

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2000 Legislative Session

Resolution No. CR-68-2000
Proposed by Chair Dorothy F. Bailey
Introduced by Council Members Bailey, Shapiro, Estepp, Wilson and Gourdine
Co-Sponsors _____
Date of Introduction November 21, 2000

RESOLUTION

1 A RESOLUTION concerning

2 The Master Plan and Sectional Map Amendment

3 for the Heights and Vicinity

4 For the purpose of approving with amendments, as an Act of the County Council of Prince
5 George's County, Maryland, sitting as the District Council, the Master Plan and the Sectional
6 Map Amendment for the Heights and Vicinity, thereby defining long-range land use and
7 development policies, detailed zoning proposals, community improvement proposals and
8 redevelopment opportunities for the portion of Prince George's County generally defined by
9 Suitland Parkway to the north, the Capital Beltway to the east and south, and Southern Avenue to
10 the west, and consisting of Planning Area 76A, the boundaries of which are described in the
11 Zoning Ordinance.

12 WHEREAS, The Maryland-National Capital Park and Planning Commission, with the
13 concurrence of the County Council of Prince George's County, Maryland, sitting as the District
14 Council, in Council Resolution 17-1996, initiated preparation of a Master Plan and Sectional
15 Map Amendment for the Heights and Vicinity, in accordance with Part 13, Division 2, and
16 Section 27-225.01.05 of the Zoning Ordinance; and

17 WHEREAS, CR-17-1996 directed the Commission to prepare and transmit to the District
18 Council the sectional map amendment concurrently with the master plan in order to provide a
19 strong relationship between the master plan and the zoning of the land in the planning area; and

20 WHEREAS, pursuant to the procedures for preparation of a master plan, the Prince
21 George's County Planning Board of The Maryland - National Capital Park and Planning

1 Commission published an informational brochure and held a public forum on June 6, 1996, to
 2 inform the public of the intent and procedures for preparing a master plan; established goals,
 3 concepts, guidelines and a public participation program; convened a citizen planning advisory
 4 group (selected by the community) to formulate solutions to issues; invited the community to
 5 two community-wide meetings to review proposed solutions; and formed focus groups to
 6 concentrate on specific issues; and

7 WHEREAS, the District Council and the Planning Board of the Commission held a duly
 8 advertised joint public hearing on the Preliminary Master Plan and the Proposed Sectional Map
 9 Amendment (SMA) for the Heights and Vicinity on July 13, 1999, and subsequently, the
 10 Planning Board adopted the Master Plan and endorsed the Sectional Map Amendment with
 11 amendments, as described in Prince George's County Planning Board Resolution PGCPB No.
 12 99-248 on January 27, 2000; and

13 WHEREAS, the adopted Master Plan and endorsed SMA for the Heights and Vicinity were
 14 transmitted to the District Council on March 27, 2000, and the Council conducted a work session
 15 and added new amendments on April 24, 2000; and

16 WHEREAS, the District Council sought public comment on the amendments which were
 17 described in Council Resolution CR-24-2000, referred the amendments to the Planning Board on
 18 June 8, 2000, held a duly advertised public hearing on the proposed amendments on July 10,
 19 2000, and conducted a work session on October 24, 2000, to review public hearing testimony;
 20 and

21 WHEREAS, upon approval by the District Council, the Master Plan will define land use
 22 policies and serve as the primary guide for future development of this planning area, will
 23 supercede the *Adopted and Approved Master Plan for Subregion VII* (1981) for Planning Area
 24 76A only and the *Sectional Map Amendment for Subregion VII* (1984) for Planning Area 76A
 25 only, and will amend the 1982 *General Plan*, the 1982 *Master Plan of Transportation*, the 1983
 26 *Functional Master Plan of Public School Sites*, the 1992 *Historic Sites and Districts Plan*, the
 27 1975 *Countywide Trails Plan*, and the 1985 *Equestrian Addendum* thereto; and

