

LAND USE PETITION IN THE BOWIE PLANNING AREA

Md.-National Capital Park and Planning Commission ID:

Revision of Site Plan (ROSP)
Special Exception #4372/02
EZ Storage - South Bowie
Date: March 14, 2007

Bowie Advisory Planning Board # 07-04

INTRODUCTORY NOTE: The proposed application is a request for approval:

- (a) of a zoning type case involving the specific use of land;
- (b) of a conceptual site plan;
- (c) to subdivide property into building lots and obtain adequate public facilities approval;
- (d) of a site plan for building and parking design, landscaping, architecture, etc.

under the development regulations of Prince George's County. The application has been referred to the City for our review and recommendation. The position of the Bowie Advisory Planning Board in this matter is advisory to the City Council. The City Council will also conduct a public hearing on this application and their vote will become the final City recommendation. Persons wishing to participate in these hearings must submit written testimony or sign up to speak at each public hearing. Each person wishing to speak at the City's hearings will be given up to three (3) minutes. To participate in the County's hearings, you must make a separate, written request to become a person of record.

GENERAL DATA:

1. **Nature of Petition:** Revision of Special Exception Site Plan
2. **Petitioner:** Siena Development Corporation
3. **Represented by:** Russell Shipley, Shipley & Horne, PA
4. **Location of Petitioned Property:** South side of Pennsbury Drive crossover, between northbound and southbound US 301
5. **Proposed Use of Petitioned Property:** 66,000 square foot, three-story addition containing 600 storage units
6. **Size/Zone of Petitioned Property:** 9.46 acres/zoned C-M (Commercial Miscellaneous)
7. **Date of Hearing before BAPB:** Tuesday, March 13, 2007 at 7:00 P.M.
8. **Date of Hearing before City Council:** Monday, March 19, 2007 at 8:00 P.M.
9. **Date of Hearing before M-NCPPC:** N/A
10. **Date of Hearing before Hearing Examiner:** N/A
11. **Date of Hearing before District Council:** N/A

NOTICES/LEGALS	Date	Number of Mailing/Signs
Notice sent to Adj. Properties:	2/27/07	153
Notice sent to Parties of Record	N/A	
Date Signs Posted:	2/27/07	2
Date Legal Sent:	N/A	
Date Legal Appeared:	N/A	

RECOMMENDATIONS:

12. **Department of Planning & Economic Development Recommendation:**
The Department of Planning & Economic Development staff recommends **APPROVAL** with the conditions stated in the attached report.
13. **Bowie Advisory Planning Board Recommendation:** The Bowie Advisory Planning Board recommends **APPROVAL** with the staff conditions.



City of Bowie

2614 Kenhill Drive
Bowie, Maryland 20715

MEMORANDUM

TO: City Council

FROM: Ronald Skotz, Chairman
Bowie Advisory Planning Board

SUBJECT: Revision of Site Plan (ROSP)
Special Exception SE-4372/02
EZ Storage - South Bowie (Docket #07-04)

DATE: March 14, 2007

In Tuesday, March 13, 2007 the Bowie Advisory Planning Board conducted a public hearing on Special Exception #4732/02, a request to construct a 66,000 square foot, three-story addition to an existing consolidated storage facility. The addition proposed by Siena Development Corporation would add 600 additional storage units to the existing 985 units. The subject property is located on 9.46 acres of land zoned C-M (Commercial Miscellaneous), located on the south side of the Pennsbury Drive crossover, between the northbound and southbound lanes of US 301.

Presentations:

Planning Director Joe Meinert provided an overview of the property and the proposed site plan. Mr. Meinert then reviewed portions of the staff report and stated that staff found the application to meet the criteria for approval and recommended two (2) conditions.

Mr. Robert Antonetti, attorney with Shipley & Horne, P.A., representing the applicant, Siena Development Corporation, stated that his client is in agreement with the findings of staff and the staff recommendation.

Questions from BAPB Members:

Ms. Christine Hedman asked if the recreational vehicle (RV) parking that will be displaced by the proposed addition would be relocated on the site? *Mr. Antonetti replied that additional parking will be provided toward the rear of the site. This parking would be used for RVs and boats and will be completely screened by Buildings #2 and #3.*

Ms. Hedman asked, what would be the hours of operation? *Mr. Craig Pittinger of Siena Development Corporation stated that the hours are 8:30 a.m. to approximately 6:00 p.m. for the office and generally from 6:00 a.m. to 10:00 p.m. for the warehouse portion. The facility is open seven (7) days a week, 365 days a year.*

BAPB Report to City Council
SE-4372/02 EZ Storage South Bowie

Mr. Ray Loftin asked if anything between Buildings #2 and #3 would be displaced by relocation of the RV and boat storage. *Mr. Antonetti noted that the entire area is paved. Mr. Pittinger stated that loading spaces are currently there but are not being used. These spaces will be relocated to better provide access to the buildings. Mr. Pittinger noted that they will lose a total of one (1) RV parking space now available in front of Building #1 when the parking is relocated.*

Mr. James Golato observed that there are a lot of storage buildings already in existence in Bowie and that people with single-family homes usually have storage capability in their homes. He asked, is there really a need for this expansion? *Mr. Pittinger answered that there are only three (3) facilities in the area: one at Gallant Fox Lane, which they own; another on MD 450; and their existing one on US 301. Both of their facilities have done well and there have been no additional facilities constructed in the seven (7) years these have been in existence. However, the amount of residential and business development in the area continues to grow.*

Ms. Christine Hedman asked if the storage units were climate controlled. *Mr. Pittinger stated that they have both climate-controlled units and non-climate-controlled units.*

Chairman Ron Skotz asked what the ratio of residential to commercial users is. *Mr. Pittinger said, generally, the statistics show 80% residential and 20% commercial usage.*

Mr. James Golato asked how they monitor the site to prevent illegal uses of the property. *Mr. Pittinger replied that the storage area is completely fenced, and they have a security system that includes a gated access, controlled with by digital codes. They can monitor who enters and exits and the times these visits occur. They also have security cameras throughout the buildings so if a specific incident occurs they can see who was in the building and review the videotapes. Siena also puts provisions into the lease that prohibits hazardous materials and tenants can be evicted if found to be in violation.*

Mr. Ray Loftin asked how Siena would know that a tenant's storage was hazardous. *Mr. Pittinger replied that you can sometimes see the obvious ones but can't always catch everything. They do their best to monitor the situation. Also, there are signs posted in the office regarding illegal use of the facility.*

Mr. Ty Troyer asked where the office was actually located on the site plan. *Mr. Pittinger pointed out the location of the office and observed that the facility is a low traffic generator with no real problems.*

Public Hearing:

No one signed up to speak at the public hearing, so Chairman Skotz declared the public hearing to have been held.

BAPB Report to City Council
SE-4372/02 EZ Storage South Bowie

BAPB Discussion:

Mr. Ty Troyer stated that when you look at the west side elevation, it does not show the substantially sized planted berm that exists along US 301. With the berm in place, even a three (3) story addition such as the one proposed will be little noticed and the basic view of the site would not be affected.

BAPB MOTION

Vice-Chairman Toussaint Gaskins moved for approval of SE-4372/02, with the two (2) conditions recommended by staff. Mr. Ray Loftin seconded the motion, which passed unanimously.




