

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2006 Legislative Session

Resolution No. CR-66-2006

Proposed by Council Member Dean

Introduced by Council Members Dean and Bland

Co-Sponsors _____

Date of Introduction July 18, 2006

RESOLUTION

1 A RESOLUTION concerning

2 The Westphalia Sector Plan and Sectional Map Amendment

3 For the purpose of proposing amendments to the Adopted Westphalia Sector Plan and Endorsed
4 Sectional Map Amendment defining long-range land use policy and pertinent zoning within the
5 planning area.

6 WHEREAS, on January 17, 2006, in Council Resolution CR-5-2006, the County Council
7 sitting as the District Council directed The Maryland-National Capital Park and Planning
8 Commission to prepare a new sector plan and sectional map amendment for the Westphalia
9 Sector Plan area, being a part of Planning Area 78, in order to develop a comprehensive
10 approach to implementing the recommendations of the 2002 General Plan and to ensure that
11 future development is consistent with County policies; and

12 WHEREAS, the October 2005 *Westphalia Comprehensive Concept Plan* study provided
13 a refinement and a detailed update to the vision, analysis, and information contained in the 1994
14 *Approved Melwood-Westphalia Master Plan* (Planning Area 77 & 78) as a means of facilitating
15 the orderly and cohesive development of a planned community in the Westphalia area; and

16 WHEREAS, the October 2005 *Westphalia Comprehensive Concept Plan* study provides
17 a description of goals, concepts and guidelines for future development of this area; and

18 WHEREAS, during preparation of the October 2005 *Westphalia Comprehensive Concept*
19 *Plan* study a lengthy, substantive, and well-notified public participation process was conducted
20 between June and August 2005 including a pre-charrette, three public charrettes, a final public
21 presentation, a mailed community survey, and visual preference survey; and

22 WHEREAS, on January 17, 2006 the District Council endorsed the goals, concepts and

1 guidelines prepared by the Planning Board pursuant to Section 27-643 of the Zoning Ordinance;
2 and

3 WHEREAS, the Planning Board granted permission to print the Preliminary Westphalia
4 Sector Plan and Proposed Sectional Map Amendment on April 6, 2006; and

5 WHEREAS, the District Council and the Planning Board held a duly-advertised joint public
6 hearing on the Preliminary Westphalia Sector Plan and Proposed Sectional Map Amendment on
7 May 23, 2006; and

8 WHEREAS, pursuant to Section 27-645 (b) of the Zoning Ordinance, the District Council
9 reviewed and endorsed the plan proposals for public facilities; and

10 WHEREAS, the Planning Board held two work sessions on June 22 and July 6, 2006, to
11 consider the public hearing testimony; and

12 WHEREAS, on July 6, 2006, the Planning Board, in response to the public hearing
13 testimony, adopted the master plan and endorsed the sectional map amendment with revisions as
14 described in Prince George's County Planning Board Resolution PGCPB No. 06-159 and
15 transmitted the plan and sectional map amendment to the District Council on July 7, 2006; and

16 WHEREAS, the District Council held a work session on July 11, 2006, to consider public
17 hearing testimony and the recommendations of the Planning Board and decided to propose
18 amendments to the adopted plan and endorsed sectional map amendment and to hold a second
19 public hearing to allow public comment; and

20 WHEREAS, it is the intent of the District Council to include among the proposed
21 amendments all the endorsed zoning changes that were not advertised for citizen comments at
22 the May 23, 2006, joint public hearing, with revisions directed by the Council and updated to
23 include references to exhibits that were added to the record after the close of the public hearing
24 record.

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

PROPOSED AMENDMENTS TO THE ENDORSED SECTIONAL MAP AMENDMENT

AMENDMENT 1

Change the zoning of the Rock Creek Baptist Church, Washington and Bean properties located west of Ritchie Marlboro Road north of Westphalia Road

Existing Zone: R-A

Preliminary Plan/SMA Zone: V-L (Village Low) Zone (SMA Change #9)

Endorsed Zone: R-S (Residential Suburban Development 2.7) Comprehensive Design Zone for approximately 183.5 acres and the L-A-C (Local Activity Center - Neighborhood Center) Comprehensive Design Zone for up to 40 acres encompassing the proposed commercial, country inn, and mixed-residential live/work blocks, and intervening open space uses on the south central part of the site as shown on Exhibit 23. Reference Exhibit 23 as the Basic Plan for the development of these comprehensive design zones for the following land use types and quantities:

Land Use Types: All uses allowed in the R-S and L-A-C Zones

Land Use Quantities (to be determined at CDP, based on Exhibit 23):

R-S (2.7-3.5) Zone: Approximately 183.5 acres

L-A-C (Neighborhood) Zone: Approximately 40 acres

Residential - Approximately 12 acres

Commercial office and, live/work and country inn,
recreation and open space - Approximately 28 acres