28 WHEREAS, a principal objective of the Master Plan and Sectional Map Amendment is
 29 protection of the health, safety and general welfare of the citizens of Prince George's County;

30 WHEREAS, the Master Plan and Sectional Map Amendment process provides for periodic
 31 comprehensive review of long-range land use policies and zoning; and, the intent of the

1 Sectional Map Amendment to ensure that future development will be in accordance with the
2 principles of orderly comprehensive land use planning as expressed in the Master Plan, and
3 towards that end, the District Council has found it necessary to change the zoning on properties
4 which, in its judgement, are in conflict with the Master Plan's land use recommendations; and

5 WHEREAS, the District Council, having reviewed supporting materials submitted as part
6 of the comprehensive rezoning proposal and having examined the testimony presented, finds that
7 the accumulated record along with the County plans and policies justifies the zoning changes
8 within the Sectional Map Amendment; and

9 WHEREAS, the comprehensive rezoning of the Heights planning area will change existing
10 zoning which hinders planned development and the implementation of County goals and policies
11 and will minimize future piecemeal rezoning applications; and

12 WHEREAS, the District Council recognizes that the adopted Master Plan encourages
13 redevelopment of various multifamily housing complexes within the Planning Area, to promote
14 better housing opportunities and reduce large concentrations of multifamily properties and those
15 demonstrating deferred maintenance; and

16 WHEREAS, after public hearings and work sessions, the Council has determined that the
17 issue of reducing multifamily residential inventories by reducing zoning intensity transcends this
18 planning area requiring examination by a task force to be established and appointed by the
19 Council; and

20 WHEREAS, because the issue of multifamily inventories and rezonings should be
21 addressed on a County-wide basis or other designated area, the Council will not approve the
22 proposed Amendments 3, 4, 5, 12, 13 and 14 (as contained in CR-24-2000), which would result
23 in reducing the zoning intensity of the properties, but may take action after review and
24 recommendations of the task force which could include rezonings via a sectional map
25 amendment.

26 SECTION 1. NOW, THEREFORE, BE IT RESOLVED by the District Council that the
27 Master Plan and the Sectional Map Amendment for the Heights and Vicinity are hereby
28 approved with the amendments described below:
29
30
31

AMENDMENT 1**Location/Description:**

Northeast corner Indian Head Highway and Livingston Road
(office building at 5410 Indian Head Highway).

Previous Zoning:

C-O Zone

Master Plan:

Service-Commercial land use category. *(The adopted plan recommended the revision from the Office-Commercial land use category to the Service-Commercial land use category.)*

SMA:

C-M Zone. *(The endorsed SMA recommended the revision from the C-O Zone to the C-M Zone (Change E2-2).)*

AMENDMENT 2**Location/Description:**

A 0.9± acre undeveloped parcel on the south side of Owens Road
at Southern Avenue.

Previous Zoning:

R-30 Zone

Master Plan:

No amendment.

SMA:

R-20 Zone. *(The endorsed SMA recommended the revision from the R-30 Zone to the R-20 Zone (Change E2-6).)*

AMENDMENT 3**Location/Description:**

Undeveloped and developed lots and parcels (single-family
dwellings and church) comprising 9.6± acres on the north side of
Owens Road at Addison Street and Addison Road.

Previous Zoning:

R-30C Zone

Master Plan:

Medium-Suburban residential land use category. *(The adopted plan recommended the revision from the Low-Urban residential land use category to the Medium-Suburban residential land use category.)*

SMA:

R-55 Zone. *(The endorsed SMA recommended the revision from the R-30C Zone to the R-55 Zone (Change E3-2).)*

AMENDMENT 4**Location/Description:**

82± acres on the south side of Southern Avenue, adjacent to and including the Southern Avenue Metro Station and the Knights of Columbus property.

