



Office of the Chairman  
Prince George's County Planning Board

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-3796

(301) 952-3561

October 15, 2020

The Honorable Todd M. Turner  
Chairman, Prince George's County Council  
County Administration Building  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

*Todd*

Dear Chairman Turner:

District Council Resolution CR-83-2020 initiated a minor amendment to the 2014 Approved Southern Green Line Station Area Development District Overlay (D-D-O) Zone Table of Permitted Uses within the 2014 *Approved Southern Green Line Station Area Sectional Map Amendment*. This amendment proposes a change to the Development District Overlay (D-D-O) Zone to permit 'Nail Salon' and 'Beauty Supply & Accessory Store' uses within certain underlying zones where they are currently prohibited.

The Planning Board reviewed the Technical Staff report and the digest of Joint Public Hearing testimony received by the close of record on September 30, 2020, at their regularly scheduled meeting on October 15, 2020. The Planning Board recommends approval of the proposed minor amendment in CR-83-2020.

Enclosed is a copy of the Technical Staff Report which contains the staff analysis of the proposed minor amendment. The staff analysis also reviews the public testimony received at the Joint Public Hearing.

Thank you for considering our recommendation. If the Planning Board can be of further assistance to you regarding this matter, please contact me or call Brian Byrd, Project Leader, at [Brian.Byrd@ppd.mncppc.org](mailto:Brian.Byrd@ppd.mncppc.org).

Sincerely,

*Betty*

Elizabeth M. Hewlett  
Chairman

Enclosures:

1. Staff report and recommendation
2. Staff Analysis of Testimony from the September 15, 2020 Joint Public Hearing regarding a proposed change to the 2014 Approved Southern Green Line Station Area Development District Overlay Zone Table of Permitted Uses
3. PowerPoint, October 15, 2020, Planning Board worksession
4. Planning Board Resolution
5. Chairman, Prince George's County Council
6. Map of Properties Affected by CR-083-2020
7. September 15, 2020 public hearing transcript, including the list of speakers
8. Exhibits received by the Clerk of the Council, including submissions admitted into the public hearing record by its September 30, 2020 closing date

cc: Prince George's County Council Members  
Andree Green Checkley, Esq., Planning Director  
Derick Berlage, Acting Deputy Planning Director  
Kipling Reynolds, AICP, Chief, Community Planning Division  
Scott Rowe, AICP, CNU-A, Supervisor, Community Planning Division, Long-Range Planning Section  
Brian Byrd, Planner Coordinator, Community Planning Division, Long-Range Planning Section

# **Attachment 1**

**MINOR AMENDMENT TO THE 2014 SOUTHERN GREEN LINE STATION AREA DEVELOPMENT DISTRICT OVERLAY (D-D-O) ZONE – (CR-83-2020)**

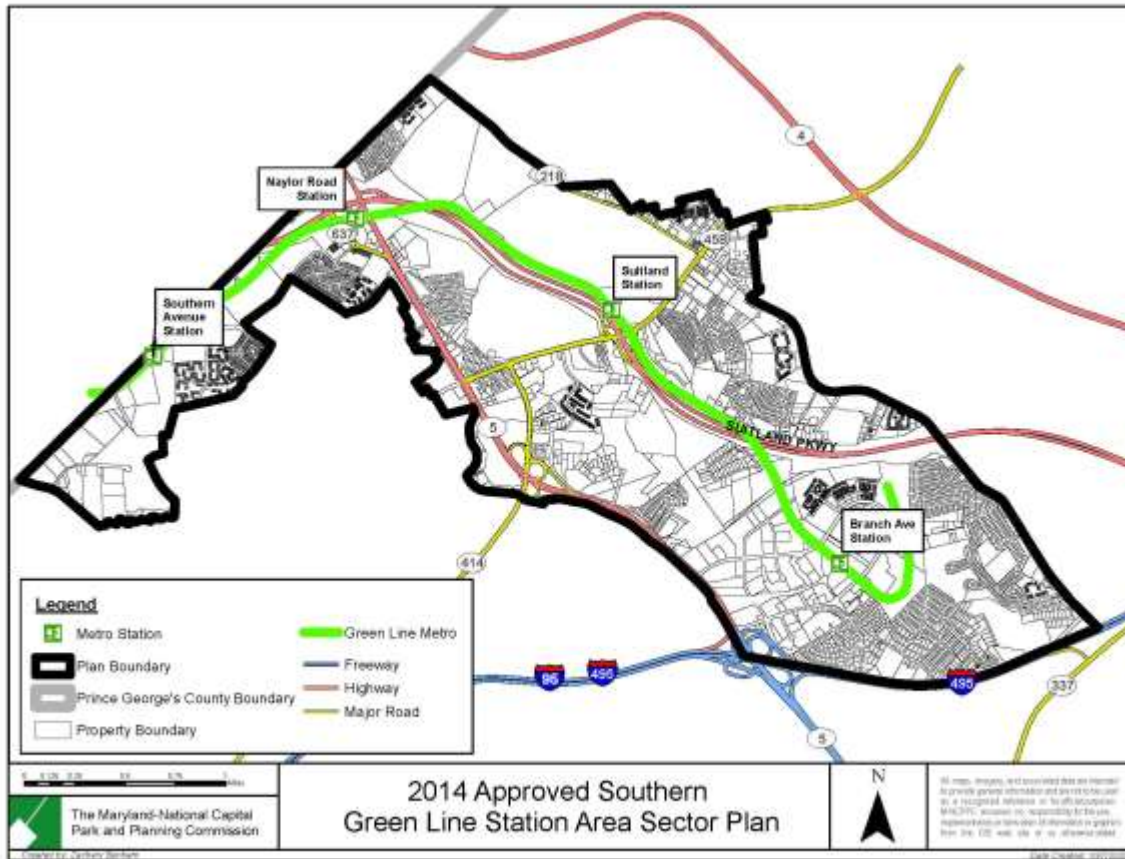
**STAFF REPORT**

The District Council, by Council Resolution CR-83-2020 adopted on July 21, 2020, initiated a Minor Amendment of the Southern Green Line Station Area Development District Overlay (D-D-O) Zone Table of Permitted Uses within the *2014 Approved Southern Green Line Station Area Sectional Map Amendment* pursuant to the procedures described in Section 27-642 of the County Zoning Ordinance, which provides for the Minor Amendment of Approved Master, Sector, Functional Plans, and Development District Overlay Zones. *CR-83-2020* proposes a change to the Development District Overlay (D-D-O) Zone to permit ‘Nail Salon’ and ‘Beauty Supply & Accessory Store’ uses within certain underlying zones

**BACKGROUND**

**Location:** The *2014 Approved Southern Green Line Station Area Sectional Map Amendment* surrounds the alignment of the southern portion of the Metrorail Green Line in Prince George’s County and that is generally bound by Southern Avenue as a western boundary; Suitland Road and the boundary of the Suitland M-U-TC Zone as a northern and eastern boundary; Interstate 95/495 (Capital Beltway) and Branch Avenue, including properties fronting on the south side of MD 5 (Branch Avenue) from MD 414 (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.

**D-D-O Zone Approval:** The Southern Green Line Station Area Development District Overlay (D-D-O) Zone was approved as part of the *2014 Southern Green Line Station Area Sectional Map Amendment* through CR-10-2014, on February 25, 2014. The SMA was approved concurrently with the *2014 Approved Southern Green Line Station Area Sector Plan*; this sector plan replaced the *Master Plan for the Heights and Vicinity (Planning Area 76A) (2000)*; the *2013 Approved Central Branch Avenue Revitalization Corridor Sector Plan*, the *2008 Approved Branch Avenue Corridor Sector Plan*; and the *2010 Approved Subregion 4 Master Plan*.



Map 1. Southern Green Line Station Area Sector Plan Boundary

1. **Section 27-642:** Section 27-642 of the County Zoning Ordinance: Minor Amendment to Approved Master, Sector, Functional Plans, and Development District Overlay Zones, governs the minor amendment process. It reads as follows:
  - (a) Minor amendments of approved master, sector, functional plans and/or associated Development District Overlay Zones may be initiated by Resolution of the District Council, or by the Planning Board upon approval by Resolution of the District Council. At the time of initiation, a joint public hearing date shall be scheduled to occur within 60 days, in accordance with the notice requirements set forth in Sections 27-644(b)(2)(A) through Section 27-644(b)(2)(D) of this Subtitle.
  - (b) The minor amendment process may be utilized to:
    - (1) advance the goals of an approved comprehensive plan, functional plan, or development district plan; or
    - (2) safeguard the public safety health and welfare of citizens and residents within the plan area boundaries.

Attachment 1: CR-83-2020, Proposed Minor Amendment to the Southern Green Line Station Area Development District Overlay Zone: Staff Report

- (c) The scope of the minor amendment shall be limited to:
  - (1) a geographic area which is not more than 50% of the underlying plan area, but not limited to a single property or property owner;
  - (2) limited to specific issues regarding public planning objectives; or
  - (3) for the purpose of correcting errors in the text or maps in the applicable plan.
  - (4) Notwithstanding subsections (1) through (3), herein, the minor amendment process shall not be utilized for any amendment which would require major transportation analysis and/or modeling, revised water and sewer classifications, or any Adequate Public Facilities analysis.
  
