

SPEX-230001

**Waldorf 301 Developers, LLC
2390 Crain Highway
Special Exception for Mini-Warehouses in the CC Zone**

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REQUEST: Special Exception for use 7.02.230 Mini-warehouses for property located in the Community Commercial (CC) Zone.

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Subject Property: The subject property currently consists of two existing parcels, to wit, Parcel 309 (tax account 06-036988) and Parcel 675 (tax account 06-130038). Parcel 309 is also described as tracts I, II and III in the deed stored among the Charles County land records at liber 12430, folio 441. Parcel 675 is also described as tract IV of the Llewelyn Parcel in the deed stored among the Charles County land records at liber 12430, folio 441. Within Parcel 309, Tract I is also shown as Parcel D on the plat recorded among the plat records of Charles County at plat book 29, page 188; and Tract III is also shown as Parcel B on the plat recorded among the plat records of Charles County at plat book 16, page 78. The subject property (Parcels 309 and 675) has an area of 4.43 acres, with existing Parcel 309 being 3.77 acres, and existing Parcel 675 being 0.66 acres. The property is located on the southeast side of Crain Highway (US 301), and the northwest side of

Old Washington Road at the intersection with Llewelyn Lane. The property is currently developed with a carwash and a commercial retail building, with vacant area at the rear. All existing structures on the property are ultimately proposed to be razed and the site redeveloped.

Under a separate subdivision application, the subject property is proposed to be consolidated and resubdivided into proposed Parcel A, 2.01 ac, and proposed Parcel B, 2.36 ac. A subdivision application is forthcoming. The proposed Wawa Food Market and Fueling Station is intended to be sited on proposed Parcel A and the use has a special exception (SPEX-220005) which was granted approval by the Board of Appeals on June 13, 2023, via Docket #1454. The proposed Mini-warehouse, which is the subject of this application, is intended to be sited on the proposed Parcel B. The subject site associated with this special exception shall be described as proposed Parcel B. The site associated with the approved special exception (SPEX-220005) for a Wawa Food Market and Fueling Station (Use 6.03.321) shall be described as proposed Parcel A.

Old Washington Road lies within the Urban Road Standards District. The proposed frontage improvements along Old Washington Road are consistent with the Downtown Waldorf Vision Plan, which promotes the future consistency and look of the Old Washington Road Corridor with contemporary styles. Parcel B parcel boundaries have been set to provide road dedication on Old Washington Road equivalent to half of the required 68-foot right of way. The dedication complies with the standard detail for an Urban Major Collector with an ultimate 68-foot right-of-way (R 2.14.1). The aforementioned dedication proposes an 8-foot pedestrian travel way, a 6-foot street tree and street lighting strip, and enough roadway for the proposed 12-foot travel lane and 12-foot turn lane once the property across the street redevelops and provides the remaining dedication.



Specific Request: This Special Exception Plan is being submitted so that Proposed Parcel B can be developed with a mini-warehouse facility (7.02.230).

Surrounding Uses: An existing commercial service garage, "Complete Auto Body & Service

Center" owned by Car Life Investment LLC, is located to the east of the subject property, and zoned CC. An existing commercial service garage, "Waldorf Ford" and "Crash Champion" owned by Kody Holdings LLC, is located to the west of the subject property and Llewelyn Lane, and zoned CC. Across Old Washington Road, to the south, is an existing commercial club house, recently purchased and now owned by BRMK Old Washington LLC as of June 2023, and an existing commercial retail store, "In Style Salon", recently purchased and owned by BRMK Old Washington LLC as of June 2023. Both properties are zoned CC.



Design Features: As previously mentioned under "Subject Property" section Parcels 309 and 675 are proposed to be consolidated and resubdivided into proposed Parcel A, 2.01 ac, and proposed Parcel B, 2.36 ac. Parcel B is the subject of this application.

