

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2015 Legislative Session**

Resolution No. CR-77-2015  
Proposed by Council Member Lehman  
Introduced by Council Member Lehman  
Co-Sponsors \_\_\_\_\_  
Date of Introduction November 10, 2015

**RESOLUTION**

1 A RESOLUTION concerning

2 Municipal Annexation

3 For the purpose of waiving, in accordance with State law, the five-year restriction on municipal  
4 zoning and development of annexed land and approving the proposed development of land  
5 annexed by the City of Laurel with substantially different uses, or at a substantially higher  
6 density, than could be granted for the development pursuant to its pre-annexation zoning  
7 classification of the property.

8 WHEREAS, Section 4-401 of the Local Government Article of the Maryland Annotated  
9 Code provides the general authority for a municipality to enlarge its boundaries by annexation;  
10 and

11 WHEREAS, Section 4-416 of the Local Government Article provides certain limitations on  
12 zoning and development for a period of five (5) years after a municipality annexes land to its  
13 corporate boundaries, including the approval of land uses that are substantially different than the  
14 uses authorized, or development of the land at a substantially higher density than could be  
15 granted for the development pursuant to its pre-annexation zoning of the property; and

16 WHEREAS, the City of Laurel considered a petition for annexation in its corporate  
17 boundaries filed by the Strittmatter Land, LLC, as an owner of certain real property comprised of  
18 approximately 39.9 acres (the "Strittmatter Property"); and

19 WHEREAS, at the time of the annexation of the Strittmatter Property, the City also  
20 considered certain additional parcels of land which, at the time, were owned by the State  
21 Highway Administration of the Maryland Department of Transportation, and consisting of one

1 parcel with an approximate land area of 16.8 acres, and a second parcel with an approximate land  
2 area of 3.13 acres (the “SHA Property”); and

3 WHEREAS, the annexation of both the Strittmatter Property and the SHA Property became  
4 effective on or about September 7, 2012, pursuant to adoption of Charter Annexation Resolution  
5 No. 154 by the City Council for the City of Laurel; and

6 WHEREAS, at the time of its September 2012 annexation, the Strittmatter Property had a  
7 zoning classification within the M-X-T (Mixed Use – Transportation Oriented) Zone as part of  
8 the unincorporated area of the County, and the City of Laurel placed the Strittmatter Property in  
9 the M-X-T Zone for the City in accordance with the provisions of Section 4-416 of the Local  
10 Government Article; and

11 WHEREAS, at the time of its September 2012 annexation, the SHA Property had a zoning  
12 classification within the R-O-S (Residential – Open Space) Zone as part of the unincorporated  
13 area of the County, and the City of Laurel placed the SHA Property in the P-1 Zone, which is  
14 equivalent in density, in accordance with the provisions of Section 4-416 of the Local  
15 Government Article; and

16 WHEREAS, on January 28, 2013, the City of Laurel rezoned the 16.8-acre SHA property  
17 from the City’s P-1 Zone to its M-X-T Zone pursuant to the approval of Map Amendment No.  
18 829 via adoption of City of Laurel Ordinance No. 1765; and

19 WHEREAS, on July 31, 2013, the State Highway Administration of the Maryland  
20 Department of Transportation conveyed 15.2141 acres of the SHA Property to Strittmatter, LLC,  
21 pursuant to a deed recorded among the land records of Prince George’s County, Maryland, at  
22 Liber 35296, Folio 36; and

23 WHEREAS, thereafter, the City of Laurel approved a Conceptual Site Plan for the  
24 development of the Strittmatter Property; and

25 WHEREAS, the City of Laurel also approved a Conceptual Site Plan for the SHA Property  
26 with an included recommendation that a portion of the SHA Property be developed with  
27 residential townhouses and that the remainder of the SHA Property be developed with  
28 commercial retail uses; and

29 WHEREAS, on September 16, 2014, the City of Laurel Planning Commission approved a  
30 Final Plat of Subdivision for the SHA Property, titled “Parcels D and E, Westside,” as per plat  
31 recorded among the Land Records of Prince George’s County, Maryland, in Plat Book MMB

1 | 211, Plat No. 16; and

2 |       WHEREAS, pursuant to the subdivision of Parcels D and E, Westside, the portion of the  
3 | SHA Property to be developed with residential townhouses is designated as Parcel E, consisting  
4 | of approximately 7.375 acres of land; and

5 |       WHEREAS, on March 12, 2015, the City of Laurel Planning Commission approved a Final  
6 | Detailed Site Plan authorizing the construction of 56 residential townhouses, as well as  
7 | associated recreational amenities on 6.45 acres of Parcel E pursuant to the approval by the  
8 | Planning Commission of Resolution No. 15-10-PC; and

9 |       WHEREAS, the balance of Parcel E, comprising 0.9249 acres is unbuildable and has been  
10 | improved with a berm and a fence; and

11 |       WHEREAS, the County Council of Prince George’s County, Maryland, desires to release  
12 | Parcel E only from the five-year moratorium mandated by the Local Government Article of State  
13 | law, in order to allow development and construction of 57 townhouses and associated  
14 | recreational amenities.

15 |       NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George’s  
16 | Council, Maryland, that the five-year moratorium on the development of property imposed by  
17 | Section 4-416 of the Local Government Article of the Annotated Code of Maryland is released,  
18 | lifted, and hereby declared to be inapplicable only as to the 7.375 acres of land known as “Parcel  
19 | E,” and as more particularly described in Attachment A, attached hereto and incorporated as if  
20 | set forth fully herein.

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1 BE IT FURTHER RESOLVED that the Clerk of the Prince George’s County Council shall  
2 be directed to transmit a copy of this Resolution to the Chief Executive and Administrative  
3 Officer for the City of Laurel.

Adopted this 10th day of November, 2015.

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: \_\_\_\_\_  
Mel Franklin  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council