Proposed Zone: R-M (Residential Medium Development 3.6) Comprehensive Design Zone for approximately 120 acres and L-A-C (Local Activity Center - Neighborhood Center) Comprehensive Design Zone for up to 103 acres encompassing the proposed residential, commercial, country inn, and mixed-residential live/work blocks, and intervening open space uses on the south part of the site as shown on Exhibit 33. Reference Exhibit 33 as the Basic Plan (including alternatives) for development of these comprehensive design zones for the following land use types and quantities:

Land Use Types: All uses allowed in the R-M and L-A-C Zones

Land Use Quantities (to be determined at CDP, based on Exhibit 33):

R-M (3.6) Zone:

450 units capped at 4.0 DU/acre

L-A-C (Neighborhood) Zone:

Residential - 685 to 1,036 units

Age Restricted Community - 120 units

Commercial /retail (including live/work) - 25,000 square
feet GFA

Country inn - 25,000 square feet GFA

Institutional use - Approximately 23 acres

Acreage: Approximately 223 acres (Note: Acreage corrected per SDAT records)

SDAT Reference: Tax Map: 83 Grid: B2, B4, C4 Parcels: 16, 25, 26 and 71 (NOTE: Rezoning property to a comprehensive design zone (CDZ) classification in a sectional map amendment is not permitted at this time without a formal rezoning application that has been acted on by the Planning Board. Legislation is being prepared in conjunction with this SMA to enable approval of CDZ recommendations in the SMA without an application. If legislation is not enacted prior to approval of this SMA, the R-R Zone should be approved as the alternative base-density zoning category pending application for a comprehensive design zone.)

AMENDMENT 2

Change the zoning of the Addison property, located west of Ritchie Marlboro Road north of Old Marlboro Pike.

Existing Zone: R-R

Preliminary Plan/SMA Zone: M-X-T (SMA Change #12)

Endorsed Zone: M-X-T; Reference the illustration in Exhibit 12 as the intended development concept for subsequent development review procedures regarding this site.

Proposed Zone: M-X-T (with correction to reference Exhibit 20 instead of 12)

Acreage: 8.98

SDAT Reference: Tax Map: 101 Grid: B1 Subdivision: Marlboro Riding Subdivision, Plat 15208020, Parcel P

AMENDMENT 3

Change the zoning of the Spirit of God Deliverance Church properties located on the east and west sides of Melwood Road at Westphalia Road

Existing Zone: C-A (Parcel 67 west of Melwood Road) and R-A (Parcel 211 east of Melwood Road)

Preliminary Plan/SMA Zone: R-R (p/o SMA Change #s 14 and 16)

Endorsed Zone: C-S-C (Parcel 67) and R-R (Parcel 211)

Proposed Zone: C-S-C (Both Parcels 67 and 211 as new SMA Change 16A)

Acreage: 3.7 acres

SDAT Reference: Tax Map: 80 Grid: D1 Parcels: 67 and 211

AMENDMENT 4

Change the zoning of the Pleasant Excavating, Inc. property located on the east side of Sansbury Road south of Arrowhead Elementary School,

Existing Zone: I-1

Preliminary Plan/SMA Zone: R-R Zone (SMA Change #18)

Endorsed Zone: R-18C

Proposed Zone: R-18C; Reference new Exhibit 34 as the development concept for a mix of residential condominium product types for this property in subsequent development review procedures.

Acreage: 28.09

SDAT Reference: Tax Map: 82 Grid: E2 and E3 Subdivision: Lots 1-19 and Parcel A, Sansbury Park Subdivision, Plat 15167042

AMENDMENT 5

Change the zoning of the Fletcher property located on the west side of Sansbury Road south of the Little Washington Neighborhood Park

Existing Zone: I-1

Preliminary Plan/SMA Zone: R-R (SMA Change #19)

Endorsed Zone: I-1 (Delete SMA Change #19 to retain existing zoning)

Proposed Zone: I-1 as above

Acreage: 1.3

SDAT Reference: Tax Map: 82 Grid: D2 Subdivision: Little Washington Subdivision, Plat A15-6085, Block E, Lots 4-6 and Plat A15-1486, Lot 3)

AMENDMENT 6

Change the zoning of the PB&J, Inc. property, located east of Sansbury Road south of Ritchie Marlboro Road

Existing Zone: R-A

Preliminary Plan/SMA Zone: R-R (p/o SMA Change #24)

Endorsed Zone: M-X-T (as an addition to SMA Change # 23 with reference to Exhibit 19 as the development concept for a mix of commercial and residential uses on these properties)