- (d) The Resolution initiating a minor amendment shall set forth the purpose and scope of the proposed amendment, and shall state the date of the joint public hearing on the proposed amendment.
  
- (e) The Planning Board shall transmit a draft of the proposed amendment, a technical staff report analyzing the amendment, and the Planning Board's recommendation on the Development District Overlay Zone amendment and/or the Planning Board's adoption of the plan amendment within 30 days of the date of the joint public hearing.
  
- (f) Within 90 days of receipt of the Planning Board's recommendation, the District Council shall approve, approve with revisions, or disapprove the proposed minor amendment. (CB-35-2015)

The proposed changes under review were intended to fall under Section 27-642(a), minor amendments of approved Development District Overlay Zones.

- 2. **Southern Green Line Station Area Sector Plan Vision:** The *2014 Approved Southern Green Line Station Area Sectional Map Amendment* envisions the Southern Green Line as a place to live, work, and shop with transit access and walkable neighborhoods at the center of community life. New investment in the immediate station areas will also support revitalization and conservation of existing residential areas.

”

3. **Previous Amendments Relevant to the Southern Green Line Station Area Development District Overlay (D-D-O) Zone:**

Amendment	Date	Subject
CR-1-2016	12/1/2015	Development District Standards are nonbinding for certain public buildings or uses.
CR-24-2016	4/12/2016	Further clarifying CR-1-2016
CR-97-2016	11/15/2016	Eliminated inconsistencies between this zone and the Military Installation Overlay Zone through the 2016 <i>Military Installation Overlay Zoning Map Amendment</i> .

## EVALUATION

Staff reviewed and evaluated the minor amendment to the Southern Green Line Station Area D-D-O Zone, for conformance to the following criteria:

1. The requirements of Section 27-642 of the Zoning Ordinance for a Minor Amendment to an Approved Master, Sector, Functional Plan and Development District Overlay Zone, including conformance to Plan 2035 and the 2014 *Approved Southern Green Line Station Area Sector Plan*.
2. The requirements of Section 27-548.26 of the Zoning Ordinance for an Amendment of an Approved Development District Overlay Zone.

### 1. Zoning Ordinance Compliance (Section 27-642)

#### Compliance with Sec. 27-642(a)

*Amendments of approved minor, sector, functional plans and/or associated Development District Overlay Zones may be initiated by Resolution of the District Council, or by the Planning Board upon approval by Resolution of the District Council. At the time of initiation, a joint public hearing date shall be scheduled to occur within 60 days, in accordance with the notice requirements set forth in Sections 27-644(b)(2)(A) through Section 27-644(b)(2)(D) of this Subtitle.*

**Comments:** By Council Resolution CR-083-2020 of July 23, 2020, the District Council directed the Planning Board to initiate the minor amendment to the Southern Green Line Station Area Development District Overlay Zone. The County Council initiated the minor amendment at its regular session on July 21, 2020. A joint public hearing was held on September 15, 2020.

**Compliance with Sec. 27-642(b)**

*The minor amendment process may be utilized to:*

- (1) advance the goals of an approved comprehensive plan, functional plan, or development district plan; or*
- (2) safeguard the public safety health and welfare of citizens and residents within the plan area boundaries.*

**Comments:** The Minor Amendment advances the goals of Plan 2035. Plan 2035 proposes building a strong economy built on concentrated public investment in targeted transit-oriented commercial mixed-use centers. The approach is intended to attract new businesses. The success of the Southern Green Line depends on attracting business and residents to the area. The Plan 2035 Vision wholeheartedly supports businesses:

*In 2035, Prince George's County is the community of choice for families, businesses, and workers in the region. It is distinguished by strong, green, and healthy communities; a competitive, innovative, and adaptive economy; vibrant and walkable mixed-use centers; quality open space; restored ecosystems; and iconic destinations. It meets the diverse needs of all Prince Georgians and embraces and builds on the momentum generated by new residents, technology, and business opportunities (Plan 2035, 11).*

The proposed amendment specifically advances Policy EP 6 of Plan 2035, "Promote entrepreneurship, small business development, and innovation" by permitting businesses, such as nail salons and beauty supply retailers, that provide opportunities for area residents to start and operate their own businesses.

This minor amendment advances the goals of the 2014 *Approved Southern Green Line Station Area Sector Plan* to "design mixed-use walkable communities near each station that allow residents to access basic daily needs without requiring the use of a private automobile" (page 35 of Preliminary Sector Plan) and by permitting convenience retail businesses that are consistent with thriving communities, provide convenient services that meet the daily needs of area residents and workers, provide opportunities for area residents to start home-grown businesses, and reduce the need for area residents and workers to drive outside of the plan area, with the attendant environmental impacts and personal inconvenience, to receive nail salon services or shop for beauty supplies and accessories.



**Compliance with Sec. 27-642(c)**

*The scope of the minor amendment shall be limited to:*

- (1) a geographic area which is not more than 50% of the underlying plan area, but not limited to a single property or property owner;*
- (2) limited to specific issues regarding public planning objectives; or*
- (3) for the purpose of correcting errors in the text or maps in the applicable plan.*
- (4) Notwithstanding subsections (1) through (3), herein, the minor amendment process shall not be utilized for any amendment which would require major transportation analysis and/or modeling, revised water and sewer classifications, or any Adequate Public Facilities analysis.*

**Comments:** The Minor Amendment is consistent with Sec. 27-642(c) because it addresses a specific issue regarding public planning objectives, primarily eliminating a prohibition that hinders small business development and entrepreneurship in conflict with Plan 2035 Policy EP 6. (see above)

The targeted of specific retail businesses for prohibition within a portion of Prince George's County creates basic fairness and equity issues, reduces the potential for residents to earn income and of the County to increase its commercial tax base, and increases the potential for retail vacancies, creating an appearance of disinvestment and failure that inhibits investor interest and potential revitalization.

Making existing uses nonconforming by prohibiting them not only does not eliminate such businesses but can often threaten the ability of such businesses to secure financing to make improvements to their property or structures.

Attachment 1: CR-83-2020, Proposed Minor Amendment to the Southern Green Line Station Area Development District Overlay Zone: Staff Report

**Compliance with Sec. 27-642(d)**

*The Resolution initiating a minor amendment shall set forth the purpose and scope of the proposed amendment and shall state the date of the joint public hearing on the proposed amendment.*

**Comments:** District Council initiated CR-83-2020 to create minor amendment to 2014 Approved Southern Green Line Station Area Sectional Map Amendment to change to the Development District Overlay (D-D-O) Zone to permit 'Nail Salon' and 'Beauty Supply & Accessory Store' uses within certain underlying zones the Pursuant to Section 27-642 of the County Zoning Ordinance, Council Resolution CR-83-2020 set a joint public hearing date for Tuesday, September 15, 2020.

**Compliance with Sec. 27-642(e)**

*The Planning Board shall transmit a draft of the proposed amendment, a technical staff report analyzing the amendment, and the Planning Board's recommendation on the Development District Overlay Zone amendment and/or the Planning Board's adoption of the plan amendment within 30 days of the date of the joint public hearing.*

**Comments:** A Planning Board work session is scheduled for October 15, 2020 to review and act on staff's analysis of the testimony received at the joint public hearing and prior to the close of the public record. The Planning Board will forward its recommendation to Council by October 15, 2020 within the 30-day deadline. Staff's analysis of the testimony received is attached to this report as Attachment 2.

**2. Zoning Ordinance Compliance (Section 27-548.26)**

**Compliance with Section 27-548.26(a)(1)**

*1)The following amendments to development requirements within the Development District may be initiated and approved by the District Council through the minor plan and Development District Overlay amendment procedure in accordance with Section 27-642 of this Subtitle:*

*(A) Changes to the boundary of the D-D-O Zone; and*

*(B) Changes to the underlying zones, the list of allowed uses, or the Development District Standards.*

**Comments:** The proposed minor amendments meet the requirements of Section 27-548.26 by recommending changes to the list of allowed uses within a Development District Overlay Zone.

Attachment 1: CR-83-2020, Proposed Minor Amendment to the Southern Green Line Station Area Development District Overlay Zone: Staff Report

**FINDINGS**

1. The proposed minor amendment is consistent with Sections 27-548.26 and 27-642 of the County Zoning Ordinance.
2. Amendment of the Southern Green Line Station Area Development District Overlay (D-D-O) Zone of Permitted Uses to permit 'Nail Salon' and 'Beauty Supply & Accessory Store' uses within certain underlying zones is consistent with the policies and recommendations of Plan 2035 and the 2014 *Approved Southern Green Line Station Area Sector Plan*.

