

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2013 Legislative Session**

Resolution No. CR-139-2013
Proposed by The Chair (by request – Planning Board)
Introduced by Council Members Franklin, Toles and Patterson
Co-Sponsors _____
Date of Introduction November 19, 2013

RESOLUTION

1 A RESOLUTION concerning

2 The Southern Green Line Station Area Sector Plan and Sectional Map Amendment

3 For the purpose of proposing amendments to the Adopted Southern Green Line Station Area
4 Sector Plan and Endorsed Sectional Map Amendment and directing that a joint public hearing be
5 held to receive testimony on the proposed amendments.

6 WHEREAS, the *Adopted Southern Green Line Station Area Sector Plan and Endorsed*
7 *Sectional Map Amendment* is proposed to

8 WHEREAS, on March 20, 2012, the District Council adopted CR-10-2012, thereby
9 initiating an amendment to amend the 2000 *Approved Master Plan and Sectional Map*
10 *Amendment for the Heights and Vicinity (Planning Area 76A)*, the 2002 *Prince George’s County*
11 *Approved General Plan*, the 2008 *Approved Branch Avenue Corridor Sector Plan and Sectional*
12 *Map Amendment*, and the 2010 *Subregion 4 Master Plan and Sectional Map Amendment*, as well
13 as certain County functional master plans, including the 2005 *Countywide Green Infrastructure*
14 *Functional Master Plan*, 2008 *Approved Public Safety Facilities Master Plan*, 2009 *Countywide*
15 *Master Plan of Transportation*, and 2010 *Water Resources Master Plan*; and

16 WHEREAS, pursuant to its adoption of CR-10-2012, the District Council further
17 authorized initiation of a concurrent sectional map amendment (“SMA”) pursuant to Sections 27-
18 225.01 and 27-641 of the Zoning Ordinance of Prince George’s County; and

19 WHEREAS, in adopting CR-10-2012, the District Council also endorsed the Goals,
20 Concepts, Guidelines, and Public Participation Program and established the Plan boundaries as
21

1 recommended by the Planning Board for the Southern Green Line Station Area Sector Plan and
2 SMA pursuant to Sections 27-641 and 27-643 of the Zoning Ordinance; and

3 WHEREAS, the Sector Plan area follows and surrounds the alignment of the southern
4 portion of the Metrorail Green Line in Prince George's County and is defined by Southern
5 Avenue as a western boundary; Suitland Road and the boundary of the Suitland M-U-TC as a
6 northern and eastern boundary; Interstate 495 (Capital Beltway) and Branch Avenue, including
7 properties fronting on the south side of Branch Avenue from St. Barnabas Road to Curtis Drive,
8 and continuing along 28th Parkway, Oxon Run Drive, 23rd Parkway, Chatwick Street to the north
9 side of Barnaby Run stream, and Wheeler Road as the southern boundary; and

10 WHEREAS, the Southern Green Line Station Area Sector Plan and Sectional Map
11 Amendment seeks to bring transit-oriented development to the four Metrorail station areas along
12 the Southern Green Line: Branch Avenue, Suitland, Naylor Road, and Southern Avenue in order
13 to maximize the potential for economic and community development, and identifies
14 opportunities for infill and redevelopment, sets a vision for each station area, and makes
15 recommendations for future land use, creation of new Transit-Oriented Development zoning
16 districts, regional and local roadway projects, and pedestrian and bicycle facilities and outlines
17 implementation strategies, including specific recommendations for rezoning through the
18 proposed SMA where existing zoning districts can be applied to facilitate plan implementation;
19 and

20 WHEREAS, on July 2, 2013, the District Council and the Planning Board held a duly
21 advertised public hearing on the *Preliminary Southern Green Line Station Area Sector Plan and*
22 *Proposed Sectional Map Amendment*; and

23 WHEREAS, pursuant to Section 27-645(b) of the Zoning Ordinance, the County Executive
24 and the District Council reviewed the public facilities element of the preliminary sector plan and
25 proposed sectional map amendment in order to identify inconsistencies between the proposed
26 public facilities recommended within the preliminary plan and proposed sectional map
27 amendment and existing County or State public facilities, as embodied in CR-77-2013; and