Proposed Zone: M-X-T as above

Acreage: 6.3

SDAT Reference: Tax Map: 82 Grid: E1 Parcel: 195 and Subdivision: Parcel A, Roy Bean Subdivision, Plat A15-4383

AMENDMENT 7

Change the zoning of the PJ Associates, Inc., property, located south of Ritchie Marlboro Road and east of Sansbury Road

Existing Zone: R-A

Preliminary Plan/SMA Zone: R-R Zone (p/o SMA Change #24)

Endorsed Zone: R-M (Residential Medium Development)

Comprehensive Design Zone Prior to approval, require submittal of a basic plan development concept for the subject property that describes a mix of residential land uses, recreation features and open space for the following land use types and quantities:

Land Use Types: All uses allowed in the R-M Zone

Land Use Quantities: Dwelling units up to the maximum density allowed in the R-M (5.8-7.9) Zone - Up to 391 dwelling units at 5.8-7.9 DU/net acre on 49.6 acres (depending on bonus features and 100-year flood plain)

Proposed Zone: R-M (Residential Medium Development)

Comprehensive Design Zone as above

Acreage: 49.6 acres

SDAT Reference: Tax Map: 82 Grid: F1 Parcels: 194, 199, and 250

(NOTE: Rezoning property to a comprehensive design zone (CDZ) classification in a sectional map amendment is not permitted at this time without a formal rezoning application that has been acted on by the Planning Board. Legislation is being prepared in conjunction with this SMA to enable approval of CDZ recommendations in the SMA without an application. If legislation is not enacted prior to approval of this SMA, the R-R Zone should be approved as the alternative base-density zoning category pending application for a comprehensive design zone.)

AMENDMENT 8

Change the zoning of the Mirant Mid-Atlantic, LLC property (formerly PEPCO) located at 8711 Westphalia Road across from Chester Grove Drive

Existing Zone: I-1

Preliminary Plan/SMA Zone: I-1

Endorsed Zone: M-X-T (New SMA Zoning Change)

Proposed Zone: M-X-T; reference new Exhibit 31 as the appropriate

development concept for future development review procedures.

Acreage: 68.9 acres

SDAT Reference: Tax Map: 90 Grid: C1 Subdivision: Parcel C,
Penn-East Business Park Resubdivision, Plat 06 191-023,

PROPOSED AMENDMENTS TO THE ADOPTED SECTOR PLAN

AMENDMENT 9

Revise the plan text to recommend a future Development District Overlay Zone (DDOZ) for the entire sector plan area to ensure a comprehensive review of all new development applications and adherence to the policies, strategies and design guidelines.

AMENDMENT 10

Refine design concepts and phasing strategies for the Westphalia Town Center to require a mix of urban residential, nonresidential, and public-quasi-public uses to be consistent with the 2002 General Plan policies for a Regional Center, and to ensure construction of high-intensity commercial and office development in the first stages of construction.

AMENDMENT 11

Add a new plan chapter that recommends policies and strategies to address the needs of existing communities, including but not limited to:

- Needed improvements to existing roadways and other facilities
- Potential acquisition of private properties to meet the sector-wide planning goals, and a planning policy regarding the potential use of eminent domain in this sector plan area
- Potential for displacement due to higher property taxes
- The need for focused code enforcement

AMENDMENT 12

Add a new plan chapter that will evaluate and address economic development issues for the Westphalia Sector Plan, including but not limited to:

- Retain and enhance the county's existing businesses

- Increase the number of upper income, high value-added jobs
- Attract quality retail development
- Attract a diversity of new jobs and businesses
- Increase participation by minority-owned businesses
- Address market considerations and phasing strategies to achieve the mix, intensity and types of development proposed, particularly in and around the Westphalia Town Center

AMENDMENT 13

Revise the alignment for proposed road MC-631 to avoid impacts to the James Butler property (Tax Map 90, Grid D3, Parcel 158, 4.076 acres) to the greatest extent possible.

BE IT FURTHER RESOLVED that the Planning Board is directed to prepare the new sector plan chapters regarding existing communities and economic development, and the refined development concepts and phasing strategies for the town center and surrounding area with stakeholder involvement for presentation at the public hearing on proposed amendments and for consideration by the District Council prior to approval of this sector plan.

BE IT FURTHER RESOLVED that the District Council, after holding a joint public hearing with the Planning Board, may reconsider each amendment, and may approve the master plan and sectional map amendment with all, any one or more, a portion, or none of the proposed amendments.

BE IT FURTHER RESOLVED, that, pursuant to Section 27-646 of the Zoning Ordinance, a public hearing shall be scheduled to receive testimony on these proposed amendments, and a copy of this Resolution shall be transmitted to the Prince George's County Planning Board, to request that its comments be submitted to the Council prior to action on the amendments.

Adopted this 18th day of July, 2006.

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: _____
Thomas E. Dernoga
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council