City of Bowie

2614 Kenhill Drive
Bowie, Maryland 20715

MEMORANDUM

TO: City Council

FROM: David J. Deutsch,  City Manager

SUBJECT: Revision of Site Plan (ROSP)
Special Exception SE-4372/02
EZ Storage - South Bowie (Docket #07-04)

DATE: March 14, 2007

I. General Information

Applicant/Status: Siena Development Corporation

Proposal: 66,000 square foot, three-story addition containing 600 storage units

Location: South side of Pennsbury Drive crossover, between northbound and southbound US 301 (see Attachment #1)

Existing Zoning/Acreage: C-M (Commercial Miscellaneous)/9.46 acres

Surrounding Land Uses and Zoning: North – vacant land zoned O-S (Open Space); East - Greater Mount Nebo AME Church, zoned C-M and R-A (Residential Agriculture); South - single-family detached dwellings in the R-E (Residential Estate), R-A and R-R (Rural Residential) zones; West – single-family attached dwelling units in the Collington Ridge development, zoned R-M (Residential Medium) Comprehensive Design Zone, and in the Graystone development, zoned R-T (Residential Townhouse) and a gas station zoned C-M.

Master Plan Community Character: The *2006 Bowie and Vicinity Master Plan* identifies the property as a Commercial Land Use.

Sectional Map Amendment: The subject property was retained in the C-M zone.

Water and Sewer Category: S-6/W-6 No Planned Service. Property is served by a private well and septic system.

Police Facilities – District II Bowie Substation: Existing service is adequate.

Fire and Rescue Facilities - Station #43 Pointer Ridge: Engine, ambulance and paramedic services are adequate, with a response time of 1.02 minutes. Ladder truck service is provided from Company 39 (Bowie Annapolis Road Station) with a travel time of 10.74 minutes, which is beyond the 4.25-minute response time standard.

II. Background

The original Special Exception (S.E.) for a 1,070-unit consolidated storage facility on the subject property was approved in 2001. The existing 133,694 square foot facility includes 985 internally-accessed storage units in three (3) separate buildings: Building #1 is the former Lowe's structure (which was also used temporarily as a Prince George's County public library between 1997-1999) occupying 46,444 square feet; Building #2 is located to the rear of Building #1, along the southbound lanes of US 301, occupying 40,150 square feet; and, Building #3 is located along the northbound lanes of US 301, occupying 47,100 square feet.

The City Council voted to recommend DENIAL of SE-4732 in May, 2000 (see Attachment #2). The Zoning Hearing Examiner (ZHE) approved the application and, because no one appealed the ZHE decision to the District Council, the ZHE's approval became final on April 30, 2001. The only conditions of approval related to the applicant making modifications to the Pennsbury Drive crossover to ensure safety and adequate sight distance. In 2002, a minor revision to the site plan (ROSP SE-4732/01) was filed to allow relocation and cosmetic modification of fencing and a revision to the landscaping plan. In conjunction with that review, a variance was requested to validate the nonconforming setback of Building #1 along southbound US 301. It was determined that the future right-of-way of US 301 would coincide with the wall of the existing building, thus a variance of the 10-foot required setback was requested and granted by the County Planning Board in their review of the site plan revision.

III. Proposal

The proposed building expansion is located at the north end of the existing building, near the Pennsbury Drive crossover (see Attachment #3). The expansion will be a three-story, 66,000 square foot addition, consisting of 600 storage units. The proposed revision to the site plan involves an addition to Building #1, in an area currently designated for trailer and RV storage. Trailer and RV storage will be relocated to the rear of the site between Buildings #2 and #3. The proposed addition will not be located any closer to the southbound lanes of US 301 than existing Building #1. The applicant submitted a Statement of Justification dated January 11, 2007 as the basis for this request (see Attachment #4). It should be noted that the Zoning Ordinance no longer permits Consolidated Storage uses in the C-M zone; however, facilities that were approved prior to January 1, 2000 may continue and may be revised or amended and they shall not be considered nonconforming.

IV. Stakeholders Meeting

A Stakeholders Meeting on this proposal was held on October 19, 2005. A summary of this meeting was provided in an October 20, 2005 Status Report to City Council:

On Wednesday, October 19th, staff conducted a Stakeholders Meeting for a revision to the Special Exception site plan for the EZ Storage facility located in the US 301 median at Pennsbury Drive. The 9.45-acre site is developed with an existing self-storage facility and is zoned C-M (Commercial Miscellaneous). The applicant, Siena Corporation, is

proposing a three-story, 61,500 square foot addition to the front of the main building in the fenced area currently used for recreational vehicle storage. Two (2) residents attended the meeting. Discussion of the proposal included questions regarding views of the facility from northbound US 301 (existing vegetation was removed to improve site (*sic*) distance at Pennsbury Drive and for the stormwater management facility), the height of the building (the existing building is 31.6' and the proposed building will be approximately 38'), the future location of RV storage area (recreational vehicles will be stored in a secured parking area near the rear of the site between two existing buildings and will not be visible from US 301), the traffic impact of the proposal (the existing use is a low traffic generator because of the nature of dead-storage facilities and only ten more trips are anticipated during the peak hours), and the impact of future widening of US 301 (all widening will come from the eastern side of the property and the existing storage buildings will not be affected). It was noted that the application had not yet been filed and the Stakeholders Meeting was being held to obtain input from the community. Staff expects the application to be filed by the end of the year, with hearings to follow in mid-2006.

V. Analysis

A. Special Exceptions (Required Findings)

Section 27-317 of the Zoning Ordinance provides that, for Special Exception approval, the following findings must be made:

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

Section 27-102 of the Zoning Ordinance sets forth the purposes of the Zoning Ordinance. Section 27-549 sets forth the purposes of the C-M (Commercial Miscellaneous) zone. The applicant's Statement of Justification identifies these purposes and provides a response to each one.

COMMENT: Staff concurs with the applicant's addressing of this standard and finds the proposed use and site plan are in harmony with the purposes of the Zoning Ordinance.

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

- (a) Site Plan

The MNCPPC Permit Review Section provided comments on the site plan. These comments are minor in nature and relate to revisions to the plan to enable it to conform to applicable regulations and the previously approved plan. The proposed building height must be shown on the site plan. At the Stakeholders Meeting, the applicant stated that the height of the building addition will be approximately 38 feet. Additional setbacks are required for buildings 30 feet or more in height (e.g. an additional setback of 1/3 of the total building height, or 22.54 feet for a 38 foot building height, versus a 10 foot setback). A total of 29.8 feet exist between Building #1 and the current western property line. The edge of paving is approximately 95 feet from Building #1. In order to determine what setbacks will apply, the Maryland State Highway Administration (SHA) will have to define the limits of the future right-of-way. This information was not available as of the date this staff report was written. It may be possible that a variance

will be required if the required setback distance cannot be met. If another variance will be required, it should be submitted and processed with the subject application.

(b) Parking and Loading Standards

Section 27-568 of the Zoning Ordinance requires one (1) parking space per 50 storage units and four (4) spaces per 1,000 square feet of office floor area. A total of 37 parking spaces is required. 51 parking spaces, including two (2) van-accessible handicapped spaces, are shown on the site plan. Three (3) handicapped parking spaces are required for parking lots containing between 51-75 spaces. The site plan should be revised to reflect the additional handicapped parking space. The primary 22-car customer parking area in front of the office will remain unchanged by this plan. In addition, 11 loading spaces required; 17 have been provided. Eight (8) new loading spaces are located in the paved area between Buildings #2 and #3, where six (6) existing spaces are currently located. Staff finds, with the exception of the applicant providing one (1) additional handicapped space, all parking and loading requirements are met in the proposed site plan. It is recommended that one (1) additional handicapped parking space be shown on the plan.

