

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

Resolution No. CR-90-2009
Proposed by The Chairman (by request – Planning Board)
Introduced by Council Members Dean, Exum, Dernoga and Bland
Co-Sponsors _____
Date of Introduction November 17, 2009

RESOLUTION

1 A RESOLUTION concerning

2 The Marlboro Pike Sector Plan and Sectional Map Amendment

3 For the purpose of approving, with revisions and amendments, as an act of the County Council of
4 Prince George's County, Maryland, sitting as the District Council, the Marlboro Pike Sector Plan
5 and Sectional Map Amendment, thereby defining long range land use and development policies
6 and setting forth detailed zoning proposals in Planning Areas 75A and 75B for the area generally
7 bounded by the Capital Beltway I95/495 (to the east), Southern Avenue (the District of
8 Columbia line), (to the west), Pennsylvania Avenue (to the south), and properties fronting
9 Marlboro Pike including adjoining neighborhoods within one-half mile of the corridor (to the
10 north); and

11 WHEREAS, upon approval by the District Council, this Sector Plan will amend portions of
12 the 1985 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District*
13 *Heights and Vicinity, Planning Areas 75A and 75B*); the 2002 *Prince George's County Approved*
14 *General Plan* for the physical development of the Maryland-Washington Regional District
15 within Prince George's County, Maryland; the 1982 *Master Plan of Transportation*; the 2005
16 *Countywide Green Infrastructure Plan*; the 2008 *Public Safety Master Plan*; the 1992 *Prince*
17 *George's County Historic Sites and Districts Plan*; the 1983 *Functional Master Plan for Future*
18 *Public School Sites in Prince George's County, Maryland*; and the 1975 *Countywide Trails Plan*
19 with the 1985 *Equestrian Addendum*; and

20 WHEREAS, on January 22, 2008, in Council Resolution CR-3-2008, the County Council of
21 Prince George's County, Maryland, sitting as the District Council, directed The Maryland-

1 National Capital Park and Planning Commission to prepare a new Marlboro Pike Sector Plan and
2 Sectional Map Amendment in order to develop a comprehensive approach to implementing the
3 recommendations of the 2002 General Plan and to ensure that future development is consistent
4 with County policies; and

5 WHEREAS, on December 11, 2008, the District Council endorsed the Goals, Concepts,
6 Guidelines and the Public Participation Program prepared by the Planning Board and established
7 the Plan boundaries pursuant to Section 27-643 of the Zoning Ordinance; and

8 WHEREAS, the Planning Board staff conducted an informational meeting and a series of
9 four community workshops, two business owners meetings and a youth workshop to gather
10 community guidance and inform the public of the planning process and solicit issues and
11 concerns, and the Planning Board staff further conducted a two day planning charrette as the
12 major component of the Public Participation Program to involve the community in the
13 preparation of the plan; and

14 WHEREAS, on September 9, 2008, the District Council granted an extension of time to
15 complete additional analysis pursuant to Section 27-644(a) (3) of the Zoning Ordinance; and

16 WHEREAS, the Planning Board granted permission to print the Preliminary Marlboro Pike
17 Sector Plan and Proposed Sectional Map Amendment on December 11, 2008; and

18 WHEREAS, the District Council and the Planning Board held a duly-advertised joint public
19 hearing on the Preliminary Marlboro Pike Sector Plan and Proposed Sectional Map Amendment
20 on March 10, 2009; and

21 WHEREAS, pursuant to Section 27-645(b) of the Zoning Ordinance, the plan proposals for
22 public facilities were referred to the County Executive and the District Council for review, and
23 on April 28, 2009 the District Council adopted CR-14-2009 and found no inconsistencies
24 between the proposed public facilities in the sector plan and any existing or proposed State or
25 County facilities; and

26 WHEREAS, on May 21, 2009, the Planning Board held a work session to consider the
27 recommendations and public hearing testimony; and

28 WHEREAS, on June 4, 2009, the Planning Board adopted the Sector Plan and endorsed the
29 Sectional Map Amendment with revisions in response to the public hearing testimony as
30 described in Prince George's County Planning Board Resolution PGCPB No. 09-84 and
31 transmitted the adopted Sector Plan, endorsed Sectional Map Amendment and supporting

