (DSP) indicates 13,020 square feet of one-story, and 7,980 square feet of two-story building, for a total of 21,000 square feet.

6. **Site Design:** The application is for the purpose of modifying the D-D-O Zone use table to allow for the sale and rental of heavy motorized equipment or construction equipment of all kinds with outdoor display, including maintenance of said equipment within an enclosed building, and to amend the parking requirements and fencing requirements, and for approval of the proposed building-mounted signage for the property. No new gross floor area is proposed for the site.

The site improvements for the subject application include adjustment of the existing fencing and gate along the front of the display area to screen the view into the site from the street, a proposed five-foot-high by 19-foot-long building-mounted sign on the front of the building, and new landscaping proposed along the street line in an existing landscape strip.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **2009 Approved Marlboro Pike Sector Plan and Sectional Map Amendment:** The proposed minor improvements to the site conform to the development district standards except for the following points on which the applicant has requested amendments:

Section 27-548.25(c) of the Zoning Ordinance states the following:

- (c) **If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.**

The applicant is asking for two amendments:

- a. The first amendment is to the streetscape requirements as stated on page 143 of the sector plan in Section 4.1 Standards:

**Section 2: Streetscape, Fences, walls or screening required by the Landscape Manual shall be constructed of durable materials that include masonry, stucco, decorative metal, landscape berms or vegetation. The following materials shall NOT be used for any type of required fencing, walls, or screening in this D-DOZ area: barbed wire, unclad cinder block, vinyl cladding, corrugated metal, corrugated fiberglass, sheet metal, wire mesh, or chain link.**

The applicant provides the following justification for the amendment:

“There is an existing 8-foot-high fence with barbed wire that serves to secure the valuable construction equipment on-site. With the exception of the sections of the fence facing Parston Drive, the remainder of the fence along the western and southern boundaries of the enclosed area for the outdoor display of the equipment is not required by the Landscape Manual, and is proposed to remain as is for security purposes. The northern portion of the fence that faces Parston Drive is required by the Landscape Manual to screen the existing fencing as well as the proposed outdoor display area. An additional fence, intended to screen the existing chain link with barbed wire, is proposed in order to meet the requirements of Section 4.2 of the Landscape Manual and DDOZ Standard 2.2. The new 8-foot-high privacy fence in front of the existing 8-foot-high chain link fence will meet the screening requirements of Section 4.4 of the Landscape Manual. The applicant needs the existing fence with barbed wire to safeguard and protect the very valuable equipment on-site. The applicant’s business requires it to have its equipment displayed on-site, and due to the property being located at the terminus of Parston Drive and being fairly isolated within the existing industrial area, it is critically important that the applicant be able to protect its very valuable equipment at all times. Finally, there are approximately four (4) other properties along Parston Drive that have chain link with barbed wire fencing. The difference,

however, is that under this DSP, the applicant is proposing the privacy fence and landscaping to further screen the existing fencing from the right-of-way, as well as to screen the outdoor display areas.”

The Planning Board agrees with the applicant’s proposal to retain the existing fencing, which is in keeping with other properties nearby. Since the subject site is not along the major corridor, this request does not seem unreasonable to protect the equipment contained within the storage area.

- b. The second amendment is to the parking requirements:

**Section 4: Parking and Loading: All parking and loading shall comply with standards of the Zoning Ordinance.**

The applicant provided the following justification for the amendment:

“In regard to development standard 4.1, the Applicant is requesting a modification from the standard in order to reduce the parking to thirty (30) parking spaces, due to the fact that the proposed use is a low parking generation rate and the use will not require forty-seven (47) spaces given the type of business the Applicant conducts. H&E Equipment Services will have twelve (12) employees at this location. An average daily shift would have eight (8) employees. As stated previously, few, if any, walk-in customers are anticipated for this sale and rental of heavy motorized equipment or construction equipment use. The requested amendment of thirty parking spaces will be more than enough for the operation of the proposed use and will not substantially impair the Sector Plan. As indicated earlier, although the property is located within Character Area 3, it is interior to the Character Area, and is not located at an area that can be considered a ‘gateway’ into the Marlboro Pike Sector Plan Area.”