(c) Landscape Manual

The project is subject to the County's Landscape Manual. However, due to the extensive planting already implemented under the approved S.E., no new planting is proposed. Since the applicant has provided plantings in excess of the requirements of the Landscape Manual, no additional planting is required.

(d) Architecture

The applicant has provided existing and proposed building elevations (see Attachment #5) for this site plan revision. Staff finds the proposed building design compatible with the existing structure. Furthermore, staff does not find the three-story building to be out of character with the site and surrounding uses. A four-story office structure is located less than 1,500 feet north of the subject site on the west side of US 301. In addition, many structures with similar building heights are located in the nearby Collington Center employment park, located approximately one (1) mile south of the subject property on the west side of US 301.

COMMENT: Based on the above analysis, staff concludes that the proposed use will be in conformance with the applicable requirements and regulations of the Zoning Ordinance provided that one (1) additional handicapped parking space is shown on the plan.

- (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.*

The 2006 Approved Master Plan for Bowie and Vicinity identifies the property as a Commercial Land Use. Policy 5 for the Developing Tier section of the Development Pattern Element states the following:

Strategy:

1. Allow limited commercial expansion at certain locations of this corridor and discourage new development in the US 301/MD 3 median until A-61, a service road, is built.

a. US 301/MD 3 Median Properties: These properties, containing unimproved land, scattered dwellings, and vehicle repair and storage yards, are located in the US 301/MD 3 median between MD 450 and Queen Anne Road. The master plan addresses median development through use of the R-R (Rural Residential) Zone, emphasizing no new commercial uses and grandfathering of existing commercial uses. The master plans policies are:

- To encourage development of selected median properties to avoid unsafe, uncoordinated and piecemeal development while improving traffic safety and carrying capacity in the public interest.
- To eliminate further strip commercial development that would hinder the planned highway improvements and adversely affect the land use recommendations in the corridor.
- To encourage open space, the preservation of natural features and to recognize the appropriateness of public uses in specific median areas.

The County General Plan includes a vision for the Developing Tier that is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable.

COMMENT: Staff finds the proposed use in SE-4372/02 is consistent with the Master Plan's policies, because the proposed use is an expansion of an existing, established use located within the median. Since all access is provided from the Pennsbury Drive crossover, which was improved by the developer when the original special exception use was implemented, the proposed commercial use will have safe access and traffic carrying capacity. The Transportation Section of MNCPPC determined that the traffic associated with the request amounts to only an additional 10 AM peak hour trips and 17 PM peak hour trips.

In addition to the above, the application is not inconsistent with the 2002 General Plan's Development Pattern policies for the Developing Tier. Providing additional service commercial uses on the periphery of the community with convenient and safe access will help to fulfill the recommendations of the General Plan. Staff therefore concludes that the proposed use will not impair the integrity of the Master Plan or General Plan.

- (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 applicant states that the facility has operated at this location since 2001 and has been operated and maintained in a safe manner since that time.

COMMENT: Staff notes that the property is a completely fenced, secure facility. The site's access is controlled by means of a security gate and a caretaker resides on the property to respond to any emergencies. The proposed addition 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 addition is designed in a manner that is compatible with and would complement existing developments in the immediate area. The proposed addition is 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.

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

The site is exempt from Woodland Conservation requirements, per the Environmental Planning Section of MNCPPC, because no woodland clearing is involved with this request. Further, the Environmental Planning Section stated in their February 22, 2007 referral that there are no environmental issues associated with this application.

B. Consolidated Storage Specific Requirements

The specific requirements for Consolidated Storage facilities are found in Section 27-344.01 of the Zoning Ordinance. This section has been repeated in Attachment #6.

COMMENT: Staff concurs with the applicant's addressing of these requirements. The original Special Exception application in 2001 contained a market study that showed more than enough demand for the storage facility. The MNCPPC Information Management Division corroborated the market study, finding in 2000 that there was support for an additional 170,000 square feet of self-storage space. The approval of the 137,718 square feet in SE #4372 left approximately 32,000 square feet based on the anticipated population of the trade area at that time. According to City estimates, population growth in the City increased 30% between 2000-2007. In the area south of US 50, this growth was approximately 13%, or 3,006 new residents. Based on the market study analysis and the continued growth of households in the market area and the fact that no additional self-storage projects have been constructed within the trade area (up to a five-mile radius), staff concludes that there is a "need" for the proposed 600-unit self-storage expansion (i.e. it will meet the test of being reasonably convenient and useful to the public).

C. City Development Review Guidelines

Because the site plan revision proposes an addition to an existing building (which is itself a redevelopment of a vacant building) in an area designated by the Master Plan for commercial land use, staff finds the proposal complies with Economic Development and Revitalization Policy #3, which states:

3. Strip commercial development, particularly single-use or pad site configuration, should be discouraged. Commercial developments should be located in planned or designated centers rather than on isolated, scattered sites and redevelopment of older centers is encouraged.

Although the Development Review Guidelines contain a specific emphasis on discouraging any new self-storage facilities, as noted earlier, the existing use may be expanded under the County's zoning regulations because it pre-dated the Consolidated Storage legislation. However, the

proposal does not completely conform to the City's "Commercial, Public and Civic Building Design Guidelines" which state:

9. The height of self-storage mini-warehouses should not exceed 30'.

According to the elevation drawings (Attachment #5), the proposed building height is 34 feet. Staff finds the proposed building design will be negatively impacted if the overall building height is reduced. In addition, the existing building's design already includes a false upper floor measuring just over 30 feet in height. A similar treatment was made to the north end of Building #3 to present a complementary appearance from the site entrance. Because the addition is screened from nearby residences on the west side of US 301 by a very high berm and mature vegetation and because the proposed building height would only exceed the existing building height and City's guideline by approximately 13%, it is recommended that the 34-foot building height be endorsed.

The addition proposed in SE-4372/02 complies with many of the City's specific Development Review Guidelines, such as those encouraging a theme to unify multi-building sites, use of natural materials (EIFS), minimizing signage (the existing signage will be relocated to the third floor facade), breaking up large building mass with architectural variations, and achieving a positive relationship between the size and scale of buildings.