1 documents to the District Council on June 9, 2009; and

2 WHEREAS, on June 16, 2009, the District Council held a work session to review the
3 adopted Marlboro Pike Sector Plan and endorsed Sectional Map Amendment, public hearing
4 testimony, Planning Board's recommendations on the public hearing testimony contained in
5 PGCPB No. 09-84; and

6 WHEREAS, on July 21, 2009, the District Council approved Resolution CR-51-2009
7 (DR-2), which proposed amendments to the adopted plan and endorsed sectional map
8 amendment and authorized a second joint public hearing on September 21, 2009; and

9 WHEREAS, on September 21, 2009, the District Council and the Planning Board held a
10 duly advertised joint public hearing on the proposed amendments contained in CR-51-2009
11 (DR-2), and received comments on the proposed amendments; and

12 WHEREAS, on October 22, 2009, the Planning Board held a work session to review the
13 proposed amendments contained in Resolution CR-51-2009 (DR-2), the digest of testimony from
14 the September 21, 2009 public hearing and transmitted to the District Council recommendations
15 to rezone certain properties and establish a new Low-Intensity Business Park Development
16 District Overlay Zone (DDOZ) in accordance with Section 27-646(a)(3) of the Zoning
17 Ordinance; and

18 WHEREAS, on November 3, 2009, the District Council held a work session to review the
19 digest of testimony and the Planning Board's recommendations and directed revisions and
20 amendments to the plan and Sectional Map Amendment as depicted on the maps in Attachment
21 A; and

22 WHEREAS, the District Council finds that the recommended buffer and screening
23 standards in the Development District Overlay Zone (DDOZ) for the Low-Intensity Business
24 Park Character Area will promote the vision for the areas located between Pennsylvania Avenue,
25 Forestville Road, Parston Drive and the Capital Beltway is to provide attractive and well
26 designed development; and

27 WHEREAS, the District Council finds that preserving residential neighborhoods is an
28 important goal in the Marlboro Pike Plan and where feasible alternative vehicular access for
29 commercial vehicles to the Prince George's County owned facility located at 3415 North Forest
30 Edge Road shall be evaluated to lessen the impact on the adjacent residential community on
31 North and South Forest Edge Road. In the event of the sale of the property to a private entity for

1 commercial or industrial use, access and site design should be revised to avoid use of the
2 residential streets in this neighborhood for commercial access; and

3 WHEREAS, this Master Plan will amend portions of the 1985 *Approved Master Plan*
4 *and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning*
5 *Areas 75A and 75B*; the 2002 *Prince George’s County Approved General Plan* for the physical
6 development of the Maryland-Washington Regional District within Prince George’s County,
7 Maryland; the 1982 *Master Plan of Transportation*; the 2005 *Countywide Green Infrastructure*
8 *Plan*; the 2008 *Public Safety Master Plan*; the 1992 *Prince George’s County Historic Sites and*
9 *Districts Plan*; the 1983 *Functional Master Plan for Future Public School Sites in Prince*
10 *George’s County, Maryland*; and the 1975 *Countywide Trails Plan* with the 1985 *Equestrian*
11 *Addendum*.

12 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George’s
13 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
14 Regional District in Prince George’s County, Maryland, that the Marlboro Pike Sector Plan and
15 Sectional Map Amendment as adopted and endorsed by The Maryland-National Capital Park and
16 Planning Commission on June 4, 2009, by PGCPB No. 09-84 are hereby approved with the
17 following revisions and amendments:
18

19 **AMENDMENTS TO THE SECTIONAL MAP AMENDMENT**

20 **AMENDMENT 1 Retain C-M Zone**

21 **Existing Use:** Gas Station
22 **Street Address:** 2000 Brooks Drive
23 **Existing and Endorsed SMA Zone:** C-M
24 **Account:** 0420638 **Acreage:** 0.60 acres
25 **Tax Map:** 080 **Grid:** F1 **Parcel:** A
26

27 **AMENDMENT 2 Rezone C-M Zone to C-S-C Zone**

28 **Existing Use:** Car Wash/Oil & Lube Station
29 **Street Address:** 5401 Marlboro Pike
30 **Existing and Endorsed SMA Zone:** C-M
31 **Account:** 3679271 **Acreage:** 2.35 acres
32 **Tax Map:** 080 **Grid:** F1 **Lot:** 1