**Staff Recommendations:**

**Staff recommends APPROVAL of the proposed Minor Amendment.**

# **Attachment 2**

Attachment 2

**Staff Analysis of Testimony**

**for**

**Southern Green Line Station Area Development District Overlay Zone Minor  
Amendment Joint Public Hearing held on September 15, 2020**

This is an analysis of the testimony received during the public comment period for the September 15, 2020 Joint Public Hearing on a Minor Amendment of Southern Green Line Station Area Development District Overlay (D-D-O) Zone proposed in Prince George's County Council Resolution CR-83-2020, which proposes to permit 'Nail Salon' and 'Beauty Supply & Accessory Store' uses within certain underlying zones. The analysis summarizes five exhibits of written testimony, and 12 pages of transcribed oral testimony representing two speakers received prior to the close of the Public Record on September 15, 2020 at 5:50 pm. This analysis contains a staff response to the issues raised and staff recommendations.

Notes:

An asterisk (\*) indicates persons providing verbal testimony who indicated that written testimony was submitted.

**Testimony Supporting CR-83-2020**

*Michelle LaRocca\**

*John E. Bailey, IV*

*Ray Leverty*

*Gloria Lawlah*

*Kay Phillips*

*Ernestine Grey*

*John Bailey*

*Michael Mullen*

**Testimony in Opposition to CR-83-2020**

*Karen Toles*

*Linda Thomas*

**Testimony Received After the Close of the Public Record**

The Clerk of the Council received no written exhibits following the close of the Public Record on September 30, 2020 at 5:00 pm.

## Analysis of Testimony: CR-83-2020

Following is staff’s analysis of oral and written testimony received at the public hearing of September 15, 2020 and prior to the close of the public record on September 30, 2020 on CR-83-2020, which proposes to permit ‘Nail Salon’ and ‘Beauty Supply & Accessory Store’ uses within certain underlying zones.

<b>Minor Amendment Testimony</b>			
<b>Speaker/Exhibit #/Name</b>	<b>Issue</b>	<b>Staff Analysis/Discussion</b>	<b>Staff Recommendation</b>
<i>Leonard Gore,</i> (Speaker #1)	Registered for Joint Public Hearing but did not respond when called upon.	N/A	N/A
<i>Michelle LaRocca</i> (Speaker #2)	Support. Spoke on behalf of the owners of the Marlow Heights Shopping Center. Testimony summarized the importance of supporting community members and local businesses. Requested the minor amendment. Read letter from Exhibit 3.	Staff concurs with testimony.	<b>No change</b>
<i>Ray Leverty</i> (Speaker #3)	Registered for Joint Public Hearing but did not respond when called upon.	N/A	N/A
<i>John Bailey</i> (Speaker #4)	Registered for Joint Public Hearing but did not respond when called upon.	N/A	N/A
<i>Karen Toles</i> (Speaker #5)	Opposed. Outlined history of legislation. Recommends we attempt to encourage quality development around metro stations. She approves use changes but only if tailored to proximity to metro stations but does not approve blanket use. Recommends allowing it to be narrowly tailored to only be allowed within a certain amount of radius of Branch Avenue or, more specifically, Naylor Road Metro Station, limit it to Marlow Heights, if that is the area that we want to encourage development, encourage these type of uses, but it should not be a blanket use allowed over the entire M-U-T-C Zone with these four Metro Stations.	Comments noted.  The negative impacts of this prohibition on entrepreneurship, small business development, and the convenience of needed services to area residents are discussed in the Staff Report, see Attachment 1.	<b>No change</b>
<i>Shirley Lathern,</i> (Speaker #6)	Registered for Joint Public Hearing but did not respond when called upon.	N/A	N/A
<i>Sharon Ford</i> (Speaker #7)	Registered for Joint Public Hearing but did not respond when called upon.	N/A	N/A

Speaker/Exhibit #/Name	Issue	Staff Analysis/Discussion	Staff Recommendation
<i>Ray Leverty</i> Exhibit 4	Supported. Owner of local Shopping Center. Testimony summarized the importance of lifting use restrictions to expand leasing opportunities for local Shopping Center. Use restrictions have limited their ability to lease spaces for nail salons and beauty supply businesses. These types of businesses are in high demand in the area. Vacancy rates have increased significantly over the last five years. Finds the existing restrictions to be unfair and not equitable. Recommends the legislation be adopted to improve capabilities to lease spaces.	Staff concurs with testimony.	<b>No change</b>
<i>Gloria Lawlah</i> <i>Kay Phillips</i> <i>Ernestine Grey</i> <i>John Bailey</i> <i>Michael Mullen</i> Exhibit 5	Email of letter from Exhibit 8	N/A	<b>No change</b>
<i>John E. Bailey, IV</i> Exhibit 6	Supported. Testimony summarized the importance of supporting community members and local businesses. As an involved community leader recommends, everyone support each other amidst the COVID-19 pandemic. He recommends this is a time to support our residents and business owners. He recommends the County give the community a chance and support the amendment.	No comment.	<b>No change</b>
<i>Linda Thomas</i> Exhibit 7	Opposed. Does not “like or appreciate” the number of nail salons in the area. More concerned about 24-hour tobacco stores and tire shops. Feels like with the number of new houses being built in the area the community deserves better businesses. Does not understand why businesses of this nature are concentrated in this area and not in other areas of the County. Residents deserve better	No comment.	<b>No change</b>

<b>Speaker/Exhibit #/Name</b>	<b>Issue</b>	<b>Staff Analysis/Discussion</b>	<b>Staff Recommendation</b>
<i>Gloria Lawlah</i> <i>Kay Phillips</i> <i>Ernestine Grey</i> <i>John Bailey</i> <i>Michael Mullen</i> Exhibit 8	Supported. Testimony described the plethora of shuttered windows at Marlow Heights Shopping Center. Does not want the Shopping Center to be forced to shut down due to shuttered windows.	Staff concurs with the deleterious impacts of vacancies on Marlow Heights Shopping Center, one of the largest shopping centers in the southern part of Prince George’s County, and with the opportunity to expand business opportunities.	<b>No change</b>

Staff submitted additional exhibits (Exhibits 1-3) as shown in Attachment 8.



# **Attachment 3**



Courtesy of U.S. Census Bureau

 MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Prince George's County Planning Department