Under the subject application, a Mini-warehouse facility (Use 7.02.230) is proposed on Parcel B, the back parcel fronting on Old Washington Road. The four-story mini-warehouse building is proposed to be located internal to the site (proposed Parcel B) with 24-foot-wide internal drive aisles located on the northwest and southwest, sides of the building. Six surface parking spaces are proposed onsite, including one accessible van space with associated access aisle. The proposed parking spaces are located along the southeastern property line facing Old Washington Road. The applicant is also proposing three loading spaces on the southeast side of the building, as well as a 10-foot-wide loading zone adjacent to the building on all sides with drive aisles, allowing easy

access to the interior of the building. The proposed development will meet all stormwater management, landscape and bufferyard requirements.

The mini-warehouse is proposed to be served by two points of vehicular access: one commercial entrance is located on the southwest side of proposed Parcel B and connects with Llewelyn Lane; and one cross-access driveway will connect the facility with the proposed Wawa to the northwest on proposed Parcel A. Llewelyn Lane is a privately owned road facilitating vehicular circulation between Crain Highway, Old Washington Road, and proposed Parcels A and B. Llewelyn Lane road improvements are proposed under Site Development Plan SDP-230042 and Site Stormwater Management Plan SSWM-230022.

Although not the subject of this application, a Wawa is proposed on the Parcel A, which fronts on Old Crain Highway (US Route 301), a commuter route connecting Charles County and Prince George's County that has high volumes of traffic. This use has a special exception (SPEX-220005) which was approved on June 13, 2023. Locating the Wawa on proposed Parcel A and fronting Crain Highway (US 301) ensures its visibility to drivers and provides a convenient and efficient way to fuel.

The proposed mini-warehouse is situated on the back parcel facing Old Washington Road. The mini-warehouse will be visible from Crain Highway, though less so than the proposed Wawa. Locating the Wawa in a more prominent location along Crain Highway will not compromise the function or utilization of the mini-warehouse. The mini-warehouse will be located proximal to the intended users, including residents of the existing neighborhoods in the RM zone southeast of the property, and easy access will be afforded both from Llewelyn Lane and the adjacent Parcel A.

Criteria for Approval of Special Exception: The criteria for the approval of a special exception are set forth in Chapter 297-415 of the Charles County Code. The applicant's request complies with each criterion as follows:

- (1) Such an application shall be subject to the provisions of this chapter applicable to special exception uses.***

COMMENT: The criteria for the approval of a special exception are set forth in Chapter 297-415 H of the Charles County Zoning Ordinance. The applicant's request complies with each criterion as follows:

- (1) Will not be detrimental to or endanger the public health, safety and general welfare.***

COMMENT: The facility has been designed to be in conformance with the requirements of the County Code and modern design standards. The proposed development provides for safe internal circulation for vehicles and pedestrians, as well as safe ingress and egress of vehicles from the proposed Wawa site and Llewelyn Lane. The proposed uses will be convenient to the traveling public and residents/workers in the area. All required landscape and buffering requirements for the development area are also being met. All required state and local regulations regarding design are

met with this application. Therefore, the development proposed under this special exception will help protect the comfort and convenience of the current and future residents or workers in the area.

Moreover, the development of a new mini-warehouse facility will comply with the current County Building Code, which will further ensure the safety and welfare of the inhabitants of the County. For example, the existing site is not subject to stormwater management, whereas the redevelopment will comply with stormwater management requirements.

(2) Is a permissible special exception in the zone.

COMMENT: The proposed use, a mini-warehouse facility (7.02.230) is a permitted use in the CC Zone, subject to the approval of a special exception

(3) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood.

COMMENT: As indicated earlier, the applicant plans to raze the existing structures and redevelop the property with a mini-warehouse facility which will meet the needs and expectations of the community. The applicant's proposal does not contemplate the assemblage of more property. Conversely, the applicant intends to redevelop the same area of the property that is currently developed. This will ensure that the proposed development will not be detrimental to the adjacent properties. Finally, given the property is located in the CC Zone with other adjacent properties also developed in the CC Zone, the proposed development will not be detrimental to the economic value or development of the surrounding properties, as the use is consistent with other commercial uses permitted in the CC Zone.