28 WHEREAS, on September 12, 2013, the Planning Board held a public work session on the
29 *Preliminary Southern Green Line Station Area Sector Plan and Proposed Sectional Map*
30 *Amendment* to review the digest of testimony compiled from comments received in the joint
31 public hearing record and staff recommendations thereon; and

32

1 WHEREAS, on September 26, 2013, the Planning Board adopted PGCPB No. 13-98 and,
 2 pursuant to Section 27-645(c), transmitted the Adopted Southern Green Line Station Area Sector
 3 Plan and Endorsed Sectional Map Amendment to the District Council on October 1, 2013; and

4 WHEREAS, on October 15, 2013, the District Council held a work session to consider the
 5 record of public hearing testimony and the Planning Board's recommendations embodied in
 6 PGCPB No. 13-98 and, after discussion, directed staff to prepare a resolution proposing
 7 amendments to the adopted sector plan and endorsed sectional map amendment, and that a
 8 second joint public hearing be held to seek public testimony the proposed amendments.

9 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
 10 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
 11 Regional District in Prince George's County, Maryland, that at the forthcoming joint public
 12 hearing, testimony shall be accepted concerning the following amendments proposed by the
 13 District Council:

14 **PROPOSED AMENDMENTS TO THE ADOPTED SECTOR PLAN AND ENDORSED**
 15 **SECTIONAL MAP AMENDMENT**

AMENDMENT 1: DEVELOPMENT DISTRICT OVERLAY ZONE (“DDOZ”)

Apply a Development District Overlay Zone to the Southern Green Line Station Area boundary defined by Southern Avenue as a western boundary; Suitland Road and the boundary of the Suitland M-U-TC as a northern and eastern boundary; Interstate 495 (Capital Beltway) and Branch Avenue, including properties fronting on the south side of Branch Avenue from St. Barnabas Road to Curtis Drive, and continuing along 28th Parkway, Oxon Run Drive, 23rd Parkway, Chatwick Street to the north side of Barnaby Run stream, and Wheeler Road as the southern boundary.

Use Restrictions within Development District Overlay Zone

As set forth in **ATTACHMENT A**, attached hereto and incorporated as if set forth fully herein, the purpose of the DDOZ is to prohibit the following uses within the sector plan area, except for parcels located wholly or partially within a ½ mile radius of either entrance to Branch Avenue Metro Station:

- (A) Adult entertainment;
- (B) Check cashing establishments;
- (C) Liquor stores;
- (D) Pawnshops;
- (E) Nail salon and similar uses designated as North American Industry Classification System (NAICS) No. 812113;
- (F) Beauty supply and accessories store (in this DDOZ, a “Beauty supply and

accessories store” is a cosmetology, beauty, or barbering supply establishment engaged in the sale of related goods and materials wholesale and/or retail);

- (G) Banquet halls; and
- (H) Tattoo parlors.

Use Restrictions within Metro Station Areas of the Development District Overlay Zone

Except for parcels located wholly or partially within a one-half mile radius to either entrance to the Branch Avenue Metro Station, the following uses are prohibited within the Naylor Road, Southern Avenue, and Suitland Metro Station Areas, defined as parcels lying wholly or in part within a one-half mile radius from any entrance to the Naylor Road, Suitland, and Southern Avenue Metro Stations:

- (A) Cemetery;
- (B) Vehicle sales and services;
- (C) Wholesale trade and warehouse distribution;
- (D) Amusement Park;
- (E) Secondhand businesses; and
- (F) Industrial equipment sales.

Development Standards and Regulations

Except for parcels located wholly or partially within a one-half mile radius to either entrance to the Branch Avenue Metro Station, the DDOZ imposed within the Southern Green Line Station Area will revise the list of permitted uses and applicable development standards and regulations in order to supplement the regulations of the underlying zoning districts at the Naylor Road and Southern Avenue Metro Stations, including street design and block standards, building location and height, and parking. The new regulations are intended to provide a consistent design framework to ensure that new development and redevelopment meet the goals and objectives of the sector plan. **ATTACHMENT A**, attached hereto and incorporated as if set forth fully herein, contains the proposed Development District Standards and regulations for the Southern Green Line Station Area.