# Southern Green Line Station Area Development District Overlay Zone MINOR AMENDMENT

BRIAN BYRD

Project Manager

Community Planning Division

Long-Range Planning Section

**Item #: 7 and 8**  
**PB Date: 10/15/2020**



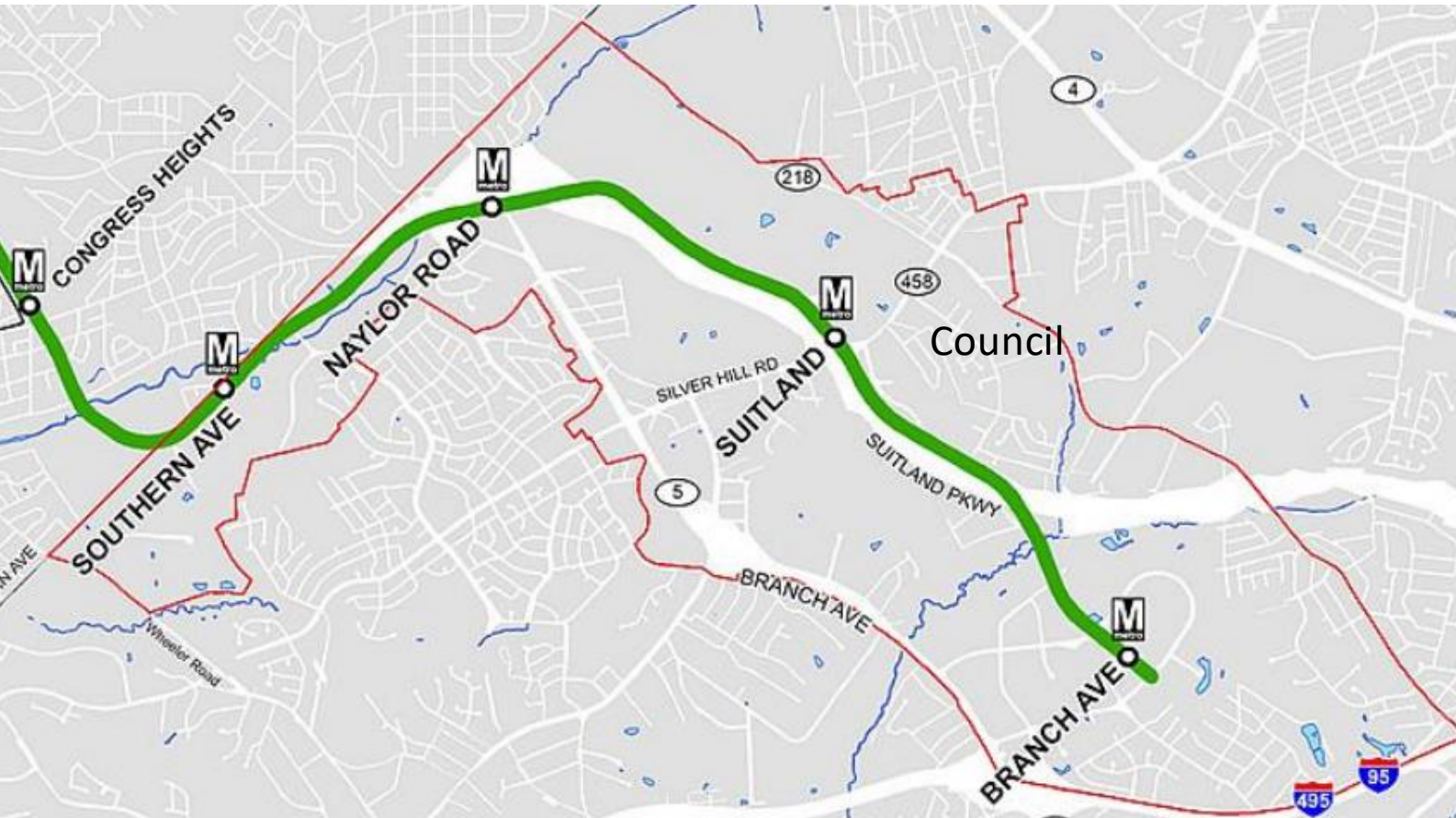
# Overview

CR-83-2020 Minor Amendment:

Minor amendment to the Southern Green Line Station Area Development District Overlay (D-D-O) Zone is to permit 'Nail Salon' and 'Beauty Supply & Accessory Store' uses within certain underlying zones.



# Project Map



The project corridor surrounds four stations on the southern end of the Metro Green Line in Prince George's County, Maryland, extending from Southern Avenue down Branch Avenue (MD 5) to the Capital Beltway (Interstate 495). The four stations within the plan area include:

- Branch Avenue
- Naylor Road
- Southern Avenue
- Suitland



# Project Timeline

## Minor Amendment



*\*Required within 90 days of Planning Board Transmittal*

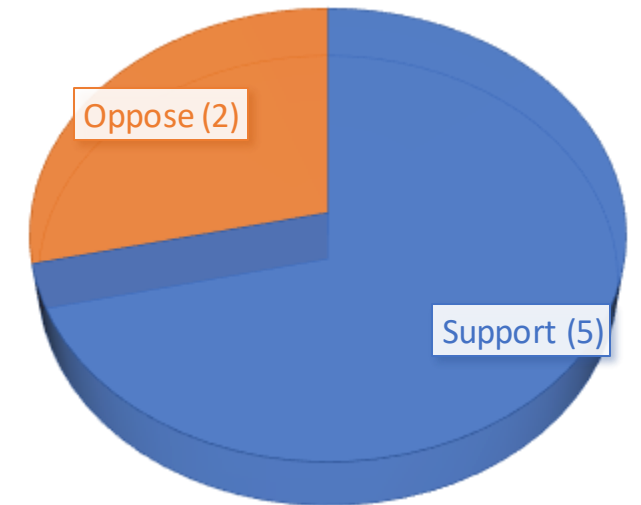


# Public Testimony

Joint Public Hearing, Pursuant to Section 27-642 of Zoning Ordinance

Verbal Testimony Received on CR-83-2020	2
Written Testimony Received on CR-83-2020	5
Total Testimony Received	7

TOTAL TESTIMONY



Testimony Supporting CR-83-2020	5
Testimony Opposing CR-83-2020	2



# Public Testimony

- Testimony in **SUPPORT** of CR-83-2020
  - Support local businesses
  - Lift restrictions to provide business opportunities in Marlow Heights Shopping Center
  - Current demand for these uses



# Public Testimony

- Testimony **OPPOSED** to CR-83-2020
  - Supports uses but would like them to be narrowly allowed around metro stations. Not blanket allowance
  - Prefer higher quality development
  - Residents deserve better





# Staff Analysis

## EVALUATION

Staff reviewed and evaluated the minor amendment to the *2014 Approved Southern Green Line Station Area D-D-O Zone*, for conformance to the following criteria:

1. The requirements of Section 27-642 of the Zoning Ordinance for a Minor Amendment to an Approved Master, Sector, Functional Plan and Development District Overlay Zone, including conformance to Plan 2035 and the *2014 Approved Southern Green Line Station Area Sector Plan*.
2. The requirements of Section 27-548.26 of the Zoning Ordinance for an Amendment of an Approved Development District Overlay Zone.



# Staff Analysis: Evaluation Criteria # 1

## **The Minor Amendment advances the goals of Plan 2035 to:**

- Build a strong economy built on concentrated public investment in targeted transit-oriented commercial mixed-use centers.
- Attract new businesses

## **The Minor Amendment advances the goals of the 2014 *Approved Southern Green Line Station Area Sector Plan* to:**

- Design mixed-use walkable communities near each station that allow residents to access basic daily needs without requiring the use of a private automobile
- Permitting convenience retail businesses that are consistent with thriving communities



## Staff Analysis: Evaluation Criteria # 2

**The proposed minor amendments meet the requirements of Section 27-548.26 by recommending changes to the list of allowed uses within a Development District Overlay Zone.**



# Next Steps

- October 15, 2020: Planning Board makes recommendation on Minor Amendment and Transmits to Council
- October 20, 2020: District Council Work session
- November 10, 2020: Anticipated County Council Action



# Questions?

## Project Website:

<http://www.pgplanning.org/4937/Southern-Green-Line-Station-Area-Develop>

**Contact:**

**Brian Byrd**

Planner Coordinator

Email: [brian.byrd@ppd.mncppc.org](mailto:brian.byrd@ppd.mncppc.org)

Phone: 301-952-3253

# **Attachment 4**

PGCPB No. 2020-143

## RESOLUTION

WHEREAS, on July 21, 2020, the Prince George's County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District within Prince George's County, adopted CR-83-2020 initiating a minor amendment to the Development District Overlay Zone Table of Permitted Uses within the 2014 *Approved Southern Green Line Station Area Sectional Map Amendment*; and

WHEREAS, the minor amendment proposes to revise the Table of Permitted Uses to permit 'Nail Salon' and 'Beauty Supply & Accessory Store' uses within certain underlying zones where they are currently prohibited; and

WHEREAS, the Prince George's County Planning Board, in conjunction with the District Council, pursuant to Section 27-644 of the Zoning Ordinance of Prince George's County, held a duly advertised public hearing on the Minor Amendment to the Southern Green Line Station Area Development District Overlay Zone on September 15, 2020; and

WHEREAS, on October 15, 2020, the Planning Board held a public worksession on the minor amendment to examine the analysis of testimony presented at the September 15, 2020 joint public hearing and exhibits received before the close of the public record on September 30, 2020; and

WHEREAS, a technical staff report has been prepared that analyzes the proposed minor amendment to the Prince George's County Southern Green Line Station Area Development District Overlay (D-D-O) Zone; and

WHEREAS, per Section 27-642(e) of the Zoning Ordinance of Prince George's County, the Planning Board shall transmit a draft of the proposed amendment, a technical staff report analyzing the amendment, and the Planning Board's recommendation on the Development District Overlay Zone amendment within 30 days of the date of the joint public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission does hereby recommend Prince George's County District Council APPROVE the Minor Amendment to the Prince George's County Southern Green Line Station Area Development District Overlay (D-D-O) Zone, this said approval to update the Southern Green Line Station Area Development District Overlay (D-D-O) Zone Table of Permitted Uses, to permit 'Nail Salon' and 'Beauty Supply & Accessory Store' uses within certain underlying zones; and


BE IT FURTHER RESOLVED that the Prince George's County Planning Board finds that the minor amendment has been prepared in accordance with the requirements of Section 27-642 of the Zoning Ordinance; and

BE IT FURTHER RESOLVED that the Prince George's County Planning Board finds that the minor amendment, as heretofore described, is in conformance with the principles of orderly comprehensive land use planning and staged development, being consistent with the *2014 Approved Southern Green Line Station Area Sector Plan* and Plan Prince George's 2035 (Plan 2035), and with consideration having been given to the applicable County Laws, Plans, and Policies; and


This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Hewlett, Washington, Bailey, and Geraldo voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, October 15, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15<sup>th</sup> day of October 2020.

