

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2009 Legislative Session

Resolution No. CR-62-2009
Proposed by The Chairperson (by request – Planning Board)
Introduced by Council Members Bland and Dean
Co-Sponsors _____
Date of Introduction September 15, 2009

RESOLUTION

1 A RESOLUTION concerning

2 Subregion 6 Master Plan and Sectional Map Amendment

3 For the purpose of approving with amendments, as an Act of the County Council of Prince
4 George’s County, Maryland, sitting as the District Council, the Master Plan and Sectional Map
5 Amendment (SMA) for Subregion 6, thereby defining long-range land use and development
6 policies, and setting forth and adopting detailed zoning proposals in Planning Areas 77, 78
7 (excluding that portion included in the 2007 Approved Westphalia Sector Plan), 79, 82A, 82B,
8 85B, 86A, 86B, 87A and 87B for the area generally bounded by the Patuxent River (East), the
9 Charles County line (South), the Conrail Line, PEPCO powerline right of way, Piscataway
10 Creek, Andrews Air Force Base, Old Alexandria Ferry Road, Branch Avenue, Allentown Road,
11 Interstate 95/495, Pennsylvania Avenue, Ritchie Marlboro Road (West), White House Road,
12 Largo Road, Watkins Park Drive, Oak Grove Road, Leeland Road, US 301 and District Branch
13 (North); and

14 WHEREAS, upon approval by the District Council the Master Plan and Sectional Map
15 Amendment for Subregion 6 will update the 1993 *Subregion VI Study Area Master Plan* and the
16 1994 *Sectional Map Amendment* (Planning Areas 79, 82A, 82B, 86A, 86B, 87A and 87B); the
17 1994 *Melwood Westphalia Master Plan and Sectional Map Amendment* (Planning Areas 77 and
18 78 excluding that portion included in the 2007 *Westphalia Sector Plan and Sectional Map*
19 *Amendment*); the 1993 *Subregion V Master Plan and Sectional Map Amendment* (Planning Area
20 85B); and amend portions of the 2002 *Prince George’s County Approved General Plan* for the
21 Physical Development of the Maryland-Washington Regional District within Prince George’s

1 County, Maryland; the 2005 *Countywide Green Infrastructure Plan*; the 1982 *Master Plan of*
2 *Transportation*; the 2008 *Public Safety Facilities Master Plan*; the 1992 *Prince George's County*
3 *Historic Sites and District Plan*; and the 1975 *Countywide Trails Plan* including the 1985
4 *Equestrian Addendum*; and

5 WHEREAS, on November 20, 2007, in Council Resolution CR-89-2007, the County
6 Council of Prince George's County, Maryland, sitting as the District Council, directed The
7 Maryland-National Capital Park and Planning Commission to prepare a new Subregion 6 master
8 plan and sectional map amendment, in order to develop a comprehensive approach to
9 implementing the recommendations of the 2002 General Plan and to ensure that future
10 development is consistent with County growth policies; and

11 WHEREAS, on November 20, 2007, the District Council endorsed the Goals, Concepts and
12 Guidelines and the Public Participation Program prepared by the Planning Board pursuant to
13 Section 27-643 of the Zoning Ordinance; and

14 WHEREAS, the Planning Board hosted a series of listening sessions to gather community
15 guidance and inform the public of the planning process and solicit issues and concerns, and the
16 Planning Board further conducted twelve planning workshops as the major component of the
17 Public Participation Program to involve the community in the preparation of the plan; and

18 WHEREAS, on May 20, 2008, the District Council supported an extension of time to
19 complete additional analysis pursuant to Section 27-644(a)(3) of the Zoning Ordinance; and

20 WHEREAS, the Planning Board granted permission to print the Preliminary Subregion 6
21 Master Plan and Proposed Sectional Map Amendment on December 11, 2008; and

22 WHEREAS, pursuant to Section 27-645(b) of the Zoning Ordinance, the plan proposals for
23 public facilities were referred to the County Executive and the District Council for review, and
24 on February 3, 2009, the District Council subsequently did not find any inconsistencies between
25 the proposed public facilities in the master plan proposal by CR-8-2009; and