AMENDMENT 2: BRANCH AVENUE METRO STATION AREA REGULATIONS AND DEVELOPMENT STANDARDS

Solely for parcels located wholly or partially within a ½ mile radius of either entrance to Branch Avenue Metro Station, and as set forth in **ATTACHMENT A**, attached hereto and incorporated as if set forth fully herein, the following standards apply:

Establish M-X-T flexibility for TOD parcels not in the M-X-T zone, subject to the enactment of CB-101-2013

Upon site plan approval by the District Council pursuant to and in compliance with this DDOZ and other applicable provisions of the Zoning Ordinance (provided such provisions do not conflict with this DDOZ) for M-X-T zoned projects, a development project not located in the M-X-T zone, but located wholly or partially within a ½ mile radius of either

entrance to Branch Avenue Metro Station, is entitled to approval as a project in the M-X-T zone, and to the M-X-T uses therein, provided that the development project also complies with the use restrictions and limitations of the M-X-T zone.

Design requirements and limitations

Any development project, except as provided herein, for which a site plan approval (or amendment) is sought, regardless of the underlying zoning or previous site plan approvals, located wholly or partially within the ½ mile radius of either entrance to Branch Avenue Metro station, shall:

- (A) Encourage a mix of moderate and high density development within walking distance of the transit station in order to increase transit ridership, with generally the most intense density and highest building heights in closest proximity to the transit station;
- (B) Reduce auto dependency and roadway congestion by:
 - (1) locating multiple destinations and trip purposes within walking distance of one another;
 - (2) creating a high quality, active streetscape to encourage walking and transit use;
 - (3) minimizing surface parking; and
 - (4) providing facilities to encourage alternative transportation options to single-occupancy vehicles, like walking, bicycling, or public transportation use;
- (C) Minimize building setbacks from the street;
- (D) Utilize pedestrian scale blocks and street grids;
- (E) Create pedestrian-friendly public spaces;
- (F) Consider the design standards of Section 27A-209 of the Code;
- (G) Provide a mix of uses, unless a mix of uses exists or is approved (with site plan or preliminary plan approval) or planned (in an approved sector plan or Master Plan) in the adjacent areas;
- (H) Not include strip commercial development (in this DDOZ, “Strip commercial development” means commercial development characterized by a low density, linear development pattern usually one lot in depth, organized around a common surface parking lot between the building entrance and the street and lacking a defined pedestrian system);
- (I) Not include any automobile drive-through or drive-up service;
- (J) Not include single-family residential structures or low density housing (in this DDOZ, “low density housing” is defined as a residential structure, or a mixed use structure containing residential uses, with a gross residential density of less than ten (10) units per gross residential acre); and
- (K) Comply with the street grid recommendations of the Southern Green Line Sector Plan to the extent deemed practicable by the District Council.

Southern Green Line Station Area design standards (A)-(K), above, shall not be binding and shall be only advisory for publicly owned property located within the plan area at the Branch Avenue Metro Station, for which the subject property will be developed for a public building or public use, to be operated or occupied by any department or branch of federal or state government for public purposes, excluding warehouses; the public building or

public use included in the project is subject to an executed lease, or letter of intent to enter into a lease, with a term of not less than 20 years; the total density of the public building or public use is a minimum of five-hundred thousand (500,000) square feet; greater than fifty percent (50%) of its net lot area is located within a one-half mile radius of Branch Avenue Metro station as measured from either entrance to the transit station; and the project would not otherwise be subject to Mandatory Referral in accordance with Land Use Article §20-301 of the Annotated Code of Maryland.

Use Restrictions

The following uses, as defined in Section 27A-106 or, if not defined in Section 27A-106, as otherwise defined in Subtitle 27 (or, if not defined in Subtitle 27, the normal dictionary meaning), are not allowed uses for parcels located wholly or partially within a ½ mile radius of either entrance to Branch Avenue Metro Station. However, a legally existing use with a valid use and occupancy permit as of the effective date of this DDOZ shall be exempt from this restriction, provided that a valid use and occupancy permit is continuously maintained thereafter for the use, and provided that the use is restricted from enlargement or extension:

- (A) Adult entertainment;
- (B) Check cashing business;
- (C) Pawnshop or Pawn Dealer;
- (D) Cemetery;
- (E) Vehicle and vehicular equipment sales and services (also includes gas station, car wash, towing services, RV mobile home sales, and boat sales);
- (F) Wholesale trade, warehouse and distribution, or storage (also includes self service storage, mini-storage, and any storage or salvage yards);
- (G) Amusement park;
- (H) Sale, rental, or repair of industrial or heavy equipment;
- (I) Secondhand business (in this DDOZ, a “Secondhand business” is an establishment whose regular business includes the sale or rental of tangible personal property (excluding motor vehicles) previously used, rented, owned or leased);
- (J) Nail salon and similar uses designated as North American Industry Classification System (NAICS) No. 812113, except as an ancillary or accessory use;
- (K) Beauty supply and accessories store (in this DDOZ, a “Beauty supply and accessories store” is a cosmetology, beauty, or barbering supply establishment engaged in the sale of related goods and materials wholesale and/or retail), except as an ancillary or accessory use;
- (L) Banquet halls, unless ancillary or accessory to a restaurant, tavern, hotel, or convention center; and
- (M) Tattoo parlor.

For parcels located wholly or partially within a ½ mile radius from either entrance to Branch Avenue Metro Station, public utility uses or structures including underground pipelines, electric power facilities or equipment, or telephone facilities or equipment; and railroad tracks or passenger stations, but not railroad yards, shall be permitted in all frontages, subject to the design standards of this DDOZ. These uses or structures shall be designed to be harmonious to the overall design and character of the DDOZ. Other public

utility uses or structures including major transmission and overhead distribution lines and structures are prohibited on parcels wholly or partially within a ½ mile radius from either entrance to Branch Avenue Metro Station.

Height and floor area ratio minimums

The height of any buildings (including structured parking) for which a site plan approval (or amendment) is sought shall be equal to or greater than the lesser of 5 stories or 60 feet (above grade) if located wholly or partially within a ¼ mile radius from either entrance to Branch Avenue Metro Station and the lesser of 4 floors or 50 feet (above grade) if located wholly or partially within a ½ mile radius (but entirely outside of ¼ mile radius) from either entrance to Branch Avenue Metro Station. Buildings (including structured parking) located wholly or partially within a ½ mile radius from either entrance to Branch Avenue Metro Station, for which site plan approval (or amendment) is sought, shall have a floor area ratio of 2.0 or greater.

No height, density, gross floor area (GFA), or floor area ratio (FAR) maximums

There shall be no maximums for building (including structured parking) height, density, gross floor area, or floor area ratio for buildings located wholly or partially within a ½ mile radius of either entrance to Branch Avenue Metro Station for buildings for which a site plan approval (or amendment) is sought. Nonetheless, the development project, including its building heights, densities, GFA, and FAR must conform to the design standards and other requirements and provisions of this DDOZ.

Site Plan Review

Any development project (including any redevelopment project) located wholly or partially within a ½ mile radius of either entrance to Branch Avenue Metro Station shall require a Detailed Site Plan approval (or amendment of the same) pursuant to Section 27-548.25 in compliance with the provisions of this DDOZ, but no other site plan approvals shall be required. Applicants are encouraged, but not required, to apply as an Expedited Transit-Oriented Development Project pursuant to Section 27-290.01 or 27-290.02 of the Code, if applicable. Notwithstanding the provisions of previous site plan approvals, applicants with existing Detailed Site Plan approvals for projects located wholly or partially within a ½ mile radius of either entrance to Branch Avenue Metro Station may apply for adjustment of their existing Detailed Site Plan approval so that the site plan conforms to the requirements and provisions of this DDOZ. In considering approval or amendment of a Detailed Site Plan, the provisions of this DDOZ supersede any conflicting components of any approved Conceptual Site Plan within the DDOZ.

1 BE IT FURTHER RESOLVED that, pursuant to Section 27-646 of the Zoning Ordinance, a
2 joint public hearing of the District Council and the Planning Board shall be scheduled to receive
3 testimony on the proposed amendments, and a copy of this Resolution shall be transmitted to the
4 Prince George’s County Planning Board for comments on the proposed amendments and that
5 said comments be submitted to the District Council prior to action on the proposed amendments.

6 BE IT FURTHER RESOLVED that the District Council, upon conducting a joint public
7 hearing on the proposed amendments, may reconsider each amendment and may further approve
8 the Sector Plan and Sectional Map Amendment with all, any, one or more, or none of the
9 amendments proposed herein.

Adopted this 19th day of November, 2013.

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: _____
Andrea C. Harrison
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

Note: Attachment A available in hard copy and as an Inclusion File in LIS