

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

2001 Legislative Session

Resolution No. CR-82-2001

Proposed by The Chairman (by request – Planning Board)

Introduced by Council Member Hendershot

Co-Sponsors _____

Date of Introduction November 19, 2001

RESOLUTION

1 A RESOLUTION concerning

2 The College Park US 1 Corridor

3 Sector Plan and Sectional Map Amendment

4 For the purpose of proposing amendments to the Sector Plan and Sectional Map Amendment for
5 the College Park US 1 Corridor, which define long-range land use and development policies
6 approve detailed zoning changes, design standards and a Development District Overlay Zone and
7 for the linear strip generally bounded by the Capital Beltway on the north, commercial properties
8 along the east and west sides of Baltimore Avenue, the East Campus area along the Paint Branch
9 Parkway corridor to the Metro rail tracks on the east, established residential areas along Guilford
10 Drive and Knox Road on the south, and the Paint Branch stream on the west as shown on the
11 attached map. The area includes portions of Planning Area 66.

12 WHEREAS, on February 2, 2000, in Council Resolution 4-2000, the County Council sitting
13 as the District Council directed the Maryland-National Capital Park and Planning Commission to
14 prepare the sector plan in accordance with the requirements of Section 27-641 of the Zoning
15 Ordinance; and

16 WHEREAS, pursuant to the requirements for preparation of a sector plan and a sectional
17 map amendment, the Prince George's County Planning Board published an informational
18 brochure for preparing a sector plan and sectional map amendment and held a public forum on
19 February 7, 2000, to inform the public of the intent and procedures for preparing a sector plan
20 and a sectional map amendment; established goals, concepts, guidelines, and a public
21 participation program; convened a sector advisory planning group to assist in formulating

1 solutions to issues; and hosted charrettes and advisory planning group meetings for the
2 community; and

3 WHEREAS, as a result of testimony presented at the February 7, 2000, public forum to
4 include additional properties within the sector plan boundary, the County Council sitting as the
5 District Council on May 9, 2001, again directed the Maryland-National Capital Park and
6 Planning Commission to prepare the sector plan in accordance with the requirements of Section
7 27-641 of the Zoning Ordinance, for the purpose of including additional properties within the
8 sector plan boundary; and

9 WHEREAS, on June 1, 2000, the Prince George's County Planning Board held a second
10 public forum for the purpose of receiving public comment on the proposal to consider increasing
11 the area within the sector plan boundary to include the additional properties; and

12 WHEREAS, on June 27, 2000, in Council Resolution 37-2000, the County Council sitting
13 as the District Council directed the Maryland-National Capital Park and Planning Commission to
14 prepare a Sectional Map Amendment for the sector plan area, including the additional properties,
15 in accordance with the requirements of Section 27-225.01.05 of the Zoning Ordinance; and

16 WHEREAS, the District Council and the Planning Board held a duly-advertised joint public
17 hearing on the Preliminary College Park US 1 Corridor Sector Plan and Proposed Sectional Map
18 Amendment on June 11, 2001, and the Planning Board adopted the Sector Plan and endorsed the
19 SMA, with amendments, as described in Planning Board Resolution PGCPB No. 01-200 on
20 October 18, 2001; and

21 WHEREAS, the adopted Sector Plan and endorsed Sectional Map Amendment were
22 transmitted to the District Council on October 22, 2001, and the Council held a work session on
23 November 6, 2001, to review the joint public hearing testimony and the recommended
24 amendments of the Planning Board; and

25 WHEREAS, the District Council has decided to hold a joint public hearing with the
26 Planning Board to allow public comment on recommended amendments, as reflected in PGCPB
27 Resolution No. 01-200 (attached), and also as described in this resolution below.

28 SECTION 1. NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince
29 George's County, Maryland, sitting as the District Council, that at the forthcoming joint public
30 hearing, testimony shall be accepted concerning the following:
31

(a) Sector plan text amendments recommended by the Planning Board in PGCPB Resolution No. 01-200, (See Attachment 1); and

(b) Amendments proposed by the District Council to those recommended by the Planning Board in PGCPB Resolution No. 01-200 and to other changes proposed by the District Council, as described below:

AMENDMENT 1:

Subject: Autoville Drive North Residential Area Rezoning

Location: Bounded by Cherry Hill Road north, including a strip of R-55 zoned land along the east side of Autoville Drive to the east (part of subarea 6a), the undeveloped existing C-O zoned “Mazza” parcel on the south, and the sector plan boundary on the west (subarea 5b). Also including two undeveloped R-55 zoned subdivided lots located west of the unimproved paper street known as Autoville Drive and adjacent to the south boundary of the undeveloped existing C-O zoned “Mazza” parcel (part of subarea 4f). (See Maps 2a, 2b and 2c attached.)