1 **AMENDMENT 3** Rezone C-M Zone to C-S-C Zone

2 Existing Use: Vacant Commercial Center
3 Street Address: 5425 Marlboro Pike
4 Existing and Endorsed SMA Zone: C-M
5 Account: 0449637 Acreage: 0.63 acres
6 Tax Map: 081 Grid: A1 Parcel: 50
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8 **AMENDMENT 4** Rezone R-T Zone to C-S-C Zone

9 Existing Use: Single-Family Dwelling Unit
10 Street Address: 5431 Marlboro Pike
11 Existing Zone: R-T Endorsed SMA Zone: R-18
12 Account: 0449629 Acreage: 1.212 acres
13 Tax Map: 081 Grid: A1 Parcel: 51
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15 **AMENDMENT 5** Rezone I-1 Zone to C-S-C Zone

16 Existing Use: Church
17 Street Address: 5501 Marlboro Pike
18 Existing Zone: I-1 Endorsed SMA Zone: R-18 (SMA Change #B10)
19 Account: 0437640 Acreage: 2.67 acres
20 Tax Map: 081 Grid: A1 Parcel 52
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22 **AMENDMENT 6** Rezone C-M Zone to C-S-C Zone

23 Existing Use: Parking Lot
24 Street Address: 5410 Marlboro Pike
25 Existing and Endorsed SMA Zone: C-M
26 Account: 0462184 Acreage: 0.35 acres
27 Tax Map: 081 Grid: A1 Parcel: 35
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AMENDMENT 7 Rezone C-M Zone to C-S-C Zone

Existing Use: Auto Repair
Street Address: 5416 Marlboro Pike
Existing and Endorsed SMA Zone: C-M
Account: 0462150 **Acreage:** .084 acres
Tax Map: 081 **Grid:** A1 **Parcel:** 36 and 383

AMENDMENT 8 Rezone C-M Zone to C-S-C Zone

Existing Use: Towing/Storage Facility
Street Address: 5420 Marlboro Pike
Existing and Endorsed SMA Zone: C-M
Account: 0492157 **Acreage:** 0.39 acres
Tax Map: 081 **Grid:** A1 **Parcel:** 38

AMENDMENT 9 Rezone C-S-C Zone to M-U-I/Commercial DDOZ

Existing Use: Commercial Strip Center
Street Address: 7603 Marlboro Pike
Existing and Endorsed SMA Zone: C-S-C (SMA Change #D12)
Account: 0477133 **Acreage:** 0.34 acres
Tax Map: 081 **Grid:** F4 **Parcel:** p/o Lots 1-4

AMENDMENT 10 Rezone C-S-C Zone to M-U-I/Commercial DDOZ

Existing Use: Commercial Strip Center
Street Address: 7605 Marlboro Pike
Existing and Endorsed SMA Zone: C-S-C (SMA Change #D13)
Account: 0471755 **Acreage:** 0.177 acres
Tax Map: 081 **Grid:** F4 **Parcel:** p/o Lots 5-6

AMENDMENT 11 Rezone C-S-C Zone to M-U-I/Commercial DDOZ

Existing Use: Commercial Strip Center
Street Address: 7613 Marlboro Pike
Existing and Endorsed SMA Zone: C-S-C (SMA Change #D14)
Account: 0615161 **Acreage:** 0.16 acres
Tax Map: 081 **Grid:** F4 **Parcel:** p/o Lots 7-8

AMENDMENT 12 Rezone C-S-C Zone to M-U-I/Commercial DDOZ

Existing Use: Commercial Strip Center
Street Address: 7617 Marlboro Pike
Existing and Endorsed SMA Zone: C-S-C
Account: 0570309 **Acreage:** 0.15 acres
Tax Map: 081 **Grid:** F4 **Parcel:** p/o Lots 9-10

AMENDMENT 13 Rezone C-S-C Zone to M-U-I/Commercial DDOZ

Existing Use: Commercial Strip Center
Street Address: 7619 Marlboro Pike
Existing and Endorsed SMA Zone: C-S-C
Account: 0570317 **Acreage:** 0.15 acres
Tax Map: 081 **Grid:** F4 **Parcel:** p/o Lots 11-12