Elizabeth Hewlett  
Planning Board Chair

  
By Jessica Jones  
Planning Board Administrator

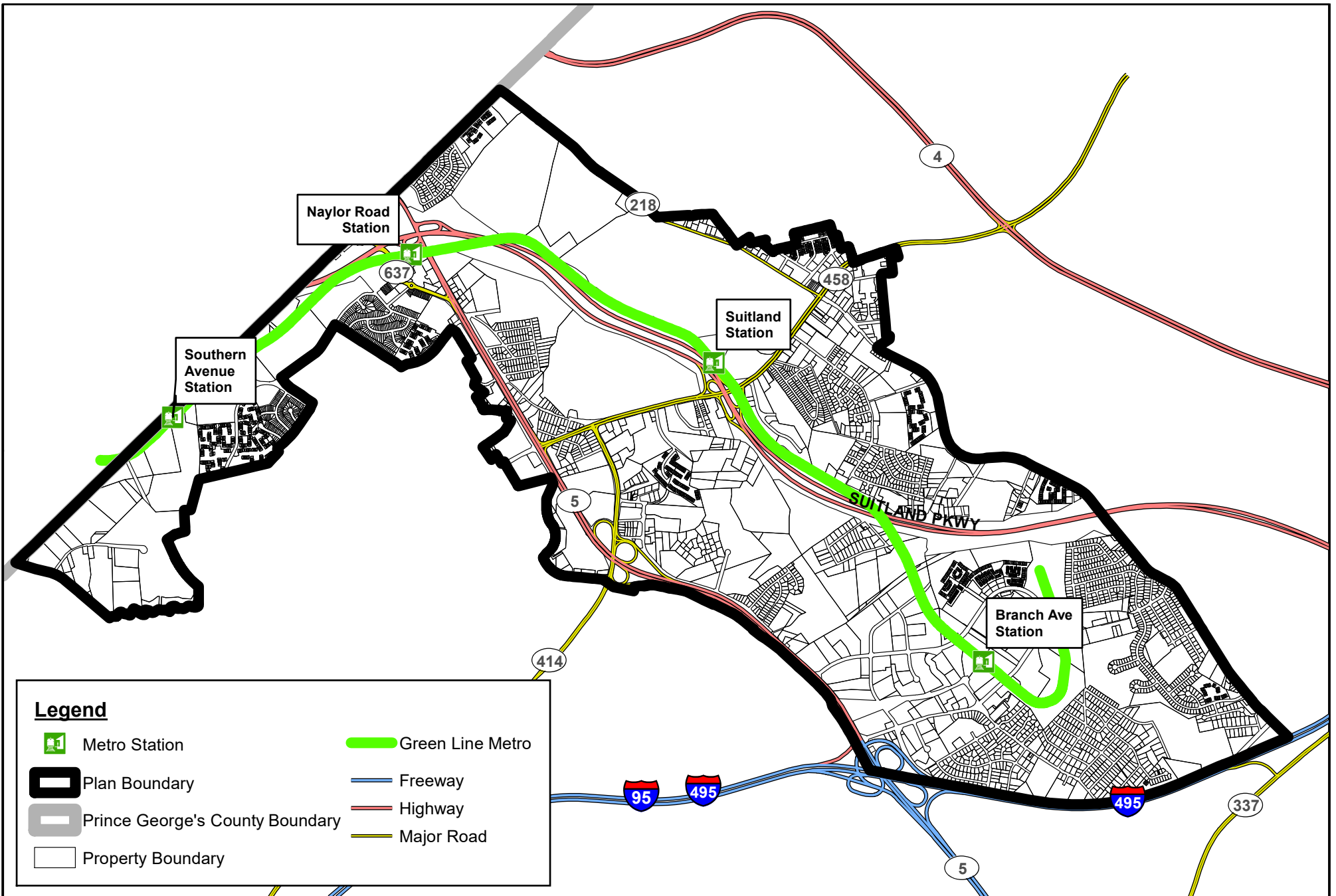
Approved as to legal sufficiency



M-NCPPC Legal Department  
10-9-20

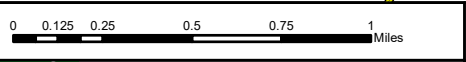


# **Attachment 5**



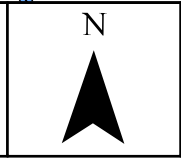
**Legend**

Metro Station	Green Line Metro
Plan Boundary	Freeway
Prince George's County Boundary	Highway
Property Boundary	Major Road



The Maryland-National Capital Park and Planning Commission

# 2014 Approved Southern Green Line Station Area Sector Plan



All maps, imagery, and associated data are intended to provide general information and are not to be used as a recognized reference or for official purposes. M-NCPPC assumes no responsibility for the use, implementation, or derivation of information or graphics from the GIS web site or as otherwise stated.

# **Attachment 6**

1 BEFORE THE COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY,  
2 MARYLAND SITTING AS THE DISTRICT COUNCIL AND THE  
3 PRINCE GEORGE'S COUNTY PLANNING BOARD OF THE MARYLAND-  
4 NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
5 **PROPOSED MINOR AMENDMENT TO 2014 SOUTHERN GREEN LINE**  
6 **STATION AREA SECTOR PLAN AND SMA D-D-O ZONE**

7 **JOINT PUBLIC HEARING**

8 **September 15, 2020**

9 COUNTY ADMINISTRATIVE BUILDING

10 UPPER MARLBORO, MARYLAND

11 COUNCIL MEMBERS:

PARK AND PLANNING COMMISSION:

12 TODD M. TURNER, Chair

ELIZABETH M. HEWLETT, Chair

13 RODNEY C. STREETER, Vice Chair

DOROTHY F. BAILEY, Vice Chair

14 THOMAS E. DERNOGA, District 1

WILLIAM DOERNER

15 DENI L. TAVERAS, District 2

A. SHUANISE WASHINGTON

16 DANNIELLE M. GLAROS, District 3

17 JOLENE IVEY, District 5

18 DERRICK LEON DAVIS, District 6

19 MONIQUE ANDERSON-WALKER, District 8

20 SYDNEY J. HARRISON, District 9

21 MEL FRANKLIN, At-Large

22 CALVIN S. HAWKINS, II, At-Large

Blair Scoping & Transcription Service  
12166 Cavalier Drive  
Dunkirk, MD 20754  
443-404-0437

**P-R-O-C-E-E-D-I-N-G-S**1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

CHAIR TURNER: Good evening, I want to welcome you to the joint public hearing this evening with the Prince George's County Council and the Maryland-National Capital Park and Planning Commission. This is a proposed joint hearing on the Proposed Minor Amendment to the Southern Green Line Station Area Development District Overlay Zone. Once again, my name is Todd Turner. I'm the Chair of the Prince George's County Council. On behalf of the County Council and the Planning Board, I would like to welcome everyone to this joint public hearing this evening.

We are holding this hearing to obtain comments on the Proposed Minor Amendment to the Southern Green Line Station Area Development District Overlay Zone, also known as a D-D-O-Z. At this time, I'll just recognize my colleagues as you see them on the screen for the County Council, and I'll turn to Director Hewlett for the Members of the Planning Board. So, we are all here. We are all looking very nice. Good to see everybody. Thank you very much. And we have a majority of both the County Council and the Planning Board with us.

We are conducting this hearing pursuant to Section 27-642 of the Zoning Ordinance which establishes a process whereby the District Council or the Planning Board, with the concurrence of the District Council, may initiate minor amendments to an approved Master Plan, Sector Plan, a Functional Master Plan or Associated Development District Overlay Zone, also known as D-D-O-Z, to advance a plan's goals and/or safeguard the public safety, health and welfare of citizens and residents within the plan area boundaries.

Furthermore, Section 27-642(c) requires that any minor amendment be limited to: 1. A geographic area of no more than 50 percent of the underlying plan area, but not limited to a single property or property owner; or 2. Specific issues regarding public planning

1 objectives; or 3. Correcting errors in the text or maps in the applicable plan; and four,  
2 shouldn't – excuse me, or 4. Shall not be utilized for any amendment which would require a  
3 major transportation analysis and/or modeling, revised water and sewer classifications, or  
4 for any adequate public facilities analysis.

5         On February 25, 2014, the Prince George's County Council, sitting as the District  
6 Council, adopted Council Resolution CR-10-2014, approving the Southern Green Line  
7 Section, excuse me, Station Area Sectional Map Amendment, or SMA. This SMA included  
8 a D-D-O-Z that covered the entire area of the 2014 Approved Southern Green Line Station  
9 Area Sector Plan. This overview [sic] Zone modified the Tables of Permitted Uses to  
10 prohibit certain uses otherwise permitted in the underlying zone. Among the uses prohibited  
11 were hair salons and other similar uses and beauty supply.

12         Can I just ask everyone to please disengage your mike since we're hearing some  
13 feedback if you're on? Thank you.

14         Let me just go back to where I stopped. So, let me go back. This Overlay Zone  
15 modified the Tables of Permitted Uses to prohibit certain uses otherwise permitted in the  
16 underlying zone. Among those uses prohibited were hair salons and other similar uses and  
17 beauty supply and accessory stores, as defined by CR-10-2014 as "cosmetology, beauty or  
18 barbering supply establishments engaged in the sale of related goods and materials  
19 wholesale and/or retail." These uses are otherwise permitted within commercial, industrial  
20 and mixed-use zones throughout Prince George's County.