26 WHEREAS, the District Council and the Planning Board held a duly-advertised joint public
27 hearing on the Preliminary Subregion 6 Master Plan and Proposed Sectional Map Amendment
28 on February 3, 2009; and

29 WHEREAS, on April 23, 2009, the Planning Board held a worksession to consider the
30 public hearing testimony; and

31

1 WHEREAS, on May 7, 2009, the Planning Board adopted the master plan and endorsed
2 the sectional map amendment with revisions, in response to the public hearing testimony, as
3 described in Prince George's County Planning Board Resolution PGCPB No. 09-66, and
4 transmitted the adopted Master Plan and Sectional Map Amendment and supporting documents
5 to the District Council on May 11, 2009; and

6 WHEREAS, on May 19, 2009, the District Council held a worksession to review
7 Planning Board recommendations on public hearing testimony, proposed amendments to the
8 adopted plan and endorsed sectional map amendment, and hold a second joint public hearing to
9 allow public comments on the proposed amendments; and

10 WHEREAS, on May 19, 2009, the District Council approved resolution CR-29-2009,
11 proposing amendments to the adopted plan and endorsed sectional map amendment and
12 authorizing a second public hearing on June 22, 2009; and

13 WHEREAS, on June 22, 2009, the District Council and the Planning Board held a duly
14 advertised joint public hearing on the proposed amendments contained in CR-29-2009, and
15 received comments on the proposed amendments; and

16 WHEREAS, on July 9, 2009 the Planning Board reviewed the digest of testimony from
17 the June 22, 2009 hearing and transmitted comments on the proposed amendments to the District
18 Council in accordance with Section 27-646(a)(3) of the Zoning Ordinance; and

19 WHEREAS, the District Council has reviewed several comprehensive design zone
20 proposals and finds the proposals to be in general conformance with the land use
21 recommendations of the Adopted Subregion 6 Master Plan; and

22 WHEREAS, the District Council recognizes that its actions to approve the
23 comprehensive design zones as described in this Sectional Map Amendment and approve a Basic
24 Plan for each development which, combined with policies and strategies in the plan text becomes
25 the basis on which the second phase, Comprehensive Design Plan, and third phase, Specific
26 Design Plan(s), will be processed as a continuing development sequence.

27 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
28 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
29 Regional District in Prince George's County, Maryland, that the Subregion 6 Master Plan and
30 Sectional Map Amendment as adopted and endorsed on May 7, 2009, by PGCPB No. 09-66, are
31 hereby approved, with the following amendments and revisions:

SECTIONAL MAP AMENDMENT

AMENDMENT 1 Rezone R-80 to C-O Zone as identified in Amendment 1 of CR-29-2009.

Location: 14503 Main Street, Upper Marlboro
Existing Use: Single Family House with Home Occupation for office
Existing Zone: R-80
Endorsed SMA Zone: R-80
Acreage: 0.28 acres **Property Tax Account:** 0234914
Tax Map: 101 **Grid:** E-2 **Parcel:** 184

AMENDMENT 2 Rezone C-O to L-A-C Zone as identified in Amendment 2 of CR-29-2009, with the attached Basic Plan (Attachment A).

Location: 10600 Marlboro Pike
Existing Use: Undeveloped
Existing Zone: C-O
Endorsed SMA Zone: C-O
Acreage: 15.32 acres **Property Tax Account:** 3876778
Tax Map: 100 **Grid:** B-2 **Parcel:** A

AMENDMENT 3 Rezone O-S to L-A-C Zone as identified in Amendment 3 of CR-29-2009, with the attached Basic Plan (Attachment A).

Location: 5760 Woodyard Road
Existing Use: Undeveloped
Existing Zone: O-S
Endorsed SMA Zone: C-O
Acreage: 0.7181 acres **Property Tax Account:** 1734847
Tax Map: 100 **Grid:** B-3 **Parcel:** 34

AMENDMENT 4 Rezone C-M to C-S-C Zone as identified in Amendment 5 of CR-29-2009.