The Planning Board agrees with the applicant’s proposed reduction in the number of parking spaces. The unique merchandise of the operation results in there being few visitors to the site. Upon a site visit by staff during the week day, it was reported that there were few vehicles at the site. A reduction in the number of parking spaces to no less than 30 parking spaces will not substantially impair implementation of the master plan, master plan amendment, or sector plan.

- 8. **Prince George’s County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the I-1 Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The subject application is in conformance with the requirements of Section 27-469 of the Zoning Ordinance, which governs the requirements for the I-1 Zone.

- b. Site design guidelines—The plan as proposed fulfills the site design guidelines. It should be noted that all existing improvements are to remain and the DSP is submitted for the adjustment to the use table and the two proposed amendments to the development district standards of the overlay zone.
- c. The DSP is in conformance with the following provision which addresses the property owner's right to request changes to the list of allowed uses as contained in Section 27-548.26(b) of the Zoning Ordinance. It provides:

**(b) Property Owner.**

**(1) The Property owner may request that the District Council amend development requirements for the owner's property, as follows:**

**(a) An owner of property in, adjoining or separated only by a right-of-way from the Development District may request changes to the boundary of the approved D-D-O Zone.**

**(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.**

The applicant filed this DSP to request an amendment to the D-D-O Zone Use Table. The DSP is also in conformance with Section 27-548.26(b)(5) of the Zoning Ordinance, which states that, in approving an application to change the allowed uses as modified by the Development District Standards, the District Council must find 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 meets applicable site plan requirements."

The applicant provided the following justification for the proposed change to the list of allowed uses for the subject property:

"Section 27-548.26(b)(5) also states that in approving an application to change the list of allowed uses, the District Council must find 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 meets the applicable site plan requirements. Similarly, Section 27-548.26(b)(2) of the Zoning Ordinance requires the owner's application to include '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 'a site plan, either a Conceptual Site Plan required by Section 27-548.25 or a Detailed site plan.' The applicant's application, on behalf of the owner, submitted herewith includes a detailed site

plan, and, as provided below, an analysis for conformance with the purposes and recommendation of the Development District, as stated in the *Marlboro Pike Sector Plan*.

“Purposes and Recommendation of the Development District

“The subject property is improved with a building that totals approximately 21,000 square feet. With the approval of this detailed site plan, the owner/applicant intends to operate a business for the sales or rental of heavy construction equipment and adding landscaping that complies with applicable standards/regulations. An amendment is requested from development standard 4.1 to reduce the parking to thirty (30) spaces. In all, the grant of the detailed site plan will not only result in actual improvements to the property, but will also help to ensure that the building(s) are leased and do not remain vacant. Moreover, the proposed use at this location capitalizes on its central location and easy access to the Capital Beltway, which will create, if this application is approved, an economically thriving business. This business, unlike having a vacant 21,000 square foot building, will employ upwards of 12 employees, will add to the County tax base, and will improve the ethics of the property by adding landscaping. The net result of this will be a site and use that better conforms to the goals and purposes of the Development District Plan by facilitating a use and business that not only improves the character of the area, but is also compatible with the location under the flight path for Joint Base Andrews. This alone supports the purpose and recommendation of the Development District of the Sector Plan, which created the Development District Overlay Zone on the subject property to reinforce the existing adjacent industrial development by providing an attractive gateway to the Sector Plan area.