From a review of the site plan submittal, however, it is not clear if the exterior of the building will be lighted or contain lighting. The following guideline from the "General Site Design Guidelines" section applies and should be added as a condition of approval:

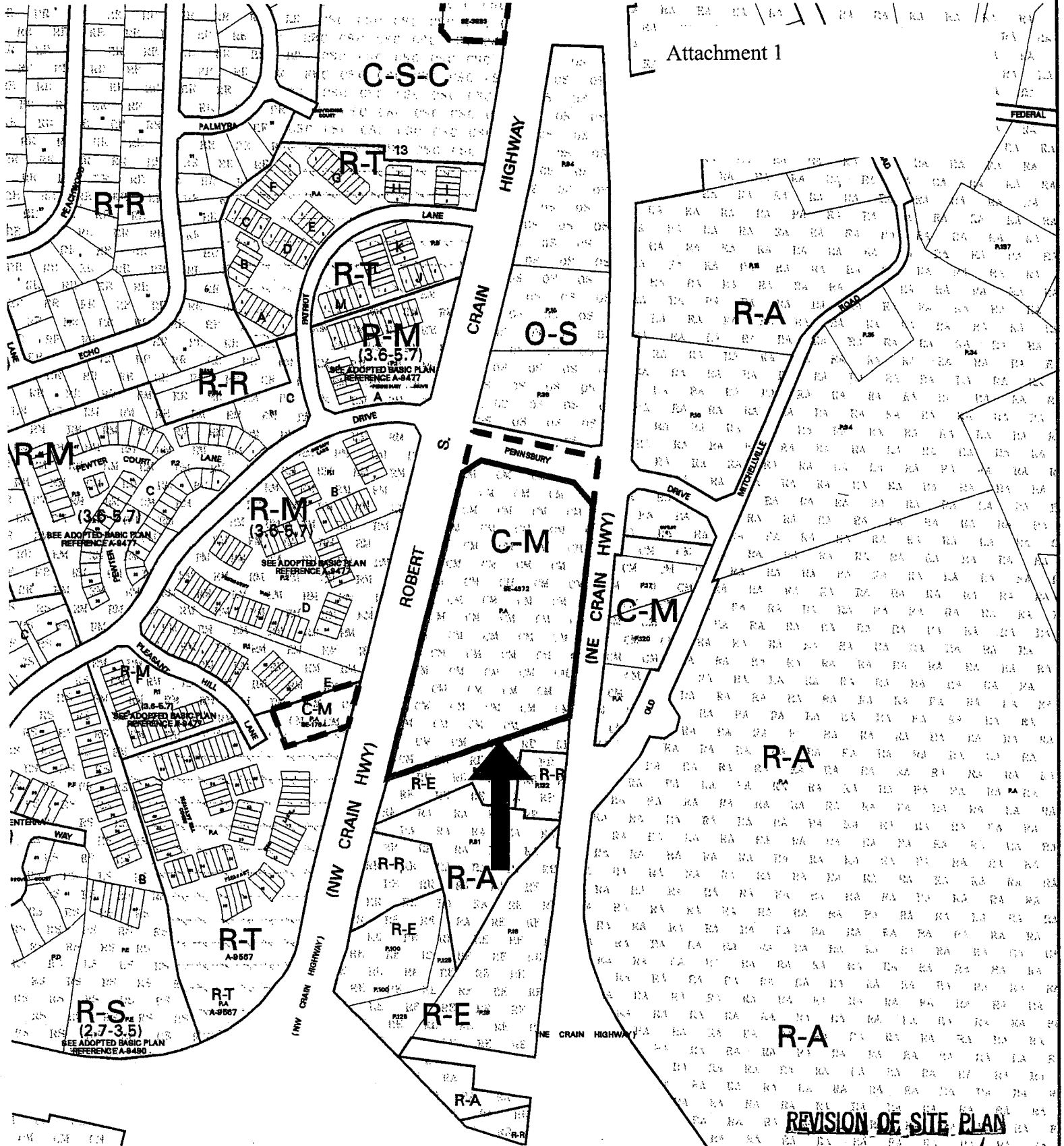
14. Outdoor lighting should use full cut-off fixtures that are fully shielded wherever possible to reduce the amount of light needed and to reduce glare. The lighting system should include timing devices to turn off unneeded lighting during times the project is not in use. Outdoor lighting should be efficient but not excessive and should be designed to enhance safety.

Guidelines for site lighting also appear in Section 27-274 of the Zoning Ordinance. Adding a condition of approval will ensure that the site also meets the County's guidelines.

VI. Recommendation

Because the proposed revision to the site plan for Special Exception #4372 generally meets all of the standards of Section 27-317, staff recommends APPROVAL of SE-4372/02, with the following conditions, which are intended to ensure compliance with the Zoning Ordinance and the City's Development Review Guidelines:

1. The site plan shall be revised to reflect one (1) additional handicapped parking space.
2. Outdoor lighting shall use full cut-off fixtures that are fully shielded wherever possible to reduce the amount of light needed and to reduce glare. The lighting system shall include timing devices to turn off unneeded lighting during times the project is not in use. Outdoor lighting shall be efficient but not excessive and shall be designed to enhance safety.



REVISION OF SITE PLAN
SE43 72/02

WSSC GRID: 202NE14
 SCALE: 1" = 400'
 TAX MAP: 70
 TAX GRID: D2
 COUNCIL DIST: 4
 PRINTED: October 23, 2006



APPLICATION NO: _____
 REQUEST: Revision of site plan
 PAZ: 265K / 265J
 EXISTING ZONE: C-M
 PLANNING AREA: 71B

G. Mr. Ted Chambers, Chairman of the Bowie Responsible Growth Coalition, presented a presentation which he called the Quality Community Initiative. He spoke to the residents of the community and showed slides depicting areas where enhancement was needed. He asked that money be earmarked in this year's budget for neighborhood revitalization.

NEW BUSINESS:

A. Special Exception #4372 - ezStorage - Mayor Pro Tem Peters recused himself from discussion and voting on this item since he was actively involved in selling the VFW property, which is directly across from the subject site. Mr. Russ Shipley, attorney for the applicant, noted that the property is zoned C-M; Lowe's Lumber Store was located on this property since 1982 and thereafter occupied by a branch of the Prince George's County Library System; the property is now vacant and ezStorage has a contract to purchase subject to obtaining the special exception. Mr. Shipley said the C-M zoning permits consolidated storage as a special exception. He said the applicant accepts the conditions recommended by the BAPB and staff.

Mr. Jack Hellman, representing the architect, handed out a package to Council for their use and reference which contained renderings of the proposed structure, color renderings, as well as photographs of the existing structure located on the site. He then described the facade and building materials as described in the package.

Mr. Walter Planet, Chairman of the Bowie Advisory Planning Board, said the Board discussed this issue at length and agreed with the staff report to approve the special exception; the concern was the question of traffic on Rte. 301; the Board voted 6-3 in support of the staff recommendation.

Ms. Cynthia Fenton, City Planning staff, summarized the staff report dated April 26, 2000, a copy of which is on file at City Hall. She reported that the Zoning Ordinance requires that a number of specific criteria be met before approval can be found for this application; the applicant has met all the required findings for special exception approval; in addition, the applicant has met all the specific requirements for miniwarehouse storage. She further reported while staff is aware of the Council policy to prohibit miniwarehouse storage facilities, staff finds this particular case to be extraordinary and unique since the use will be a low traffic generator, its location in the Rte. 301 median and the topographic features of the site, in conjunction with existing and proposed landscaping, will effectively minimize the sites visual impact. Ms. Fenton said the applicant has also demonstrated compliance with all relevant sections of the Zoning Ordinance, including compliance with the Master Plan recommendations; sufficient market support for the use has been demonstrated which will help insure the successful development of a currently vacant and deteriorating site which has become an eyesore and a nuisance. She said that staff finds that when compared with other possible development, this proposal will create far less of an impact both visually and physically than other uses permitted by right in the C-M zone; this would include a carwash, which was voluntarily removed by the applicant by the request of the residents. Ms. Fenton concluded by saying that based on these findings and those found in the staff report, staff recommends approval of Special Exception #4372 subject to the two conditions found on Page 7 of the staff report.