(4) Complies with the standards and requirements set forth in Article XIII.

COMMENT: The site plan filed in conjunction with this application provides all of the site design standards set forth in Article XIII, and all standards are met. These standards are provided on the site plan with general notes and are not repeated here.

(5) Will cause no objectionable impact from traffic, noise, type of physical activity, fumes, odors, dust or glare.

COMMENT: The proposed mini-warehouse facility will be located behind a proposed Wawa that will front on US 301. The property is contiguous to the north and south with commercial property that are also in the CC Zone. Given the property is located in the CC Zone with other adjacent properties also developed in the CC Zone, the proposed development will not be detrimental to the economic value or development of the surrounding properties, as the use is consistent with other commercial uses permitted in the CC Zone.

In addition, as to impacts resulting from the generation of traffic from the site, as noted in the Transportation Impact Study dated May 2, 2022 and submitted as part of the application

package, under the 2024 projected conditions, all approaches and turning movements at the proposed storage facility site driveway with the external roadway network will operate at acceptable levels of service and all overall intersection levels of service will operate at an acceptable level during the 2024 projected condition scenarios per Charles County and MDOT SHA guidelines.

Furthermore, the lighting plan found at Sheet 11 of the plan set demonstrates that the proposed development will not generate objectionable light onto the adjoining properties.

Finally, the facility will require permits from the Maryland Department of the Environment (MDE) and other State and Federal agencies to ensure no objectionable impacts regarding fumes, orders, dust or glare will occur.

(6) Will provide adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements. If a use requires an adequate public facilities review by the Planning Commission, such review shall be made a condition of the granting of the special exception by the Board.

COMMENT: The proposal conforms to all applicable provisions of the Charles County Code which protect from fire, flood, and other dangers, including the stormwater management regulations, the floodplain regulations, the Fire Code, and the Building Code. Accordingly, this criterion has been met. In terms of access roads, the project is served by MD 301, which is more than adequate for this Project. In terms of Water & Sewer facilities, the Department of Planning & Growth Management (PGM), Public Works – Utilities, and the applicant will ensure that all water and sewer capacity will be adequate to serve the project. When the subject project applies for a site development plan (SDP), an adequate public facilities (APF) review per Zoning Ordinance Section 257 will also be made.

(7) Will provide adequate ingress and egress and be so designed as to minimize traffic congestion in the public streets.

COMMENT: The development proposes three access points, one on US 301 and two on Lue Ellen Road. The proposed driveway entrance from Llewelyn Lane accessing the site is twenty-four (24) feet wide and adequate to serve the proposed use.

(8) Is in accordance with the objectives of the Charles County Comprehensive Plan.

COMMENT: The property is located within the Community Commercial Zone (CC). The CC Zone provides a wide range of commercial uses and establishments to serve several neighborhoods in appropriate locations along major roads while discouraging strip development.

The subject special exception use is located in an area designated as Commercial & Business District in the 2016 Comprehensive Plan, with a base zone of Community Commercial (CC) and an overlay zone designation of Highway Corridor (HC). The Commercial & Business

District areas are centrally located to serve the most concentrated population areas of the County and are accessible to the region by major highways. Combined with the Mixed Use Districts and Villages, these areas will channel commercial development into nodes. Commercial zoning districts establish access control and landscape or buffer performance standards appropriate to their redevelopment or infill development over time.