Location: 5400 block SE Crain Highway
Existing Use: Undeveloped
Existing Zone: C-M
Endorsed SMA Zone: C-M
Acreage: 5.9992 acres **Property Tax Account:** 0203927
Tax Map: 102 **Grid:** B-1 **Parcel:** 83

AMENDMENT 5 **Rezone C-M to C-S-C Zone as identified in Amendment 4 of CR-29-2009.**

Location: 5400 block SE Crain Highway
Existing Use: Undeveloped
Existing Zone: C-M
Endorsed SMA Zone: C-M
Acreage: 11.1636 acres **Property Tax Account:** 0203935
Tax Map: 102 **Grid:** B-1 **Parcel:** 57

AMENDMENT 6 **Rezone O-S to C-A Zone as identified in Amendment 6 of CR-29-2009.**

Location: 15800 Brandywine Road
Existing Use: Retail establishment
Existing Zone: O-S
Endorsed SMA Zone: O-S
Acreage: 2 acres **Property Tax Account:** 1174150
Tax Map: 156 **Grid:** E-4 **Parcel:** 36

AMENDMENT 7 **Rezone C-S-C to O-S Zone as identified in Amendment 7 of CR-29-2009.**

Location: 15812 Brandywine Road
Existing Use: Single Family House
Existing Zone: C-S-C
Endorsed SMA Zone: C-S-C
Acreage: 1.143 acres **Property Tax Account:** 1174168
Tax Map: 156 **Grid:** F-4 **Parcel:** 37

AMENDMENT 8 **Rezone R-A to R-E Zone**

Location: 6300 South Osborne Road, 6310-6500 Osborne Road, 6516 South Osborne Road 12511 Williams Beans Road, 12121 Farm Road, 12200, 12310, and 12401 Farm Road to end at the PEPCO right-of-way.
Existing Use: Single Family Houses, open fields and pastures
Existing Zone: R-A
Endorsed SMA Zone: R-A
Acreage: 677 acres **Property Tax Accounts:** See Attachment B

AMENDMENT 9

Rezone R-R to R-30 Zone

Location: Heathermore Boulevard

Existing Use: Undeveloped

Existing Zone: R-R

Endorsed SMA Zone: R-R

Acreage: 12.1999 acres **Property Tax Account:** 1712819

Tax Map: 119 **Grids:** B-2

Parcels: 104

AMENDMENT 10

Rezone R-A to R-R Zone

Location: 8200 and 8204 Rosaryville Road

Existing Use: Single Family House and Horse Farm

Existing Zone: R-A

Endorsed SMA Zone: R-A

Acreage: 117.14 acres **Property Tax Accounts:** 1718915, 1718923

Tax Map: 109 **Grids:** A-4 **Parcel:** 71

AMENDMENT 11A

Rezone L-A-C to C-S-C Zone

Location: Southwest corner of US 301 and Leeland Road

Existing Use: Undeveloped

Existing Zone: L-A-C

Endorsed SMA Zone: L-A-C

Acreage: 28 acres **Property Tax Accounts:** 019284, 0192492

Tax Map: 85 **Grids:** C-1, C-2 **Parcels:** 16 and Pt of Lot 1

AMENDMENT 11B

Rezone R-E to R-80 Zone

Location: 11210 Brown Road

Existing Use: Undeveloped

Existing Zone: R-E

Endorsed SMA Zone: R-E

Acreage: 9.97 acres **Property Tax Accounts:** 1712702

Tax Map: 83 **Grids:** C-3 **Parcel:** A

AMENDMENT 12 Rezone R-S to C-O Zone

Location: Presidential Parkway in Beechtree
Existing Use: Undeveloped
Existing Zone: R-S
Endorsed SMA Zone: R-S
Acreage: 1.68 acres **Property Tax Accounts:** 3322922
Tax Map: 85 **Grids:** B-2 **Parcels:** Part of Parcel B-1 and set forth in the
Zoning Exhibit and Metes and Bounds description, attached hereto as
Attachment C (Public Record Exhibit #129)

AMENDMENT 13 Retain L-A-C Zone

Location: eastern quadrant of Woodyard and Rosaryville Roads
Existing Use: Residential Townhouses and Undeveloped
Existing Zone: L-A-C
Endorsed SMA Zone: R-T
Acreage: 26 acres **Property Tax Accounts:** Attachment D
Tax Map: **Grids:** **Parcels:**

AMENDMENT 13A: Street Address/Location: SE quadrant of intersection of US 301 and