Councilman Aleshire requested that a third condition be added stating that no flags or banners be permitted on the building. The applicant agreed.

Public Hearing:

Mr. Russ Ideo, 16403 Pointer Ridge Drive, spoke in opposition to the application because of traffic concerns.

Mr. Ted Chambers, 16026 Edgeview Terrace, spoke in opposition to the application on behalf of the Bowie Responsible Growth Coalition.

Mr. Ron Peake, 15702 Ensleigh Lane, spoke in opposition to the application since felt there was not a need for this facility.

Mr. Al Brewster, 2243 Garrity Road, spoke in support of the application. He said he was the applicant for another consolidated storage facility located one mile north of the subject site. He said he welcomed the competition he would have from the Sienna Corporation and felt it would be good for the citizens of Bowie. He offered, for public use, 8 1/2 acres of land off Rte. 301 with a potential commercial value in excess of two million dollars for the possible use for the South Bowie library or for Bowie Boys and Girls Club fields. He said he was also willing to delete 70,000 square feet of buildings from his application in order to get it approved.

Councilman Aleshire said that a need has not been established for this facility in Bowie and said he will vote in opposition.

Councilman Ellington said this was the wrong project for Bowie.

Councilman Jenkins said he wanted to make it clear that he is not opposed to the storage business in general; this application is a different situation, does not fit the criteria and he will vote against the application.

Councilman Brady said a facility already exists on the property, the application is to replace it with a new, less obtrusive facility when it comes to traffic generation. He then moved approval of the staff recommendation of approval with the two conditions stated in the staff report. Councilman Green seconded the motion and it failed with a vote of 1-5 (Robinson, Aleshire, Green, Jenkins, Ellington and Peters).

Councilman Ellington moved for denial of Special Exception #4372. Councilman Aleshire seconded the motion and it carried with a vote of 5-1 (Brady).

B. County Legislation - Allowing Offices of Certified Massage Therapists in Commercial Zones - Ms. Michelle LaRocca, attorney for the owner of a massage therapist business located on Rte. 450, defined the term "certified massage therapist" as defined in State law as one who is an individual certified by the State; to qualify an applicant has to have: 1) good moral character through a background check; 2) is at least 18 years of age; 3) has completed at least 60 hours of education at an accredited institution of higher education, completed 500 hours of education in a Board approved program for the study of massage therapy, and has passed an examination by the State Board of Chiropractor Examiners; the certificate is issued for no longer than two years and can be denied, suspended or revoked for a multitude of reasons. Ms. LaRocca then referred to the County Legislation being proposed which will provide a new definition for a "certified massage therapist" in the Prince George's County Zoning Ordinance and establishes an "office of certified massage therapist" as a permitted use in the primary commercial zones, including the C-O, C-A, C-S and C-M zoning districts.

Ms. Norma Lee Adona, owner of a massage therapy business located on Rte. 450, replied to a question posed by Councilman Aleshire by saying that a doctor can refer a patient to a massage therapist, and would more than likely be a chiropractor; insurance companies are beginning to cover this type of therapy.

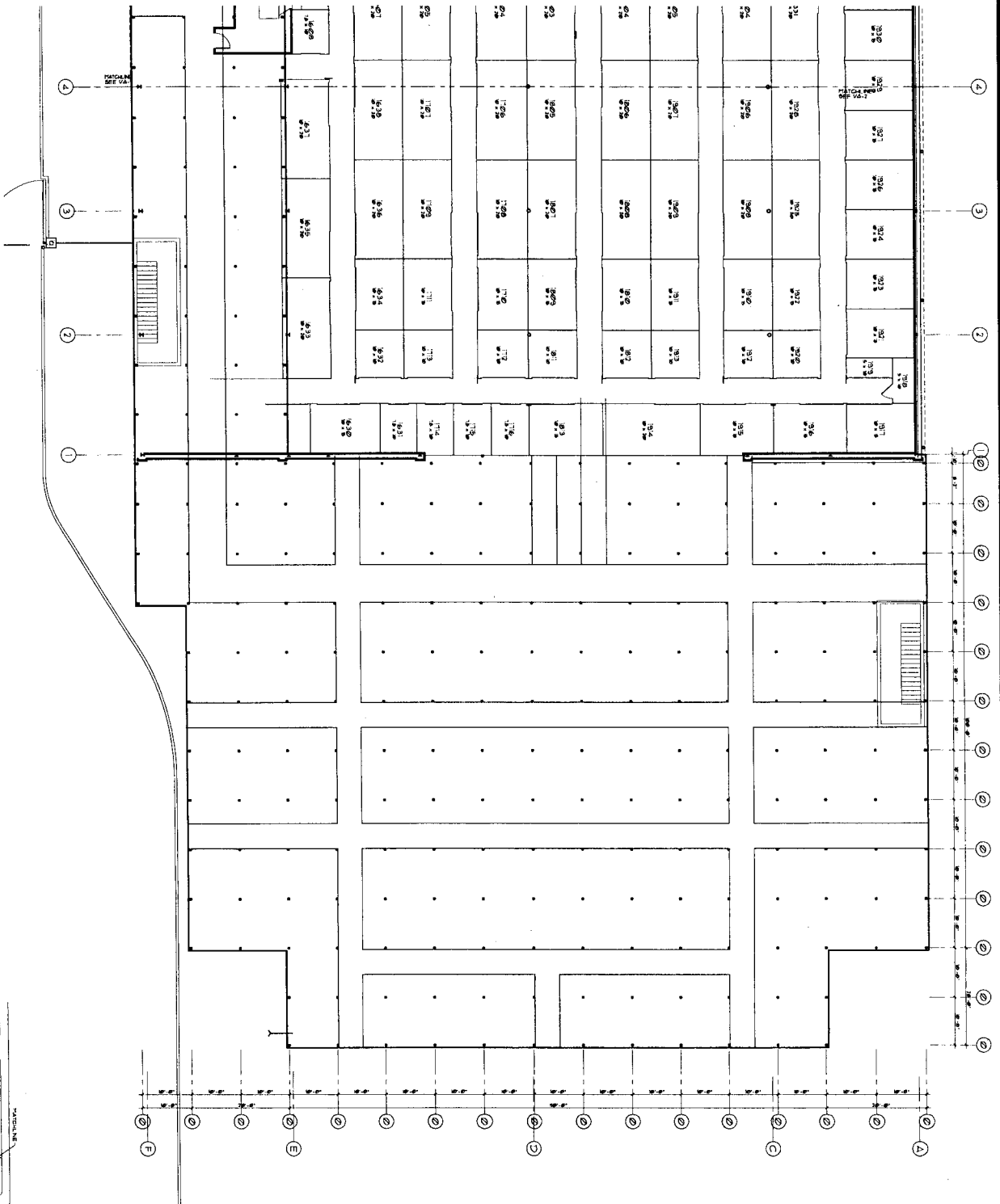
Ms. Joseph Meinert, City Planning staff, summarized the staff report dated April 26, 2000, a copy of which is on file at City Hall. He described the legislation and said the bill is expected to be presented to the County Council next week. He added that staff is recommending Council's favorable recommendation to the County, and once the bill is filed staff will comment at the Planning and Economic Development Committee meeting in support of the legislation.