The Charles County Comprehensive Plan provides goals and objectives to guide the County's development. Chapter 3 – Land Use provides the following goals and objectives for proposed development:

- Maintain a planned land use pattern that gives opportunities to create great places to live, work, play, and a vibrant county economy.
- Concentrate most future growth in areas of the County already served or proposed to be served with public water and sewer. Direct 75 percent of future residential growth to the sewer service areas and to the Towns of Indian Head and La Plata.
- Concentrate commercial and business areas primarily in the currently developed portions of the development district and in the towns of La Plata and Indian Head, and secondarily in the development districts and village centers rather than sprawling along the County's major roads.
- Protect the County's natural resources.
- The proposed redevelopment project will provide sidewalk improvements along the property frontage along Llewelyn Lane, and as such will help fulfill Goal #8.16 which is to “Ensure development projects provide sidewalk, shared-use path, and trail connections to promote the expansion of the bicycle and pedestrian facility network”. (Chapter 8, Transportation)

The property is included within the Commercial and Business Districts of the Land Use Plan of the County's Comprehensive Plan. The development proposal is consistent with the goals above and will be developed in an area that is already served by public water and sewer and proposes the development within the Development District and Priority Funding Area.

Page 8 of Chapter 3 gives a description of the Commercial and Business District. Although the proposed use is technically classified as an industrial use, it operates more as a commercial use and should be centrally located to serve the most populous areas of Charles County. The site will be easily accessible via a surrounding highway network which will help this use meet the storage needs of the citizens of Charles County.

(9) Conforms to the applicable regulations of the zone in which it is located and to the special requirements established for the specific use.

COMMENT: The proposed development conforms to the applicable regulations of the zone, as provided for on the site plan filed in conjunction with the application. The following section provides for the special requirements for use 7.02.230

7.02.230 Mini-warehouses. This use is permitted with conditions in the IG and IH Zones and is permitted by special exceptions in the CC, CV, CB, BP, PEP and MX Zones, provided that the following are met:

- A. At least 75% of the total on-site storage space shall be contained in individual enclosed stalls containing no more than 500 square feet each and no greater than 10 feet in height.**

COMMENT: 100% of the on-site storage will be contained in individual enclosed stalls with each stall containing no more than 500 square feet each and no greater than 10 feet in height.

- B. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are permitted. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment or other goods; transfer-storage business based on site; residential uses, other than the resident manager's apartment; or any use that creates a nuisance due to noise, odor, dust, light or electrical interference.**

COMMENT: The applicant is proposing to operate a self-storage facility which will only involve dead storage, transfer of nonvolatile good and leasing of storage space

- C. Site plans submitted with applications for mini-warehouse development shall clearly demonstrate that adequate access for fire suppression and other emergency equipment is provided to and within mini-warehouse facilities. Inner drive/parking lanes shall be a minimum of 25 feet in width, with outermost lanes of such facilities a minimum of 35 feet in width. As an alternative design, the outermost lanes of such facilities may be no less than 30 feet in width, provided that at least a forty-foot outside turning radius, and a ten-foot inside turning radius, are installed for the turns at the corners of buildings on the outermost access lanes, thereby maintaining a minimum thirty-foot uniform access drive width. Buildings, bollards or other obstructions to traffic shall not interfere with the turning radii at the corners.**

COMMENT: The site plans submitted with the application for a mini-warehouse development clearly demonstrates via a Truck Turn Analysis, that adequate access for fire suppression and other emergency equipment is provided to and within mini-warehouse facilities. The site plan inner drive/parking lanes comply with the alternative design as described above.

- D. Mini-warehouses shall not be allowed to use metal siding on those elevations that are visible from adjoining roads and streets.**

COMMENT: Acknowledged. The applicant will not use metal siding on the proposed elevations that are visible from adjoining roads or streets.

E. If adjoining properties are used or zoned for residential purposes:

(1) Property lines not facing a street shall be improved with a minimum six-foot-high, one-hundred-percent opaque solid wooden fence or masonry wall along the entire length, except for approved access crossings; such improvements are to be located outside any public right-of-way and interior to a Level E Buffer Yard as defined in Article XXIII.

COMMENT: Not applicable. The adjoining properties are not zoned or used for residential purposes.

(2) Property lines not facing a street shall be provided with a minimum six-foot, one-hundred-percent opaque, wooden fence or masonry wall along the entire length (except for approved access crossings); and all improvements are to be located outside any public right-of-way and interior to a minimum twenty-foot landscape strip or Buffer Yard C, as in Article XXIII.