21         The District Council, by Resolution CR-83-2020 has approved, which was approved  
22 on July 27, 2020, it directed the Planning Board to initiate a minor amendment pursuant to  
23 Section 27-642 of the County Zoning Ordinance to the D-D-O-Z applied through the 2014  
24 Approved Southern Green Line Station Area Sector Map Amendment to amend the

1 Development District's Table of Permitted Uses to remove the prior specific prohibition of  
2 nail salons and similar uses and beauty supply and accessory stores, as defined in Council  
3 Resolution CR-10-2014. Upon approval of this minor amendment, those uses would be  
4 permitted as they are in other commercial, industrial and mixed-use zones throughout Prince  
5 George's County.

6 So, this joint public hearing is a required part of the process. Written notice of the  
7 public hearing was sent to the property owners within the Southern Green Line Station Area  
8 D-D-O-Z. The opportunity to provide testimony tonight is part of that ongoing minor  
9 amendment process that, if approved by the District Council, will remove the prior  
10 prohibition of nail salons and similar uses and beauty supply and accessory stores within  
11 those underlying commercial, industrial and mixed-use zones where they would otherwise  
12 be permitted.

13 In order to allow everyone a chance to speak, we require that comments be limited to  
14 three minutes per speaker. The Clerk will use a timer that you can track visually hopefully,  
15 track each speaker's allotted time. When the three-minute time period has ended, we  
16 appreciate your cooperation to conclude your comments and remarks. At the conclusion of  
17 the hearing, the record will be held open for 15 days.

18 The record in this matter will close on Wednesday, September 30, 2020, at the close  
19 of business at 5:00 p.m. All testimony received, in addition to verbal and written comments  
20 provided tonight, will be considered as part of the official testimony on the Proposed Minor  
21 Amendment to the Southern Green Line Station Area Development District Overlay Zone.  
22 If you wish to submit written remarks to supplement testimony you give tonight or if you  
23 prefer submitting written comments in the place of oral testimony, please provide the Clerk  
24 of the Council with testimony by the close of business, again, at 5:00 p.m. on Wednesday,

1 September 30, 2020, either via email or regular mail at the address printed on tonight's  
2 agenda.

3 Excuse me. Over the next few weeks after the close of the record, Staff will review  
4 the testimony, and the Planning Board will consider the Proposed Minor Amendment and  
5 make its recommendation to the County Council within 30 days of the date of the joint  
6 public hearing. The County Council, sitting as the District Council, will consider the  
7 Planning Board's recommendations along with the testimony heard tonight and written  
8 testimony submitted for the record, and expects to take the final action on this Amendment  
9 within 90 days after that.

10 I want to thank everybody for participating this evening and for our Members of the  
11 Planning Board for joining us. Now, I would like to call on Brian Byrd of the Prince  
12 George's County Planning Department Staff as the Project Manager to present the Proposed  
13 Minor Amendment to the 2014 Southern Green Line Station Area Development District  
14 Overlay Zone, and then we will refer to the sign-up sheet that was previously done for  
15 speakers for this evening. So, once again, thank you again for joining us this evening, and  
16 let me turn it over to Mr. Byrd, if he would turn on his camera, there he is, okay, and his  
17 mike. Good evening.

18 MR. BYRD: Thank you, Mr. Chairman. Clerk, can I have the screen, or do you  
19 have the PowerPoint?

20 CHAIR: (Inaudible) we'll pull up the PowerPoint presentation as well.

21 MR. BYRD: Thank you. Thank you, Mr. Chairman and Members of the County  
22 Council, Madam Chair and Members of the Planning Board. My name is Brian Byrd. I'm a  
23 Project Coordinator with Prince George's County Long Range Planning Section of the  
24 Community Planning Division. Today, we're going to talk about the Southern Green Line



1 Station Area Development District Overlay Zone and the minor amendments. Next slide  
2 please.

3 So, this is the map, a project map of the four stations within the Southern Green Line  
4 that are included within this area, and that includes the Branch Avenue Station, the Naylor  
5 Road Station, Southern Avenue Station and Suitland Station. Next slide. So, today we're  
6 talking about CR-83-2020 minor amendments. The Minor Amendment to the Southern  
7 Green Line Station Area Development District Overlay, the D-D-O Zone, is to permit nail  
8 salons and beauty supply and accessory stores uses within the certain underlying zones.  
9 Next slide.

10 Here is our project timeline. So, on July 23<sup>rd</sup>, Council initiated CR-83-2020, a minor  
11 amendment process to the Overlay Zone to permit these two uses in the zones in which they  
12 were previously and specifically prohibited. On August 6<sup>th</sup>, a letter was sent out to  
13 approximately 5,000 property owners within the planning area. The letter outlined the  
14 public hearing for today, as well as the letter gave persons an opportunity to give public  
15 comment via RE Comment for September 15<sup>th</sup>. That's today.

16 On September 30<sup>th</sup>, as Mr. Chairman mentioned, there will be a close of public  
17 record at the close of business, and then on October 15<sup>th</sup>, the Planning Board will review  
18 those comments. And then to be decided is the District Council approval. Next slide. If  
19 you have any questions, I am here to take your questions as well as the private website is  
20 outlined there. And thank you so much.

21 COUNCIL MEMBER: Mr. Chair, you're muted.

22 CHAIR: Thank you, Mr. Byrd, appreciate that.

23 MR. BYRD: Thank you, Mr. Chairman.

1 CHAIR: Of the recommendation, I mean, of the proposal with respect to the minor  
2 amendment. Let me now turn to our speaker's list, and will remind you have up to your  
3 three minutes to comment with respect to this Proposed Minor Amendment. The first  
4 person I have signed up is Mr. Leonard Gorer, if he will – unblock him and allow him to  
5 speak. You have up to your three minutes, Mr. Gorer. Mr. – and I know we do have some  
6 callers on the line as well. Mr. Gorer, are you with us? Okay, try to come back just in case.  
7 The next speaker I have is Ms. Michele LaRocca, if she would join us.

8 MS. LAROCCA: Good evening, Mr. Chairman and Chairman Hewlett, and  
9 Members of the Council and Planning Board. Can you hear me?

10 CHAIR: Yes, we can hear you. Thank you, Ms. LaRocca.

11 MS. LAROCCA: Terrific, thank you so much. I'm Michele LaRocca, an attorney  
12 with Meyers, Rodbell & Rosenbaum, located in Riverdale Park, Maryland. Tonight, I'm  
13 speaking on behalf of the owners of the Marlow Heights Shopping Center, which is located  
14 on Branch Avenue in Temple Hills. We're requesting a Minor Amendment to the 2014  
15 Southern Green Line Station Area District D-D-O-Z Overlay in order to permit two uses  
16 within the Table of Uses, specifically nail salons and beauty supply and accessory stores.

17 The Southern Green Line Station Plan currently does not allow these uses. The  
18 Zoning Ordinance allows for a minor amendment to an approved D-D-O-Z by Section 27-  
19 642, which was initiated by CR-83-2020. We have received a letter of support just today  
20 from State Senator Gloria Lawler and other area citizens, which I would like to now read  
21 into the record. And the record – and the letter states:

22 The Marlow Heights Shopping Center, serving the immediate communities of  
23 Hillcrest Heights, Marlow Heights, Barnaby, Suitland and upper Camp Springs, is anchored  
24 by a Macy's and Giant Foods containing 454,725 square feet of lease space. It, like many

1 shopping centers nationwide, has been hard hit by vacancies due to the negative impact of  
2 COVID 19 on commercial establishments.

3 A recent walking tour revealed additional shuttered store fronts and therefore fewer  
4 shoppers. We residents and property owners in the surrounding communities do not want  
5 the Shopping Center forced to be completely closed down. This would be disastrous. Due  
6 to these extraordinary, extenuating circumstances, we, the undersigned, support the  
7 Proposed Amendment to the Southern Green Line Sector Plan, which would reverse the  
8 prohibition.

9 It's signed by community residents, Gloria Lawler, Kay Phillips, Ernestine Gray,  
10 John Bailey and Michael Mullen. Next, the next speaker, Ray Leverty, is the Director of  
11 Commercial Real Estate for the owners of the Shopping Center and will also testify as to  
12 why this Minor Plan Amendment is so critical to the survival of the Shopping Center. We  
13 thank you very much for holding this joint public hearing tonight, for your time and  
14 participation, and thank you for your support.

15 CHAIR: Thank you very much, Ms. LaRocca, for your comments. And I would just  
16 say obviously submit the actual letter itself for the record so we have that written testimony.

17 MS. LAROCCA: I will do that.

18 CHAIR: Okay, thank you. That concludes your time. With that, let me move next  
19 to Mr. Ray Leverty. And you'll have up to your three minutes as well. Good evening. Are  
20 you with us, Mr. Leverty? All right. I'm not sure he's with us as well. We'll doublecheck  
21 and we'll come back around just in case there are any issues. The next person I have signed  
22 up to speak is Mr. John Bailey, and you'll have up to your three minutes to speak, if you're  
23 with us, Mr. Bailey, no relation to our Commissioner, Ms. Bailey, as well. All right, not  
24 seeing Mr. Bailey at this time.