Councilman Ellington moved to adopt the staff recommendation to support the proposed legislation. Mayor Pro Tem Peters seconded the motion and it carried unanimously.

COUNCIL COMMENTS:

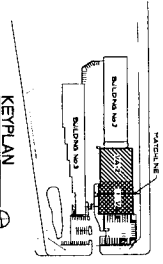
A. Councilman Aleshire reported that the Census Bureau enumerators are out in the community to help residents to fill out forms if they have not sent them in as yet.

PARTIAL FLOOR PLAN



First Floor Plan

C PLAN NOTES:



A-3

DATE: 08-20-2008

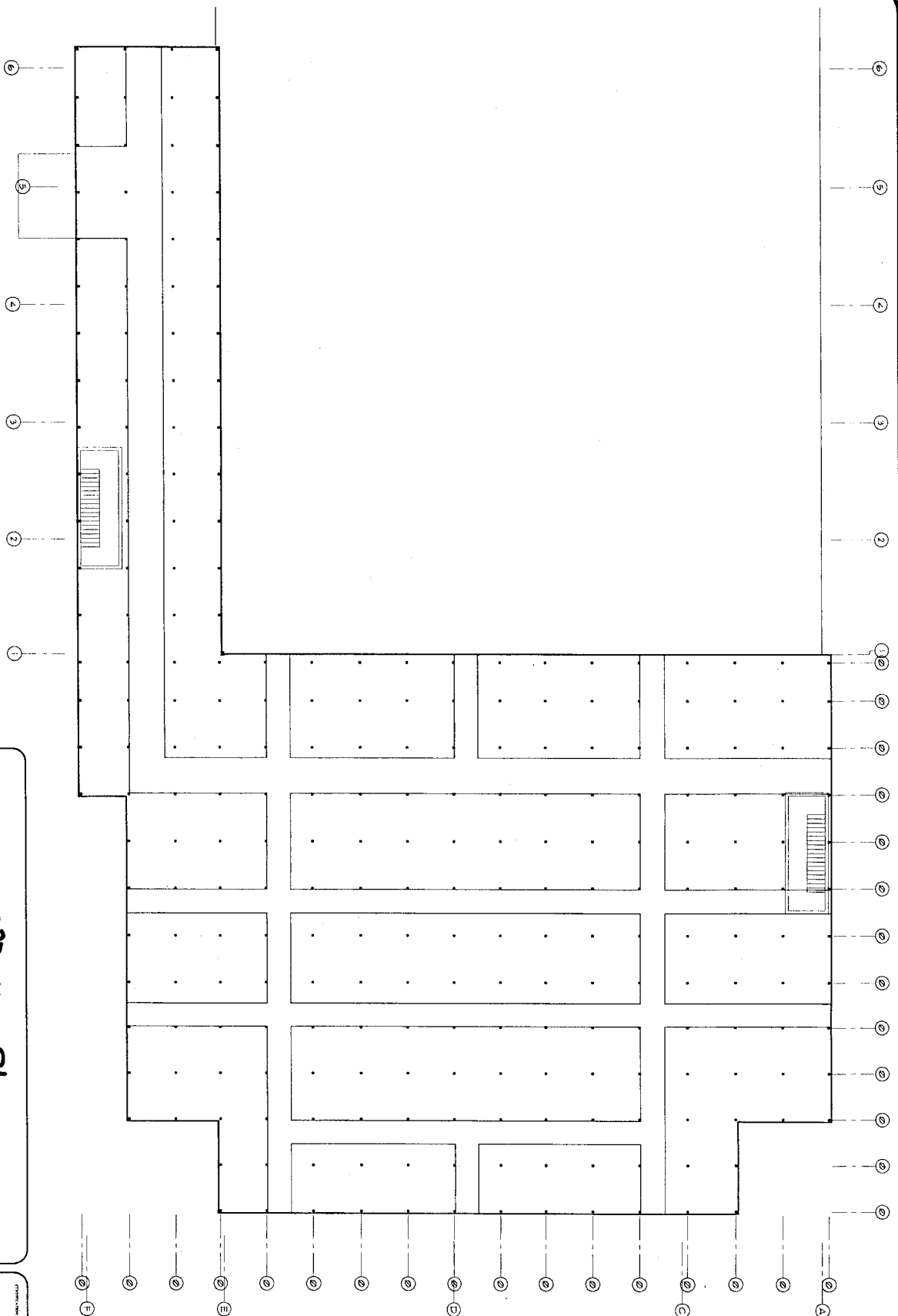
SIGNAL CORPORATION

PARTIAL LEVEL NO. 1 FLOOR PLAN

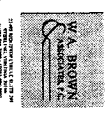
Issue / Revision	Date	Issue / Revision	Date
Permit Set	00-00-00		

ezStorage : South Bowie
 1010 North Crain Highway
 Prince George's County
 Bowie, Maryland

1 FLOOR PLAN



2nd and 3rd Floor Plan



A-5

PROJECT SET
NOV 06, 2008

SHBA CORPORATION
1010 North Crain Highway
Bowie, Maryland

LEVEL NO. 3
FLOOR PLAN

Issue / Revision	Date	Issue / Revision	Date
Parent Set	00-00-00		

ezStorage : South Bowie
 1010 North Crain Highway
 Prince George's County
 Bowie, Maryland

STATEMENT OF JUSTIFICATION FOR SPECIAL EXCEPTION
ez STORAGE, SOUTH BOWIE, SE#4372/02

January 11, 2007

I REQUEST

On behalf of the Applicant, Siena Corporation, we hereby submit this Statement of Justification for a Major Revision to Special Exception #4372 for a 66,000± square foot expansion containing 600 additional storage units to the existing consolidated storage facility. All of the new storage units will be internally accessed.

As discussed herein, a grant of special exception is warranted because the Property meets the general requirements of Section 27-317 of the Prince George's County Zoning Ordinance and Section 27-324 for a Special Exception Major Revision. In addition, the proposed special exception for a consolidated storage facility meets the specific requirements of Section 27-344.01.

II. THE PROPERTY AND THE NEIGHBORHOOD

The subject property site is located at 1010 NE Crain Highway on the south side of Pennsbury Drive between the northbound and southbound travel lanes of Crain Highway in Bowie. Access to the property is via Pennsbury Drive. The property is zoned C-M, and is recommended for service-commercial use by the 1991 Bowie-Collington-Mitchellville Master Plan. It is approximately 9.46 acres in size.

In the early 1980's the site was developed with a lumber and hardware store. In 1997 after the hardware and lumber yard ceased its operation, a branch of the Prince George's County Library temporarily located to that site until 1999. After the library was re-located to another location, the site sat vacant until the year 2001 when Special Exception for a 1,070 unit consolidated storage facility was approved. The ez Storage continues its operation at this facility today, and is seeking approval of the revision to Special Exception #4372 to allow a 66,000± square foot expansion to building-one for 600 additional storage units.

The existing hours of operation for this ez Storage facility for the storage units are Sunday through Saturday, 6 A.M. to 9 P.M.. The office is open from 9:30 A.M. to 6 P.M. Monday through Friday and 9 A.M. to 5 P.M. on Saturday and Sunday, but is closed on five major holidays.