COMMENT: The adjoining properties are not zoned or used for residential purposes.

F. If all adjoining properties are used or zoned for other than residential purposes:

(1) Property lines not facing a street shall be improved with a minimum six-foot-high, one-hundred-percent opaque solid wooden fence or masonry wall along the entire length, interior to a ten-foot Buffer Yard B, as in Article XXIII.

COMMENT: The applicant's proposal complies with this requirement, as applicable. As demonstrated on the landscape plan (sheet 9 of 13), a 10-ft wide bufferyard 'B' with a 6-ft high opaque wooden fence has been proposed along the property line between proposed Parcel A and proposed Parcel B, as well as between the Self-Storage and the adjacent property to the northeast (Parcel 661). On the northeastern side of the facility, fencing and landscaping is proposed immediately adjacent to the building, interior to a ten-foot Buffer Yard B. An existing chain link fence running along a portion of the northeast boundary of proposed Parcel B will be kept in place because portions of the fence lay offsite on the adjacent property (Parcel 661). The existing fence to remain will not be utilized to satisfy bufferyard requirements.

(2) Property lines facing a street shall be provided with a minimum twenty-foot landscape strip or buffer as specified in Article XXII and Appendix E^[16] and a minimum six-foot-high, one-hundred-percent opaque wooden fence or masonry wall along the entire length (except for approved access crossings) located outside any public right-of-way and interior to any required landscape strips and/or buffers. In the CC, CB, CV, BP, IG and PEP Zones, a Buffer Yard B shall

be required; a Buffer Yard C shall be required in the MX Zone; and a Buffer Yard D shall be required in the IH Zone, as defined in Article XXIII.

COMMENT: The applicant's proposal complies with this requirement, as applicable. As demonstrated on the landscape plan (sheet 9 of 13), a 20-ft bufferyard 'B' with a 6-ft high opaque wooden fence has been proposed along the property line between the self-storage and Old Washington Road pursuant to this requirement. Proposed Parcel B includes parcel 675 that previously was exclusively Llewelyn Lane. With the proposed consolidation and resubdivision, the new boundary lines of Parcel B include Llewelyn Lane. As a result, a 10-ft bufferyard 'B' with a 6-ft high fence would be required between the adjacent property to west of Llewelyn Lane and Llewelyn Lane itself. Because there is no room to propose this bufferyard, a 10-ft bufferyard 'B' and 6-ft high fence has been provided on the landscape island that separates the self-storage from Llewelyn Lane.

G. Mini-warehouse facilities within the CB Zone and the CC Zone shall be subject to one of the following two requirements, in addition to Subsections A through F:

- (1) Mini-warehouse facilities shall be designed and constructed as multilevel facilities, in accordance with the Base Zone Regulations for Commercial Zones, Figure VI-5.^[17] Elevators shall be incorporated to facilitate access to upper floors. Front elevations shall be designed to enhance the streetscape consistent with that of a downtown area, advancing the objectives of the Comprehensive Plan and subarea plans in terms of development character as it pertains to town centers; or*
- (2) Mini-warehouse facilities shall be sited in locations removed from the streetfront, to the extent reasonable and practicable, to allow for the location, contiguous to the public road, of uses that are appropriate to the objectives of the CB Zone, CC Zone, Comprehensive Plan and subarea plans*

COMMENT: As demonstrated on the site plan (sheet 5 of 13) the proposed building will be located to the southeast of the proposed Wawa, at a remove from the property frontage on Crain Highway (US 301) and over 30-feet from Old Washington Road. In addition, this will be a multi-level facility with elevators that will allow for convenient access to the upper levels of the building.

Conclusion: The applicant is proposing to construct a modern mini-warehouse facility on the subject property, proposed Parcel B. The applicant contends that this application complies with the criteria for approval set forth in the Charles County Code and respectfully requests the approval of this application.

Respectfully submitted,

McNAMEE HOSEA



Matthew C. Tedesco

Date: March 15, 2024
(Third Submittal)