1           Let me move next to our former colleague, Ms. Karen Toles, who, I believe, is with  
2 us. Good evening, Ms. Toles, and you'll have up to your three minutes.

3           MS. TOLES: Hello, Members of the Planning Board and Members of the Council.  
4 Can you all hear me okay?

5           CHAIR: Yes, we can hear you, Ms. Toles. Thank you.

6           MS. TOLES: Okay, thank you so much. I will be as brief as possible because I  
7 heard that you all had a long day, and I know how that is. And so, I want to first thank –  
8 well, not really thank, but recognize my Council Member and his ability to try to move  
9 development forward to not hurt our businesses. As a resident of Suitland, I received the  
10 notification of the Planning Board's decision to – I want to make a correction. Ms. LaRocca  
11 said it's a prohibition.

12           As the primary Bill proposer with my former colleague, Mel Franklin, it was an  
13 elimination of these uses because it was a saturation in the community. And this particular  
14 legislation had two years of community testimony and passed through the Council. Many of  
15 you who passed this was in support of this legislation that was done. More specifically, CR-  
16 09-2014, was an attempt to encourage quality development around our Metro Stations that  
17 we see not just in other parts of Prince George's, but really throughout our region.

18           And today is really going against the grain of us trying to do that. So, in having a  
19 conversation with individuals who are working to move this D-D-O-Z change forward, I  
20 recommended to them that we should allow it to be narrowly tailored to only be allowed  
21 within a certain amount of radius of Branch Avenue or, more specifically, Naylor Road  
22 Metro Station, limit it to Marlow Heights, if that is the area that we want to encourage  
23 development, encourage these type of uses, but it should not be a blanket use allowed over  
24 the entire M-U-T-C Zone with these four Metro Stations.

1           We all know the great work and the great investment the County has done for the  
2 Suitland Metro Station and some, and as well we Branch Avenue Metro Station. Mr.  
3 Franklin worked very hard on that during my time on the Council, so we want to encourage  
4 quality uses and limit uses, these type of uses where we already have a saturation of them in  
5 the community. And so, I think that that is something that, if Planning Board can correct  
6 me, we can do. We can narrowly tailor this just for this particular area. And I don't know if  
7 they can answer that, but I am done with what my testimony is. So, thank you for your time.

8           CHAIR: Thank you very much, Ms. Toles. I appreciate your participation. With  
9 that, let me just circle back around to make sure, give a second opportunity for those who  
10 did sign up initially. I know we may have changed, provided different information on our  
11 new link anyway. So, let me just go back to Mr. Leonard Gorer if he is here, just wanted to  
12 give that opportunity again. All right, not hearing or seeing Mr. Gorer. Mr. Ray Leverty, if  
13 he is with us, and then Mr. John Bailey. Okay going, and let me just doublecheck. Clerk  
14 did give me a notice that there might be others. Maybe I didn't pull up the most recent  
15 speaker's list. Madam Clerk, can you assist me? I thought I pulled up the most recent one  
16 with the updated speakers.

17           CLERK BROWN: We have two additional speakers, sir. Ms. Shirley Lathern and  
18 Ms. Sharon Ford.

19           CHAIR: Okay, so, Madam Clerk, can you say the first name again to see if they're  
20 with us? I see you have a caller number three, but I'm not sure if they're –

21           CLERK: Shirley Lathern, Ms. Shirley Lathern.

22           CHAIR: Are you with us this evening? I'm not hearing that. And then the next one,  
23 Madam Clerk?

24           CLERK: Sharon Ford.

1 CHAIR: Is Ms. Sharon Ford with us this evening? Okay.

2 CLERK: I did receive emails from them probably around (inaudible) requesting to  
3 speak, so weren't able to join us.

4 CHAIR: Okay, I know the time shifted a little bit as well. Well, all right, thank you.  
5 Thank you to those who testified this evening and those who tried to testify this evening.  
6 Let me just re-read again, for the purposes of the record, the record, and this item will close  
7 on Wednesday, September 30, 2020, at the close of business at 5:00 p.m. And all testimony  
8 received in addition to anything, any verbal or written comments provided this evening, will  
9 be considered as part of the official testimony of the Proposed Minor Amendment to the  
10 Southern Green Line Station Area Development District Overlay Zone.

11 If you wish to, if anyone wishes to submit any written remarks either to supplement  
12 any testimony tonight or submitting in lieu of the oral testimony tonight, please provide that  
13 to the Clerk of the Council with that testimony by the close of business, again, on  
14 Wednesday, September 30, 2020, either via the email or the regular mail at the address  
15 printed on tonight's agenda. So, Madam Clerk, and can we just make sure, for those who  
16 did at least sign up or attempt to sign up, that we provide that notification to them so, if they  
17 want to provide written testimony, they have that option as well before the 30<sup>th</sup>.

18 CLERK: Yes, sir, and I just wanted to just clarify that we're not accepting U.S.  
19 mail, that it is electronic, so you can email it to [clerkofthecouncil@co.pg.md.us](mailto:clerkofthecouncil@co.pg.md.us). You may  
20 also fax it to 301-952-5158 (inaudible). Thank you.

21 CHAIR: Thank you, Madam Clerk, for the clarification and I just want to make sure  
22 as part of the notification that we provide that as well. Thank you. With that, our joint  
23 public hearing on the Proposed Minor Amendment to the 2014 Southern Green Line Station  
24 Area Sector Plan and Sectional Map Amendment, also D-D-O-Z, as part of that process. I

1 want to thank my colleagues for their indulgence this afternoon and for the Planning Board  
2 Members to be able to join us this evening. Good to see you as always. We look forward to  
3 hearing your recommendations on this matter as well.


4 (Whereupon, the joint public hearing was concluded.)

5 CERTIFICATE OF TRANSCRIBER

6 I, Ruth Kerker Blair, hereby certify that the excerpt of the testimony given in the  
7 above-entitled matter was transcribed by me, and that said transcript is a true record, to the  
8 best of my ability, of said testimony.

9 I further hereby certify that I am neither a relative to nor an employee of any attorney  
10 or party herewith, and that I have no interest in the outcome of these proceedings.

11 This 6<sup>th</sup> day of October, 2020.

12  
13 A handwritten signature in blue ink, reading "Ruth Kerker Blair", is written over a horizontal line.

14 RUTH KERKER BLAIR

# **Attachment 7**

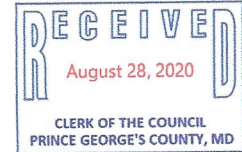


JOINT PUBLIC HEARING  
**SOUTHERN GREEN LINE MINOR AMENDMENT**  
 September 15, 2020

<b>EXHIBIT LIST</b>			
<b>Exhibit No.</b>	<b>Item Description</b>	<b>Received From</b>	<b>Date</b>
1.	CR-10-2014 (by reference)	M-NCPPC	9/15/2020
2.	CR-83-2020 (by reference)	M-NCPPC	9/15/2020
3.	September 15, 2020 Joint Public Hearing PowerPoint Presentation (electronic)	M-NCPPC	8/28/2020
4.	Letter dated July 20, 2020 To: Clerk of the Council Re: Development District Overlay Zone (DDOZ) Prohibition of Certain Uses – CR-83-2020 Marlow Heights Shopping Center	Gelman Management Company Ray Leverty, Director of Commercial Real Estate	8/28/2020
5.	Email dated September 15, 2020 To: Clerk of the Council Re: Letter of support: propose amendment to the Southern Green Line Sector Plan Zoning Overlay	Gloria Lawlah Kay Phillips Ernestine Gray John Bailey Michael Mullen c/o Gregory S. Proctor, Jr. c/o Michelle LaRocca	9/15/2020
6.	Letter dated September 15, 2020 To: Planning Commission Re: Proposed Amendment – Marlow Heights Shopping Center	John E. Bailey, IV	9/15/2020
7.	Email dated September 25, 2020 To: Clerk of the Council Re: CR-083-2020 – Amendment to 2014 Southern Green Line	Linda Thomas	9/25/2020
8.	Letter dated September 15, 2020 To: County Council Re: Marlow Heights Shopping Center	Gloria Lawlah Kay Phillips Ernestine Gray John Bailey Michael Mullen	9/25/2020

# GELMAN MANAGEMENT COMPANY

SUITE 800  
2120 L STREET, NORTHWEST  
WASHINGTON, D. C. 20037  
(202) 872-9070  
FAX (202) 785-2761



July 20, 2020

Clerk of the Council  
Prince Georges County Council  
County Administration Building  
Room 2198  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

Re: **Development District Overlay Zone (DDOZ)  
Prohibition of Certain Uses -CR-83-2020**

Dear Council Members:

We are the owners of the Marlow Heights Shopping Center, located 3899-4283 Branch Avenue, in Temple Hills, MD. This center is a 454,725 sf retail use shopping center with over sixty (60) tenants anchored by Macy's and Giant. We have owned this shopping center since 1975 but it was built and opened in the 1950's.