“As adopted, the District Council established the DDOZ for Subarea 3: ‘Low Intensity Business Park Character Area.’ As provided on page 140 of the adopted Sector Plan, the goal of this Character Area is to ‘redevelop existing commercial and industrial properties with low-intensity commercial and industrial uses that provide an attractive gateway and business community that is compatible with the location under the flight path for Joint Base Andrews.’ Although the property is located in the Character Area 3, Lot 12 is an interior property within the character area, and does not function as a gateway to the Marlboro Pike Sector Plan Area. The proposed use will fulfill the ‘attractive’ requirement of Character Area 3, through the addition of a vinyl privacy fence located on the northeast side of the fences enclosure containing the outdoor display areas, shielding the outdoor display area from Parston Drive. In addition, landscaping has been added along Parston Drive and along the northern property line, which will further reduce views into the property from Parston Drive. The recommendation for the DDOZ relates to future redevelopment of the existing commercial and industrial properties with low intensity commercial and industrial buildings that facilitate

low intensity commercial and industrial uses. The sales and rental of heavy motorized equipment or construction equipment use qualifies as a low intensity use, generating few, if any, 'walk in' customers.

"The second goal of the DDOZ was to locate uses on property 'compatible with the location under the flight path of Andrews Air Force Base.' The subject property is located within the Safety Zone of APZ 1. Currently, there exists Interim Land Use Control (ILUC) regulations; however, the site is exempt from the ILUC due to its location within the DDOZ. On June 9, 2015, the County Council enacted CB-42-2015 for the purpose of establishing the Military Installation Overlay Zone (MIOZ), providing procedures and restrictions for designation and approval of the MIOZ, and to provide use restrictions, development regulations, site plan provisions, and permitting requirements for the MIOZ in the Zoning Ordinance. Although not yet enacted, this legislation helps support the owner/applicant's request to change the list of allowed uses by providing additional guidance regarding the second goal of the DDOZ. The proposed use for the sale or rental of heavy construction equipment will be consistent with the future implementation of the MIOZ and 'compatible with the location under the flight path of Joint Base Andrews.' Simply stated, the proposed use on the subject property, if permitted, does not generate 'significant crowds of people' and fulfills the goals of the Sector Plan and the DDOZ and will not be inconsistent with the future implementation of the MIOZ.

"When the DDOZ was established, it did not conduct a property by property analysis to understand which use restrictions should or should not apply to individual properties. With the retention of the subject property in the I-1 Zone, the recent approval of DSP-13014, and the enactment of CB-42-2015, it is clear that the District Council has determined that I-1 zoning is the preferred zone for the subject property and modifying Figure X-10 (Marlboro Pike Table of Uses Permitted – Industrial Zones) to permit the requested use fulfills the goal of the Sector Plan to locate uses on property compatible with the flight paths of Joint Base Andrews."

The Planning Board finds that the proposed modification to the use table to allow for the sale and rental of heavy motorized equipment or construction equipment of all kinds with outdoor display including maintenance of said equipment within an enclosed building, is consistent with and fulfills the goals of the Marlboro Pike Sector Plan and the D-D-O Zone. The unique circumstances applicable to the subject property, that it is located at the end of Parston Drive and embedded within the development district is, away from Marlboro Pike and in an isolated area of the development district contains existing structures originally intended for warehouse use, and was designed and constructed in accordance with the underlying I-1 Zone, make this a reasonable request.

9. **2010 Prince George's County Landscape Manual:** The Marlboro Pike Sector Plan states, on page 142, the following regarding the Landscape Manual applicability:

**Except as modified by the development district standards, the provisions of the Landscape Manual in Section 1.3 (Alternative Compliance) and Sections 4.2 (Commercial and Industrial Landscape Strip requirements), 4.3 (parking Lot requirements), and 4.7 (Buffering Incompatible Uses) do not apply within the development district. All other standards and regulations of the Landscape manual apply as necessary.**

However, the sector plan states the following relating to Landscape Manual applicability in Character Area 3, in which the subject property presides:

**2.1 Landscaping/Buffering-Additional requirements. All development shall be subject to the design guidelines, requirements and standards of the Landscape Manual. Additional requirements for buffering /screening area on private properties located along the public rights-of-way, as identified in Figure X-6: Landscape Buffer Illustration on page 144 are as follows:**