The neighborhood for this property, as defined by the special exception approval resolution, is Pointer Ridge Drive to the north, northbound lanes of Crain Highway to the east, Central Avenue to the south and the Pennsylvania Railroad tracks to the west. To the north of the property across Pennsbury Drive in the O-S zone is a wooded parcel, to the east across northbound Crain Highway in the C-M zone is a maintained grass field, to the south in the R-E zone is a detached single-family dwelling, and to the west across southbound Crain Highway in the R-M zone are residential townhouses.

III. THE PROPOSED SPECIAL EXCEPTION MEETS THE REQUIREMENTS OF SECTION 27-317 'SPECIAL EXCEPTION APPROVAL: REQUIRED FINDINGS', OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE.

REVISION OF SITE PLAN

SE4372/02

A. The Use and Site Plan Are In Harmony With The Purpose Of The Zoning Ordinance.

The proposed special exception use is in harmony with the purposes of the C-M zone regulations established in the Zoning Ordinance, Section 27-459, which generally seek to protect and promote the health, safety, morals comfort, convenience and welfare of residents of the County.

THE PROPOSED CONSOLIDATED STORAGE FACILITY IS IN CONFORMANCE WITH SECTION 27-459 'COMMERICAL MISCELLANEOUS'.

(a) Purposes.

(1) The purposes of the C-M Zone are:

(A) To provide locations for miscellaneous commercial uses which may be disruptive to the harmonious development, compactness, and homogeneity of retail shopping areas;

This is a separate use from other retail areas on Crain Highway and Pennsbury Drive.

(B) To provide these locations, where possible, on nonresidential streets; and

The site is accessed on Pennsbury Drive, which is not a residential street, and it is bound by Crain Highway on the east and west property boundaries.

(C) To provide concentrations of these uses which are relatively far apart.

This application is for an expansion of an existing facility. There are no other consolidated storage facilities in the vicinity of this one.

(b) Landscaping and screening.

(1) Landscaping and screening shall be provided in accordance with Section 27-450.

This will be provided on the Landscape Plan.

(c) Uses.

(1) The uses allowed in the C-M Zone are as provided for in Table of Uses I (~~Division 3 of this Part~~).

Consolidated Storage facilities are no longer permitted in the C-M Zone, however, Council Bill-29-2000, allows consolidated storage facilities that were approved prior to January 1, 2000 to continue in effect, and may be revised or amended and they shall not be considered non-conforming.

(d) Regulations.

(1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the C-M Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Table (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual. (CB-1-1989)

REVISION OF SITE PLAN

SL4372/02

These will be provided on the site plan.

Specifically, this proposal is in conformance with Section 27-102 and 27-344.01 as follows:

(i) To protect and promote the health, safety, morals, convenience, and welfare of the present and future inhabitants of the County.

The proposed special exception revision will still protect the health, safety, morals, comfort, convenience and welfare of the current and future inhabitants of the neighborhood in which the Property is located. ez Storage has been in operation at this location since 2002. It has been maintained and operated in a safe manor to both employees and customers of the business. The facility grounds are constantly maintained by a landscaping contractor, access to the site is only allowed through a gated entrance, and the entire facility is protected by a 6' chain link fence. In addition to the fence, security of the facility is provided through an alarm system, cameras, and security codes are required to enter the buildings, gates and doors.

(ii) To implement the General Plan, area Master Plans, and Functional Master Plan.

The ez Storage expansion does meet the intent of the Bowie-Collington-Mitchellville and Vicinity Master Plan which recommends this property for service-commercial, as well as the intent of the General Plan which encourages the preservation of the environment. The area of expansion is proposed on an existing paved area, and no woodlands or sensitive environmental features will be disturbed.

(iii) To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services.

The proposed expansion will not impact the adequacy of public facilities and services.

(iv) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing industry, and business.

The application is for an expansion to an existing consolidated storage facility. No woodlands or sensitive environmental features will be disturbed during construction.

(v) To provide adequate, light, air, and privacy.

As shown on the Site Plan, the proposed use will be developed in a manner that will protect the light, air and privacy of surrounding areas.

(v) To promote the most beneficial relationship between uses of land and buildings and protect landowners from adverse impacts of adjoining development.

The site only adjoins a residential property to the south. The existing building that is closest to the southern boundary is over 60 feet away from the property line, and in addition to the woodland buffer along that boundary there is also landscaping and a 6' board-on-board fence which adequately screen the EZ Storage facility from property to the south. The proposed building expansion is over 400' away from the southern property line, and the application will not alter the existing situation along the southern boundary. The site is bound by Crain Highway to the east and west, by Pennsbury Drive to the north.

REVISION OF SITE PLAN

SE43 72/02

The architecture of the proposed expansion will be matched with the architecture of the existing building "number-one".

(vii) To protect the County from fire, flood, panic, and other dangers.

The property will be developed and maintained in conformance with the general provisions of the Zoning Ordinance and the general special exception criteria. There is no floodplain on-site.

(viii) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents.

There is an apartment provided for the facility caretaker.

(ix) To encourage economic development activities that provides desirable employment and a broad protected tax base.

This consolidated storage facility has been in operation at this location since 2001. It has continued as a strong and viable business, as evidenced by the need to expand the existing facility.

(x) To prevent the overcrowding of land;

The applicant has proposed as efficient and space-saving design for the proposed use.

(xi) To lessen the danger of congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions.

A consolidated storage facility typically does not generate many vehicle trips. Based off of historical data for this facility, it is expected to generate approximately 5 trips during the AM and PM Peak hour. Also, a consolidated storage facility generates fewer trips than the most intense use that could be allowed by rights in the C-M zone.

(xii) To insure the social and economic stability of all parts of the County.

There are numerous ez Storage locations throughout Prince George's County, including Beltsville, Laurel, Capitol Heights, Lanham, and Bowie. The need to expand this facility indicates that this is a strong business in Bowie that adds to the economic stability of the region and County.

(xiii) To protect against undue, noise, and air and water pollution and to encourage the preservation of stream valley, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features.

The proposed expansion area is located on an existing paved area. There are no sensitive environmental features located on the property, and the proposed use is not a source of noise or air pollution.

(xiv) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational open space.

REVISION OF SITE PLAN

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The property does not contain any protected scenic views or natural features, and is an inappropriate site for recreational space.

(xv) To protect and conserve the agricultural industry and natural resources.

This criterion is inapplicable, as the property does not contain any agricultural industry or protected natural resources.

B. The Proposed Use Is In Conformance With All Applicable Requirements And Regulations of the Subtitle 27.

The subject property is located in the C-M zone and although new consolidated storage facilities are no longer permitted in this zone, storage facilities existing or approved prior to January 1, 2000 may be revised or amended as allowed per Council Bill-29-2000. EZ Storage was approved prior to this date, and the revision to the special exception for the building expansion will be in compliance with all applicable regulations, and it shall not be considered a non-conforming use.

C. The Proposed Use Will Not Substantially Impair The Integrity Of Any Validly Approved Master Plan.

The Bowie-Collington-Mitchellville and Vicinity Master Plan recommends the subject property for service-commercial uses. This special exception use will uphold the integrity of the area master plan.

D. The Proposed Use Will Not Adversely Affect The Health, Safety, Or Welfare Of The Residents Or Workers In The Area.

The ez Storage facility has operated at this location since 2001. It has been operated and maintained in a safe manner since that time.