The Council's DDOZ use restrictions specific to Marlow Heights Shopping Center regarding nail salons and beauty supply has limited our ability to conclude Leases with a large beauty supply and a nail salon. Other commercial properties within one (1) mile or less can accommodate these specific uses with no restrictions.

These specific business uses provide a service and/or product which are in high demand in this community, provide local employment and supports sales tax revenue to the County and the State. Our vacancy rate has been increasing significantly over the past five (5) years due to a difficult retail environment and combined with the current pandemic we have sixteen (16) retail spaces that are vacant. We have approached many retailers of national and regional significance to determine interest in this area. The feedback in most cases is the existing demographics and or the income would not sufficiently support their particular product or service and therefore such an investment would not be a wise financial decision. These facts eliminate a large supply of prospective retailers resulting in a smaller group of other retail uses to solicit from to address store vacancies.

**(2020) MINOR AMENDMENT**  
Southern Green Line SP/SMA  
**Exhibit 4**

Needless to say as a shopping center owner our position is distressing. We find the existing restrictions to be unfair and not equitable; therefore, we request that this legislation be adopted to improve our capabilities to lease existing vacant spaces and future expected retail closures.

We appreciate the opportunity to comment and your understanding and support during these challenging times. If you have any questions, please contact me at 301-899-6080.

Sincerely,

Ray Leverty  
Director of Commercial Real Estate

RECEIVED

Brown, Donna J.

SEP 15 2020

**From:** mlarocca@mrrlaw.net  
**Sent:** Tuesday, September 15, 2020 1:38 PM  
**To:** Brown, Donna J.  
**Subject:** Fw: LETTER OF SUPPORT: PROPOSED AMENDMENT TO THE SOUTHERN GREEN LINE SECTOR PLAN ZONING OVERLAY

CLERK OF THE COUNCIL  
PRINCE GEORGES COUNTY GREEN LINE

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**CAUTION:** This email originated from an external email domain which carries the additional risk that it may be a phishing and/or contain malware.

(2020) MINOR AMENDMENT  
Southern Green Line SP/SMA  
Exhibit 5

Sent from my LG Phoenix 3, an AT&T 4G LTE smartphone

----- Original message -----

**From:** Gregory Proctor  
**Date:** Tue, Sep 15, 2020 1:20 PM  
**To:** Michele LaRocca;  
**Cc:**  
**Subject:** Fwd: LETTER OF SUPPORT: PROPOSED AMENDMENT TO THE SOUTHERN GREEN LINE SECTOR PLAN ZONING OVERLAY

Here you go.

----- Forwarded message -----

**From:** Gloria Lawlah <[gloria@seniorfamilysupportsllc.com](mailto:gloria@seniorfamilysupportsllc.com)>  
**Date:** Tue, Sep 15, 2020 at 1:19 PM  
**Subject:** LETTER OF SUPPORT: PROPOSED AMENDMENT TO THE SOUTHERN GREEN LINE SECTOR PLAN ZONING OVERLAY  
**To:** Steve Proctor <[gsp@gsproctor.com](mailto:gsp@gsproctor.com)>

The Marlow Heights Shopping Center serving the immediate communities of Hillcrest Heights, Marlow Heights, Barnaby, Suitland and upper Camp Springs is anchored by a Macy's and GIANT Food. Containing 454,725 square feet of lease space, it, like many shopping centers nationwide has been hard hit by vacancies due to the negative impact of Covid 19 on commercial establishments.

A recent walking tour revealed additional shuttered storefronts, and therefore fewer shoppers.

We residents and property owners in the surrounding communities do not want the shopping center forced to completely close down! THIS WOULD BE DISASTROUS!

Due to these extraordinary, extenuating, circumstances, we, the undersigned, support the proposed amendment to The Southern Green Line Sector Plan zoning overlay which would reverse the prohibition of a new beauty supplier locating at Marlow Heights Shopping Center.

Community Residents,  
GLORIA LAWLAH  
KAY PHILLIPS  
ERNESTINE GRAY  
JOHN BAILEY  
MICHAEL MULLEN

--  
**Gregory S. Proctor, Jr.**

**President & CEO**

**G.S. Proctor & Associates, Inc.**

**14408 Old Mill Road, Suite 201**

**Upper Marlboro, MD 20772**

**Office: [301-952-8885](tel:301-952-8885)**

**Fax: [301-952-0290](tel:301-952-0290)**

**[www.gsproctor.com](http://www.gsproctor.com)**

**RECEIVED**

To: Planning Commission

Re: Proposed Amendment – Marlow Heights Shopping Center

Date: September 15, 2020

SEP 15 2020

CLERK OF THE COUNCIL  
PRINCE GEORGE'S COUNTY MARYLAND

Based on the recent change of conditions due to COVID -19, life for most of our residents has been drastically changed. The effects of this pandemic have put us in a place of fear and uncertainty. This is the time for us to come together and support one another in our efforts to sustain our communities. If we do not afford our community with necessary resources to maintain, we will be personally destroying it daily.

As an involved community leader, we regularly aid our residents. Because of the pandemic, this need has been increased. Months ago, we were together – working, patronizing businesses and spending time with one another. Now families are struggling. They are being forced to put their pride aside and receive the help that they were once able to provide. Community businesses have been unable to get assistance or guidance in their recovery efforts and are being forced to close every day. Closing businesses during this time takes away necessary resources and the ability to afford these basic necessities. This is the time for us to show our support and solidarity to our residents who have supported us and our businesses during better times. This is done through education and providing information on how to safely stay and maintain their businesses during this pandemic.

Please consider doing your part in continuing to give our community a chance. For the reasons discussed above, I would like to express my support for the proposed amendment to the Southern Green Line Sector Plan.

Thank you,

John E. Bailey, IV

202.277.1274

[jebaileyiv@gmail.com](mailto:jebaileyiv@gmail.com)

**(2020) MINOR AMENDMENT**  
Southern Green Line SP/SMA  
**Exhibit 6**

**Brown, Donna J.**

---

**From:** Clerk of the Council  
**Sent:** Tuesday, October 6, 2020 3:20 PM  
**To:** Brown, Donna J.  
**Subject:** FW: CR-083-2020 — Amendment to 2014 Southern Green Line

**RECEIVED**

SEP 25 2020

CLERK OF THE COUNCIL  
PRINCE GEORGE'S COUNTY MARYLAND

-----Original Message-----

From: Linda Thomas <linda.thomas60@yahoo.com>  
Sent: Friday, September 25, 2020 12:18 PM  
To: Clerk of the Council <ClerkoftheCouncil@co.pg.md.us>  
Cc: Council District 7 <councildistrict7@co.pg.md.us>  
Subject: CR-083-2020 — Amendment to 2014 Southern Green Line

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Hello: My name is Linda Thomas and I am a resident of Suitland. I have some concerns relating to the above-subject matter. I do not like nor appreciate the number of nail salons and pawn shops. However, I have a bigger problem with the number of 24-hour tobacco/grocery stores and used/new tire shops in District Seven (7). However, I do not understand "accessory store" and hopefully those businesses I mentioned are covered under accessory. Suitland and District Heights and other areas of District Seven (7) are saturated with these businesses. The 24-hour tobacco stores carry a number of drug paraphernalia along with loitering. There are four (4) of these stores within less than three (3) mile radius of each other. And, there are three (3) tire businesses within the same radius. One tire business is open 24-7. I would like to think that with the new housing and the way houses are selling in this particular area, that we would warrant better businesses. It's mind boggling that some districts in the county do not have any businesses of this nature and I have been told that the business owners do not even consider opening businesses in other districts. The residents here deserve far better than what we are getting.

Sent from my iPhone

**(2020)MINOR AMENDMENT**  
Southern Green Line SP/SMA  
**Exhibit 7**

9/15/20

Dear County Council:

The Marlow Heights Shopping Center serving the immediate communities of Hillcrest Heights, Marlow Heights, Barnaby, Suitland and upper Camp Springs is anchored by a Macy's and GIANT Food. Containing 454,725 square feet of lease space, it, like many shopping centers nationwide has been hard hit by vacancies due to the negative impact of Covid 19 on commercial establishments.

A recent walking tour revealed additional shuttered storefronts, and therefore fewer shoppers.

We residents and property owners in the surrounding communities do not want the shopping center forced to completely close down! THIS WOULD BE DISASTROUS!

Due to these extraordinary, extenuating, circumstances, we, the undersigned, support the proposed amendment to The Southern Green Line Sector Plan zoning overlay which would reverse the prohibition of a new beauty supplier locating at Marlow Heights Shopping Center.

Community Residents,  
GLORIA LAWLAH  
KAY PHILLIPS  
ERNESTINE GRAY  
JOHN BAILEY  
MICHAEL MULLEN

**RECEIVED**

SEP 25 2020

CLERK OF THE COUNCIL  
PRINCE GEORGE'S COUNTY MARYLAND