MD 976-C (at Marlboro Crossing Shopping Center)
Existing Zone: O-S
Endorsed SMA: N/A
Proposed Zone: C-S-C, 22+/- acres outside existing floodplain, as
delineated in M-NCPPC environmental inventory
Account: 0192153 **Total Acreage:** 42.16 acres
Legal Description: Map 102, Grid B-3, Parcel 14
Existing Use: Open/Vacant Land (former auto racetrack location)
Existing General Plan Tier: Rural
Proposed General Plan Reclassification: Developing Tier (reclassify
approximately 22 acres of a parcel bounded to the north by US 301
north, bounded to the south by the Patuxent River park, and bounded to the east by
an approximate 20 acres of ground zoned O-S.

AMENDMENT 13B: Four parcels, as described below, and part of one parcel, all reclassified

from O-S (or C-M, one parcel) to C-S-C

(i) **Street Address:** 5000 SE Crain Hwy (MD 301) (east of MD 301)
Existing Zone: O-S **Endorsed SMA:** N/A **Proposed Zone:** C-S-C
Account: 0227959 **Total Acreage:** 2.926± acres
Legal Description: Map 102, Grid B-1, Parcel 38 **Existing Use:** Single Family Home
Existing General Plan Tier: Rural
Proposed General Plan Reclassification: Developing Tier

(ii) **Street Address:** 5000 block SE Crain Hwy (MD 301) (east of MD 301)
Existing Zone: O-S **Endorsed SMA:** N/A **Proposed Zone:** C-S-C, for that portion of Parcel 49 lying east of Parcel 46 and west of Parcel 38, and that portion of Parcel 49 lying west of a line running south, from the SE corner of Parcel 38, thence parallel to US 301, to Parcel 46, all portions totaling 5.00± acres
Account: 0203943
Legal Description: Map 102, Grid C-1, part of Parcel 49
Existing Use: Open/Vacant Land
Existing General Plan Tier: Rural
Proposed General Plan Reclassification: Developing Tier, for that portion of Parcel 49, totaling 5.00± acres, as described above, reclassified from O-S to C-S-C

(iii) **Street Address:** 5400 block SE Crain Hwy (MD 301) (east of MD 301)
Existing Zone: O-S **Endorsed SMA:** N/A **Proposed Zone:** C-S-C
Account: 0239111 **Acreage:** 22.06± acres
Legal Description: Map 102, Grid B-1, Parcel 46
Existing Use: Open/Vacant Land

(iv) **Street Address:** 5400 block SE Crain Hwy (MD 301) (east of MD 301)
Existing Zone: O-S **Endorsed SMA:** N/A **Proposed Zone:** C-S-C
Account: 0239129 **Acreage:** 2.89± acres
Legal Description: Map 102, Grid B-1, Parcel 47
Existing Use: Open/Vacant Land

- (v) **Street Address:** 5400 block SE Crain Hwy (MD 301) (east of MD 301)
- Existing Zone:** C-M **Endorsed SMA:** N/A **Proposed Zone:** C-S-C
- Account:** 0239137 **Acreage:** 2.11± acres
- Legal Description:** Map 102, Grid B-1, Parcel 52
- Existing Use:** Open/Vacant Land

GENERAL PLAN

AMENDMENT 14 Amend the 2002 General Plan by removing approximately 75.83 acres from the Rural Tier at 8111 Cedarville Road and 8209 Cedarville Road, near Brandywine and designate it in the Developing Tier, TM 165, Grids A-2 and B-1, Parcels 7 and 38.

AMENDMENT 15 Amend the 2002 General Plan by removing approximately 565.39 acres from the Rural Tier 6300 South Osborne Road, 6310-6500 Osborne Road, 6516 South Osborne Road 12511 Williams Beans Road, 12121 Farm Road, 12200, 12310, and 12401 Farm Road to end at the PEPCO right-of-way and designate it in the Developing Tier. Attachment E.

AMENDMENT 16 Reserved

MASTER PLAN

AMENDMENT 17 Add language to the plan on page 133 to Policy 2, new Strategy #8: Develop a 200 acre Regional Community Park Facility with a variety of active recreational programs and activities within the southern, rural portion of the subregion.