**Area A (MD 4 including the exit ramp from I-95) – Minimum 20-foot wide vegetative screen with or without fencing.**

#### **Section 2—Streetscape**

**2.2 Fence/Wall/Screening material. Fences, walls or screening required by the landscape manual shall be constructed of durable materials that include masonry, stucco, decorative metal, landscape berms or vegetation. The following materials shall NOT be used for any type of required fencing, walls, or screening in the DDOZ area; barbed wire, unclad cinder block, vinyl cladding, corrugated metal, corrugated fiberglass, sheet metal, wire mesh, or chain link. (*emphasis added*)**

The sector plan states in paragraph 2.1 that all development is subject to the Landscape Manual within Character Area Three. In this case, since the project is not proposing any increase in gross floor area, nor is it changing from a higher to a lower use category, the Planning Board finds that Section 1.1(d) of the Landscape Manual exempts the project from Sections 4.1, 4.2, 4.3, 4.5, 4.6, 4.7, 4.8, 4.9, and 4.10. However, the project is subject to Section 4.4 of the Landscape Manual, which states the following:



(3) **Outdoor Merchandise Storage**

**Outdoor merchandise storage areas shall be screened from adjoining existing residential uses, land in any residential zone, or land proposed to be used for residential purposes on an approved basic plan, approved official plan, or any approved conceptual, detailed, or special exception site plan. Loading spaces, loading docks, and maintenance areas shall also be screened from constructed public streets.**

**Options:**

- (A) **Six (6)-foot-high, sight-tight fence or wall; or**
- (B) **Minimum two (2)-foot-high berm, densely planted with vegetation to achieve a screen with an ultimate height of at least six (6) feet; or**
- (C) **Six (6)-foot-high evergreen screen (trees or shrubs, minimum six (6) feet high at planting, minimum nine (9) feet on center, double staggered row); or**
- (D) **A combination of the above options.**

The Planning Board finds that evergreen screening should be provided along the rear property line adjacent to the existing single-family detached dwelling, and notes the applicant's proffer of enhancing the landscape strip along the right-of-way of Parston Drive.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The project is exempt from the requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and has procured a Letter of Exemption granting a standard exemption for the site (WCO-EL S-111-16). The site is exempt from the Prince George's County Woodland Conservation Ordinance, because the site has less than 10,000 square feet of woodland and no previously approved tree conservation plans.
11. **Prince George's County Tree Canopy Coverage Ordinance:** The application is exempt from the requirements of the Prince George's County Tree Canopy Coverage Ordinance as the subject project will not create more than 5,000 square feet of ground disturbance.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The following findings are adopted by the Planning Board in their review.
  - a. **Community Planning—***Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) designates the area in the Established Communities Growth Policy area. The vision for Established Communities is a context-sensitive infill and low- to medium-density development. The project is located within Planning Area 75A/Capitol

Heights and the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* (Marlboro Pike Sector Plan and SMA). The Marlboro Pike Sector Plan and SMA retained the subject property in the I-1 Zone, superimposed with a D-D-O Zone.

This application conforms with the general Industrial land use recommendation of the Marlboro Pike Sector Plan, however, the requested uses are not consistent with the specific uses permitted in the I-1 Zone as modified per the D-D-O Zone, therefore, the requested amendment has been submitted to adjust the permitted uses on the subject property. Implementing the proposed improvements and permitting the uses requested on this property will not substantially impair the implementation of the low-intensity business park recommendation of the SMA.

The Marlboro Pike Sector Plan recommends the subject property and the surrounding properties be in the Industrial land use designation. The SMA retains the I-1 Zone, but superimposes a D-D-O Zone, which further restricts uses allowed in the I-1 Zone. Thus, the uses requested by this application are prohibited in the Marlboro Pike I-1 with D-D-O Zone in keeping with the goals, land use, and design characteristics of the low-intensity business park (see pages 138, 140, 142 and 143).

This application is in Character Area 3: Low Intensity Business Park. The goal is to redevelop existing commercial and industrial properties with low intensity commercial and industrial uses that provide an attractive gateway to the Marlboro Pike Sector Plan area and a functional business community that is compatible with the location under the flight path for Joint Base Andrews Naval Air Facility Washington (JBA). The subject property is located within APZ 1 of the **adopted** Military Installation Overlay Zone area, where properties have the potential to impact, or be impacted by, flight operations at JBA and may be subject to the provisions of Part 10C of the Zoning Ordinance.