AMENDMENT 14 Rezone C-S-C Zone to M-U-I/Commercial DDOZ

Existing Use: Commercial Strip Center
Street Address: 7619 Marlboro Pike
Existing and Endorsed SMA Zone: C-S-C
Account: 0570325 **Acreage:** 0.08 acres
Tax Map: 081 **Grid:** F4 **Lot:** 13 EX 250 sq ft

AMENDMENT 15 Rezone C-S-C Zone to M-U-I/Commercial DDOZ

Existing Use: Commercial Strip Center

Street Address: 7625 Marlboro Pike

Existing and Endorsed SMA Zone: C-S-C

Account: 0570382 **Acreage:** 0.13 acres

Tax Map: 08 **Grid:** F4 **Parcel:** D

AMENDMENT 16 Rezone C-S-C Zone to M-U-I/Commercial DDOZ

Existing Use: Gas Station

Street Address: 7631 Marlboro Pike

Existing and Endorsed SMA Zone: C-S-C

Account: 0570440 **Acreage:** 1.50 acres

Tax Map: 08 **Grid:** F4 **Parcel:** E

AMENDMENT 17 Rezone I-1 Zone to C-S-C Zone

Existing Use: Vacant Commercial Building

Street Address: 3300 Forestville Road

Existing and Endorsed SMA Zone: I-1

Account: 0615179 **Acreage:** 2.1624 acres

Tax Map: 089 **Grid:** F1 **Parcel:** 22

AMENDMENT 18 Retain the I-1 Zone

Existing Use: Commercial Building

Street Address: 3302 Marlo Lane

Existing and Endorsed SMA Zone: I-1

Account: 0532705 **Acreage:** 0.4301 acres

Tax Map: 090 **Grid:** A1 **Parcel:** D

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AMENDMENT 19 Retain the I-1 Zone

Existing Use: Commercial Building
Street Address: 3306 Marlo Lane
Existing and Endorsed SMA Zone: I-1
Account: 0424473 **Acreage:** 2.0108 acres
Tax Map: 090 **Grid:** A1 **Parcel:** B

AMENDMENT 20 Retain the I-1 Zone

Existing Use: Furniture Store
Street Address: 3300 Marlo Lane
Existing and Endorsed SMA Zone: I-1
Account: 0424465 **Acreage:** 8.7516 acres
Tax Map: 089 **Grid:** F1 **Parcel:** A

AMENDMENT 21 Rezone I-4 Zone to I-1 Zone

Existing Use: Contractor’s Office
Street Address: 8002 Marlboro Pike
Existing Zone: I-4 **Endorsed SMA Zone:** I-1/I-4
Account: 0593772 **Acreage:** 1.19 acres
Tax Map: 090 **Grid:** A1 **Parcel:** B

AMENDMENT 22 Rezone I-4 Zone to I-1 Zone

Existing Use: Office
Street Address: 8008 Marlboro Pike
Existing and Endorsed SMA Zone: I-4
Account: 0593764 **Acreage:** 1.79 acres
Tax Map: 090 **Grid:** A1 **Parcel:** A

AMENDMENT 23 Rezone I-4 Zone to I-1 Zone

Existing Use: Bus Storage
Street Address: 8014 Marlboro Pike
Existing and Endorsed SMA Zone: I-4
Account: 0424549 **Acreage:** 0.61 acres
Tax Map: 090 **Grid:** A1 **Lot:** 9-10

AMENDMENT 24 Rezone I-4 Zone to I-1 Zone

Existing Use: Vehicular Storage
Street Address: 8016 Marlboro Pike
Existing and Endorsed SMA Zone: I-4
Account: 0424556 **Acreage:** 0.57 acres
Tax Map: 090 **Grid:** A1 **Lot:** 7-8

AMENDMENT 25 LOW INTENSITY BUSINESS PARK DEVELOPMENT DISTRICT OVERLAY ZONE (DDOZ)

Amend the Endorsed SMA to establish the Low-Intensity Business Park Character Area Development District Overlay Zone (DDOZ) and regulations for the approximately 72 properties comprising 120 acres as described on Attachment C-1, C-2, C-3, C-4, C-5 and C-6:

REVISIONS TO THE SECTIONAL MAP AMENDMENT

REVISION 1

Retain existing C-S-C Zone
Existing Use: Mattress Store
Street Address: 7704 Marlboro Pike
Existing Zone: C-S-C Zone
Endorsed SMA Zone: I-1 Zone (SMA Change Number P-37)
Account: 0418228 **Acreage:** 0.51 acres
Tax Map: 082 **Grid:** A4 **Parcel:** A

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REVISION 2

Retain existing C-S-C Zone
Existing Use: Liquor Store
Street Address: 7700 Marlboro Pike
Existing Zone: C-S-C Zone
Endorsed SMA Zone: I-1 (SMA Change Number P-38)
Account: 0415877 **Acreage:** 0.64 acres
Tax Map: 090 **Grid:** A1 **Parcel:** B

REVISION 3

Retain existing C-S-C Zone
Existing Use: WMATA Bus Facility
Street Address: 4421 Southern Avenue
Existing Zone: C-S-C Zone
Endorsed SMA Zone: M-X-T (SMA Change Number P-4)
Account: 0644419 **Acreage:** 5.75 acres
Tax Map: 072 **Grid:** D3 **Parcel:** A

REVISION 4

Retain Existing C-S-C Zone
Existing Use: Commercial Shopping Center
Street Address: Marlboro Pike and Boones Hill Road
Endorsed SMA Zone: M-X-T (SMA Number P-29)
Account: 0481507, 0577742, 600577, 600585, 600593 and 600254
Acreage: 6.42 **Tax Map:** 72 **Grid:** D3 **Parcel:** 44, 45, C, D, E and A

REVISION 5

Retain Existing C-S-C Zone
Existing Use: Commercial Strip and Church
Street Address: 7809 Parston Drive
Existing Zone: C-S-C Zone
Endorsed SMA Zone: I-1 (SMA Change Number P-40)
Account: 0487009 **Acreage:** 1.37
Tax Map: 82 **Grid:** A4 **Parcel:** Lot 1

1 **REVISION 6** **Retain Existing C-S-C Zone**
2 **Existing Use:** Atlantic Plumbing Supply Profit Sharing Trust Fund
3 **Street Address:** 7521 Marlboro Pike
4 **Existing Zone:** C-S-C Zone, pursuant to Case No. A-9961-C
5 Zoning Ordinance No. 9-2005
6 **Endorsed SMA:** R-T
7 **Account:** 042388 **Acreage:** 1.37 acres
8 **Tax Map:** 81 **Grid:** F4 **Parcel:** 193
9

10 **REVISIONS TO THE ADOPTED MARLBORO PIKE SECTOR PLAN**

11 **REVISION 1** **CHAPTER IV- TRANSPORTATION**

12 *Insert the following new strategy on page 48, “To lessen the impact of commercial*
13 *vehicles using residential streets as the primary means of ingress and egress”, the use of*
14 *alternative routes to commercial or industrial sites should be pursued where feasible.*
15

16 BE IT FURTHER RESOLVED that the staff is authorized to make appropriate text and
17 map revisions to correct identified errors, reflect updated information, and incorporate the
18 Zoning Map changes reflected in this Resolution.

19 BE IT FURTHER RESOLVED that this Sectional Map Amendment is an amendment to
20 the Zoning Ordinance and to the official Zoning Map for the Maryland-Washington Regional
21 District in Prince George’s County. The zoning changes approved by this Resolution shall be
22 depicted on the official Zoning Map of the County; and

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

28 BE IT FURTHER RESOLVED that the provisions of this Resolution are severable. If
29 any provision, sentence, clause, section, zone, zoning map, or part thereof is held illegal, invalid,
30 unconstitutional, or unenforceable, such illegality, invalidity, unconstitutionality, or
31 unenforceability shall not affect or impair any of the remaining provisions, sentences, clauses,

1 sections, zones, zoning maps, or parts hereof or their application to other zones, persons, or
2 circumstances. It is hereby declared to be the legislative intent that this Resolution would have
3 been adopted as if such illegal, invalid, unconstitutional, or unenforceable provision, sentence,
4 clause, section, zone, zoning map, or part had not been included therein.

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

Adopted this 17th day of November, 2009.

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

BY: _____
Marilynn Bland
Chairperson

ATTEST:

Redis C. Floyd
Clerk of the Council

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