AMENDMENT 18 Add language to the plan on page 177: The 80 acre Wilmer’s Park Site and an adjacent 112 acre parcel to the north is appropriate for a Rural Entertainment Park in accordance with Special Exception provisions to provide a mix of cultural, entertainment, commercial and residential uses to complement the rural setting and site’s history.
The possibility exists to develop a comprehensive planned residential-low development in the R-L Zone on an adjacent 448 acre parcel to the north.
Development in the R-L Zone is dependent upon providing public benefit

features and the provision of adequate public water, septic or on-site sewerage disposal, and roadway capacity. Any such development shall relate to and complement development in the adjacent entertainment park development.

AMENDMENT 19 Revise the Land Use Map to reflect rezoning in the Sectional Map Amendment amendments and revisions.

AMENDMENT 20 Revise the future land use plan to show mixed use development on the following properties: 15800-15900 Marlboro Pike, 15610 Marlboro Pike, 4706 SE Crain Highway, 4612 SE Crain Highway, 4800 SE Crain Highway, includes both C-M zoned properties south of MD 725.

AMENDMENT 21 Add language to the plan: “Undertake a sector plan and SMA when the final location of the alignment of US 301 is determined or when other circumstances arise, to recommend a better mix of development to take advantage of the new alignment or to address these new circumstances, and to assess the appropriate uses and Tier designation of property on the east side of US 301 from north of Village Drive to MD 725. This sector plan should determine the most appropriate boundary for the rural tier and create design guidelines so that development on the edge of the developing tier creates an adequate buffer to protect rural communities. The sector plan should include all of the area impacted by the realigned highway so that a complete reevaluation of land use and zoning can be undertaken to determine the most appropriate long term development pattern for the greater Upper Marlboro area.”

AMENDMENT 22: Add a strategy to the plan: “Ensure that new commercial office and shopping development in the Beechtree community meets high quality design standards and includes the appropriate mix of uses.”

BE IT FURTHER RESOLVED that the planning staff is authorized to make appropriate text and map revisions to correct identified errors, reflect updated information and revisions, and incorporate the zoning map changes reflected in this Resolution; and

BE IT FURTHER RESOLVED that this Sectional Map Amendment is an amendment to the Zoning Ordinance and to the official zoning map for the Maryland-Washington Regional

1 District in Prince George’s County, Maryland. The zoning changes approved by this Resolution
2 shall be depicted on the official zoning map of the County; and

3 BE IT FURTHER RESOLVED that the approval of this Sectional Map Amendment shall
4 repeal and readopt with amendments that portion of the Zoning Map encompassed by the
5 Amendment, and that the conditions and findings attached to previously approved zoning
6 applications are considered part of this Sectional Map Amendment where the previous zoning
7 category has been maintained and noted on the Zoning Map; and

8 BE IT FURTHER RESOLVED that the provisions of this Resolution are severable. If any
9 provision, sentence, clause, section, zone, zoning map, or part thereof is held illegal, invalid,
10 unconstitutional, or unenforceable, such illegality, invalidity, unconstitutionality, or
11 unenforceability shall not affect or impair any of the remaining provisions, sentences, clauses,
12 sections, zones, zoning maps, or parts hereof or their application to other zones, persons, or
13 circumstances. It is hereby declared to be the legislative intent that this Resolution would have
14 been adopted as if such illegal, invalid, unconstitutional, or unenforceable provision, sentence,
15 clause, section, zone, zoning map, or part had not been included therein.

16 BE IT FURTHER RESOLVED that this Resolution shall take effect on the date of its
17 adoption.

Adopted this 15th day of September, 2009.

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: _____
Marilynn M. Bland
Chairperson

ATTEST:

Redis C. Floyd
Clerk of the Council

Note: Maps available in hard copy only and as an Inclusion File in LIS.

On Oct. 26, 2012, the Circuit Court for Prince George's County declared void the adoption of CR-62-2009 for failure to meet the affidavit requirement pursuant to Maryland Annotated Code, State Government, Section 15-821 (2009 and Supp. 2001). *AMP Creeks Community Council v. District Council for Prince George's County*, CAL09-31402, CAL09-32017.