Sector Plan/ SMA Amendment:

1. Revise the SMA to show a zoning change from the R-55 Zone to the M-U-I Zone. (See Maps 2a, 2b, and 2c attached.)
2. Add additional language to the adopted Sector Plan text (Page 31, Item 6), as revised in PGCPB Resolution 01-200, by adding a sentence to the end of Item 6 to read as follows: “The exception to this recommendation applies to the large area of sparsely developed R-55 zoned properties located south of Cherry Hill Road, along both sides of Autoville Drive North, east of the sector plan boundary and north of the undeveloped “Mazza” parcel, including two subdivided residential lots south of the “Mazza” parcel and west of the paper street Autoville Drive.

AMENDMENT 2:

Subject: Text reference to compliance with safety regulations relating to proximity to the College Park Airport, the location of corridor subareas within aviation policy areas, the reference to a November 10, 2000 Airport Land Use Compatibility and Air Safety Study, removal of Map 8 on Page 39 of the adopted Sector Plan

(Proposed College Park Airport Aviation Policy Areas), and removal of Table 3 on Page 40 of the adopted Sector Plan.

Location: The area referred to is shown on Map 8 and described in Table 3 of the adopted Sector Plan (Page 39 and 40).

Sector Plan/SMA Amendment

Delete all text, map and table references to the above on Pages 38, 39, 40, 42, 162 and 163 of the adopted Sector Plan. Also, delete the changes proposed by the Planning Board on Page 2 of PGCPB Resolution No. 01-200 regarding Item II, Testimony Item 8.

AMENDMENT 3:

Subject: Revise the Table of Permitted Uses to allow a car wash use on the Shell gasoline station property located on the west side of US 1 at 9322 Baltimore Avenue.

Location: Development District Overlay Zone area (see Map 3 attached.)

Sector Plan/SMA Amendment

Revise Footnote 39 in the adopted Sector Plan's Table of Permitted Uses (Page 243) to allow a "Car Wash: (iii) All others" as a permitted use in portions of subarea 4d by substituting the following revised text:

"Future new uses are only permitted in the mixed-commercial subareas (Subareas 6b, 4f, portions of 4e north of Fox Street, and portions of 4d north of Erie Street)."

AMENDMENT 4:

Subject: Development District Standards (drive-in and drive-through windows)

Location: Development District Overlay Zone area (see Map 4 attached.)

Sector Plan/SMA Amendment

1. Revise and clarify the Planning Board's recommended additional language (Page 3 of PGCPB Resolution No. 01-200, Item 10) to indicate the following: "Also, uses with drive-in or drive through windows are prohibited in subareas 1 and 3, where compact, pedestrian-oriented development should be located. The exception is for existing uses where drive-in or drive-through windows must be removed because of any government actions. In such case, they shall be considered as a permitted use in subarea 1 and 3."

2. Revise the Planning Board's recommended language (Page 8 of PGCPB Resolution No. 01-200) that adds a new item 'E' on Page 179 of the adopted Sector Plan's Development District Standards that states "All new drive-in or drive-through windows for any use are not permitted in subareas 1 and 3."

Clarifying language is substituted to read as follows:

"All new drive-in or drive-through windows for any use are prohibited in subareas 1 and 3. However, any existing drive-in or drive-through windows in subareas 1 and 3 that are required to be removed because of any governmental action shall be considered a permitted use and shall be exempt from the Development District Standards and site plan review."

SECTION 2. BE IT FURTHER RESOLVED, that the District Council, after holding a joint public hearing with the Planning Board, may reconsider each amendment, and may approve the Sector Plan and SMA with all, any one or more, or none of the proposed revisions or amendments. The Council may also decide to retain existing zoning for any property.

SECTION 3. BE IT FURTHER RESOLVED, that the advertisement associated with this hearing indicates to property owners that the District Council may decide to retain existing zoning for any property without identifying specific amendments in this resolution.

SECTION 4. BE IT FURTHER RESOLVED, that, pursuant to Section 27-226 of the Zoning Ordinance, a public hearing shall be scheduled to receive testimony on these proposed amendments, and a copy of this Resolution shall be transmitted to the Prince George's County Planning Board, to request that its comments be submitted to the Council prior to action on the amendments.

Adopted this 19th day of November, 2001.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Ronald V. Russell
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

Attachments available in hard copy only