The land use characteristics envisioned for the area include low-intensity business buildings with flex space for business services, limited retail services, manufacturing, wholesaling, warehousing and distribution. This character area requires high standards for site design and operations to ensure that business uses in this area are attractive as well as functional. It also envisions low-scale one-story buildings constructed of durable materials with interior noise attenuation features to mitigate the high noise impacts of flight operations near the end of the runways for JBA. Close attention should be paid to installation and restoration of landscaping and screening along public roads and on interior open spaces (see Figure X-6: Landscape Buffer Illustration on page 144). Land uses that attract children, the elderly or the infirm, or large gatherings of people should be prohibited.

Any amendment to the table of uses for uses prohibited by the D-D-O Zone should be reviewed to determine the extent the proposed uses and operation meet the goal, land use characteristics and the applicable development district standards. To meet the goal, land use characteristics, and the applicable D-D-O standards, this application proposes various

building improvements. Improvements include installation of a privacy fence to shield the outdoor display areas from Parston Drive, and additional landscaping along Parston Drive and along the northern property line to further reduce views into the property. Implementing the proposed improvements and permitting the uses requested on this property will not substantially impair the implementation of the Low Intensity Business Park.

- b. **Environmental Planning**—The application is for a 1.70-acre parcel, which is zoned I-1 and seeks to amend the use table to allow sales/rental of heavy motorized and construction equipment in a I-1 Zone of the Marlboro Pike Development District Overlay Zone. The entire site has been impacted and impervious with parking area and a single building. No new impacts are proposed with this application.

**Woodlands:** The site has an approved WCO-EL (S- 111-16) and NRI Exemption Letter (NRI-130-2016)

**Specimen Trees:** The site contains no specimen trees

**Wetlands/Streams:** No wetlands or streams found on-site

**100-year floodplain:** Not found on-site.

**Primary management area (PMA) Impacts:** No PMA impacts proposed

**Chesapeake Bay Critical Area (CBCA):** No CBCA on-site

**2005 Approved Countywide Green Infrastructure Plan:** The site has network gap areas on-site. No impacts are proposed

**Noise:** Parston Drive is not identified as a master-planned roadway. No residential use proposed, no noise contours on-site

**Scenic/Historic Roadway:** Parston Drive is not identified as a historic or scenic roadway

**Marlboro Clay Soils:** Not found on-site

**Development District Overlay (D-D-O):** The site is within the Marlboro Pike D-D-O Zone, no environmental policies or goals are required because no new impacts are proposed

- c. **Transportation Planning**—The DSP application was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* (Sector Plan) in order to implement planned trails, bikeways, and pedestrian improvements. The

application proposes to utilize an existing building on-site for the sale and leasing of heavy equipment.

#### **Master Plan Compliance and Prior Approvals**

Both the area master plan and the MPOT recommend a stream valley trail along Ritchie Branch. The wording from the MPOT regarding this proposal is copied below.

**Ritchie Branch Trail: This planned trail will provide access from the Forestville community to Walker Mill Regional Park. This is a long-term recommendation that will require the acquisition of land along the stream valley within a largely industrial corridor (MPOT, page 27).**

This is a long-term recommendation that would require right-of-way or easement acquisition to accommodate the trail. Although the planned trail line included in the MPOT runs through the subject site, if constructed this trail would likely have to be to the east of the subject property along the alignment of Ritchie Branch Trail. In the immediate vicinity of the subject site trail construction is not feasible or desirable due to existing industrial uses. No recommendations regarding the Ritchie Branch Trail are made for the subject application. The Department of Parks and Recreation (DPR) is currently completing a Trails Master Plan for future M-NCPPC trails, and this planned trail may be removed from that plan if it is deemed not feasible by DPR. Due to the nature of the abutting light industrial uses, no mandatory dedication is required along Ritchie Branch, making stream valley acquisition difficult along this corridor.