E. The Proposed Use Will Not Be Detrimental To The Use Or Development Of Adjacent Properties In The General Area.

The ez Storage facility has operated at his location since 2001, and development has continued in the South Bowie area since that time.

F. The proposed site plan is in conformance with an Approved Tree Conservation Plan.

There is not an approved Type I Tree Conservation Plan for this site. An exemption from the woodland conservation ordinance was granted for this application, dated November 8, 2006.

IV. THE PROPOSED CONSOLIDATED STORAGE FACILITY IS INCONFORMANCE WITH SECTION 27-344.01 'CONSOLIDATED STORAGE'.

- (a) Consolidated storage may be permitted, subject to the following:
- (1) The application shall be accompanied by:
 - (A) An impact statement explaining:

REVISION OF SITE PLAN
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- (i) The nature and scope of the operation; and
- (ii) The type and amount of traffic expected to be generated;

This information has been provided in the preceding paragraphs of this justification statement.

(B) A description (graphic and narrative) of the proposed architectural facade of the building.

The proposed expansion will match the existing architecture of the property.

(2) The subject property shall have frontage on, and direct vehicular access to, an existing street with sufficient capacity to accommodate the type and amount of traffic expected to be generated by the use;

This facility has direct access to Pennsbury Drive, and the proposed expansion is only expected to generate approximately 27 new AM and PM peak hour trips.

(3) The use shall be appropriate, given the nature of development in the neighborhood; and

The site is zoned C-M, and is recommended for service-commercial uses by the Bowie Area Master Plan. A consolidated storage facility will uphold those recommendations.

- (4) The District Council shall find that:
 - (A) There is a need for the public in the surrounding area;

A market study has been submitted identifying the need for the expansion.

(5) The exterior and architectural facade of the building shall be compatible with the prevailing architecture and appearance of other development in the surrounding neighborhood;

The proposed architecture for the building expansion will match the architecture of the existing buildings on the property.

(6) Beginning June 23, 1988, no entrances to individual consolidated storage units shall be visible from a street or from adjoining land in any Residential or Commercial Zone (or land proposed to be used for residential or commercial purposes on an approved Basic Plan for a Comprehensive Design Zone, or any approved Conceptual or Detailed Site Plan);

The proposed storage units will be internally accessed.

(7) Entrances to individual consolidated storage units shall be either oriented toward the interior of the development or completely screened from view by a solid wall, with landscaping along the outside thereof; and

No externally accessed storage units are proposed.

(8) Consolidated storage for which special exceptions were approved prior to the date reflected in paragraph 6, above, need not meet the provisions set forth in paragraphs 6 and 7, above.

REVISION OF SITE PLAN
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The original special exception was approved after June 23, 1988.

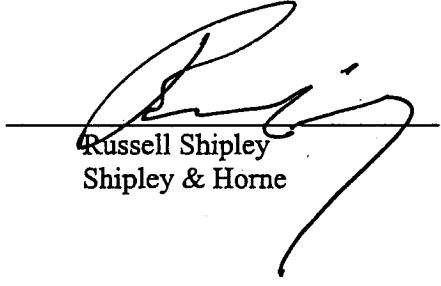
(b) In addition to what is required by Section 27-296(c)(1)(B), the site plan shall show the topography of the subject lot and abutting lots (for a depth of at least fifty (50) feet).
(CB-1-1989; CB-45-1999)

This is shown on the site plan.

IV. CONCLUSION

The proposed special exception meets the requirements of Subtitle 27 of the Prince George's County Code. Thus, based upon the above justification and in accordance with testimony to be presented at the public hearing, the Applicant respectfully requests the favorable consideration of the proposed special exception use.

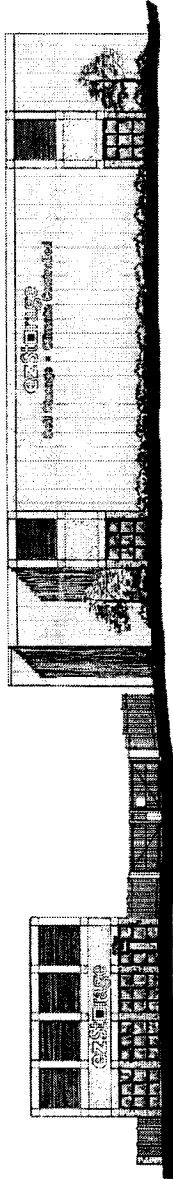
Respectfully Submitted,



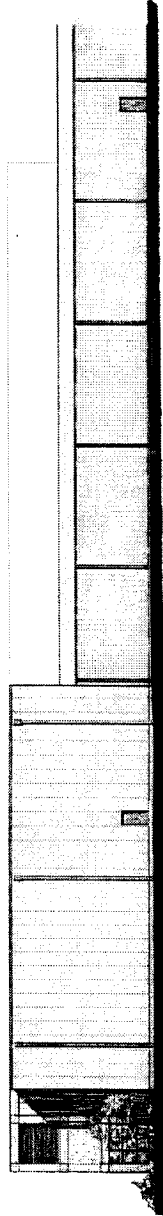
Russell Shipley
Shipley & Horne

REVISION OF SITE PLAN

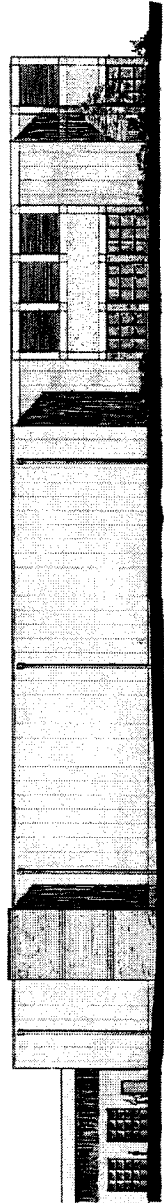
SE4372/02



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"

ezStorage : South Bowie Addition - Proposed Elevations

Sec. 27-344.01. Consolidated storage.

(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; and

(ii) The type and amount of traffic expected to be generated;

(B) A description (graphic and narrative) of the proposed architectural facade of the

building.

(2) The subject property shall have frontage on, and direct vehicular access to, an existing street with sufficient capacity to accommodate the type and amount of traffic expected to be generated by the use;

(3) The use shall be appropriate, given the nature of development in the neighborhood; and

(4) The District Council shall find that:

(A) There is a need for the public in the surrounding area;

(5) The exterior and architectural facade of the building shall be compatible with the prevailing architecture and appearance of other development in the surrounding neighborhood;

(6) Beginning June 23, 1988, no entrances to individual consolidated storage units shall be visible from a street or from adjoining land in any Residential or Commercial Zone (or land proposed to be used for residential or commercial purposes on an approved Basic Plan for a Comprehensive Design Zone, or any approved Conceptual or Detailed Site Plan);

(7) Entrances to individual consolidated storage units shall be either oriented toward the interior of the development or completely screened from view by a solid wall, with landscaping along the outside thereof; and

(8) Consolidated storage for which special exceptions were approved prior to the date reflected in paragraph 6, above, need not meet the provisions set forth in paragraphs 6 and 7, above.

(b) In addition to what is required by Section 27-296(c)(1)(B), the site plan shall show the topography of the subject lot and abutting lots (for a depth of at least fifty (50) feet).

(CB-1-1989; CB-45-1999)