The MPOT and the area master plan include no master plan trail or bikeway recommendations that impact the subject site. However, the Complete Streets section of the MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians which relate to frontage improvements and internal pedestrian circulation:

**POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

**POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

The subject application includes an existing standard sidewalk along its frontage of Parston Drive. No additional internal sidewalk connections are necessary for the subject site plan. There are no master plan trail recommendations for the subject application.

In the late 1980s to the 1990s, there were a number of developments whose building permits were issued without going through a transportation adequacy test. The subject property (Lot 12) and the existing building was among them. Then in 2004 the subject site was included in a preliminary plan of subdivision which recognized the existing gross floor area of the building that was built in or around 1992 and essentially capped the development on Lot 12 at 22,000 square feet. Furthermore, there is no evidence that the use (or the site layout) has changed substantially over the years, considering the industrial nature of the property.

There are no transportation issues regarding this application.

- d. **Subdivision Review**—At the time of approval of PPS 4-04054, Lot 12 was developed with 22,000 square feet of warehouse space per the approved plan. The DSP shows 21,00 square feet of gross floor area. The DSP is in conformance with the record plat (REP 203-62) which was recorded in Land Records on November 3, 2004.

There are no subdivision issues.

- e. **Permit Review**—The plans are subject to the requirement of the I-1 Zone relating to a minimum of 10 percent of the site being in a green area and the plans have demonstrated conformance to this requirement.
- f. **Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE)**—DPIE provided comment in a memorandum dated September 19, 2016, stating that DPIE has no objection to the proposed amendments to the use table.
- g. **Prince George's County Police Department**—The Police Department did not offer any comment regarding the subject project.
- h. **Prince George's County Health Department**—The Health Department did not offer any comment regarding the subject project.
- i. **City of District Heights**—No response had been received from the City of District Heights regarding the subject project.
- j. **Joint Base Andrews Naval Air Facility Washington (JBA)**—No response had been received from JBA regarding the subject project.
- k. **Historic Preservation**—The application was found to have no effect on historic or archeological resources.

- 13. Based on the foregoing and as required by Section 27-285(b)(11) of the 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.

14. As there are no regulated environmental features located on the subject project, the required finding of Section 27-285(b)(4) of the Zoning Ordinance that regulated environmental features are preserved and/or restored to the fullest extent possible need not be made for the subject project.

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

- A. The Planning Board recommends that the District Council APPROVE the amendment to the Development District Overlay Zone use table to allow the sale and rental of heavy motorized equipment or construction equipment of all kinds, with outdoor display, including maintenance of said equipment within an enclosed building.
- B. The Planning Board APPROVED the alternative development district standards for:
1. **Section 2.2: Streetscape:** To allow the existing barbed wire and chain-link fencing at the perimeter of the site.
  2. **Section 4.1: Parking and Loading:** To allow the reduction of parking to no more than 30 spaces.
- C. The Planning Board APPROVED Detailed Site Plan DSP-16034 for H&E Equipment Services, Forestville Commercial Center, Lot 12, Block D, subject to the following conditions:
1. Prior to certificate approval, the following information and revisions shall be provided:
    - a. Add the site plan note as follows:

“The following use is permitted use on the subject property—The sale and rental of heavy motorized equipment or construction equipment of all kinds with outdoor display, including maintenance of said an equipment within an enclosed building.”
    - b. The landscape plan shall be revised to provide evergreen screening of outdoor merchandise storage, along the south property line adjacent to the single-family detached dwelling, in accordance with Section 4.4 of the 2010 *Prince George's County Landscape Manual*.

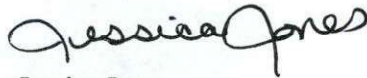
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, November 10, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of December 2016.

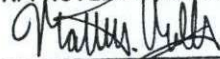
Patricia Colihan Barney  
Executive Director



By Jessica Jones  
Planning Board Administrator

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APPROVED AS TO LEGAL SUFFICIENCY.



M-NCPPC Legal Department

Date 11/23/16