Previous Zoning:

R-30C, R-55 and C-2 Zones

Master Plan:

Office-Commercial land use category. *(The adopted plan recommended the revision from the Low-Urban and Medium-Suburban residential land use and the Commercial land use categories to the Office-Commercial land use category.)*

SMA:

C-O Zone. *(The endorsed SMA recommended the revision from the R-30C, R-55 and C-2 Zones to the C-O Zone (revised Change H1-3).)*

AMENDMENT 5**Location/Description:**

3225 Naylor Road (Legends property)

Previous Zoning:

C-M Zone

Master Plan:

Service-Commercial land use category. *(The adopted plan recommended the deletion of the property from the Office-Commercial land use category (original change H2-1) and recommended the Service-Commercial land use category.)*

SMA:

C-M Zone. *(The endorsed SMA recommended the deletion of the property from the C-O Zone (original Change H2-1) and recommended retention of the existing C-M Zone.)*

AMENDMENT 6**Location/Description:**

Developed (former Mr. Wicks Motel site) and undeveloped parcels comprising 4.2± acres on the south side of Oxon Run Drive, north side of Good Hope Avenue, east of Oxon Park Street and west of the Legends site and including the Naylor Road frontage properties between Good Hope Avenue and the Top of the Hill Apartments property, excluding the existing gasoline station.

Previous Zoning:

C-M and R-18 Zones

Master Plan:

Office-Commercial land use category. *(The adopted plan recommended the revision from the Office-Commercial land use category to the Retail-Commercial land use category.)*

SMA:

C-O Zone. *(The endorsed SMA recommended a revision from the C-O Zone to the C-S-C Zone (revised Change H2-2; formerly part of change H2-1).)*

AMENDMENT 7**Location/Description:**

Two developed parcels (restaurant, motel: 3111 and 3131 Branch Avenue) consisting of 2.5± acres on the west side of Branch Avenue, adjacent to the Naylor Road Metro station.

Previous Zoning:

C-S-C Zone

Master Plan:

Office-Commercial land use category. *(The adopted plan recommended the revision from the Retail-Commercial land use category to the Office-Commercial land use category.)*

SMA:

C-O Zone. *(The endorsed SMA recommended the revision from the C-S-C Zone to the C-O Zone (part of revised Change H2-1).)*

AMENDMENT 8**Location/Description:**

Undeveloped Parcel 173 (4.8± acres) on the south side of St. Barnabas Road at the Capital Beltway ramp.

Previous Zoning:

C-O Zone

Master Plan:

Service-Commercial land use category. *(The adopted plan recommended the Office-Commercial land use category.)*

SMA:

C-M Zone. *(The endorsed SMA recommended the C-O Zone (revised Change H5-1).)*

AMENDMENT 9**Location/Description:**

Developed parcels consisting of 6± acres on the east side of Branch Avenue between Curtis Drive and the Branch Avenue Plaza (3200 -3314 Branch Avenue).

Previous Zoning:

C-S-C and C-M Zones

Master Plan:

Retail-Commercial land use category. *(The adopted plan recommended the Office-Commercial land use category.)*

SMA:

C-S-C Zone. *(The endorsed SMA recommended the C-O Zone (Change S1-1).)*

AMENDMENT 10**Location/Description:**

101± acres east of the Town of Morningside, south of Suitland Parkway and west of Rena Road. This includes undeveloped land, the Forest Village Apartments and a developed I-2 zoned site.

Previous Zoning:

R-R, R-18 and I-2 Zones

Master Plan:

Employment land use category. *(The adopted plan recommended the Urban residential land use category for the apartment site and the employment land use category for the balance of the site.)*

SMA:

I-4 Zone. *(The endorsed SMA recommended the existing R-R, R-18 and I-2 Zones.)*

AMENDMENT 11**Location/Description:**

4721 Auth Place (former Toys R Us site)

Previous Zoning:

C-S-C Zone

Master Plan:

Service-Commercial land use category. *(The adopted plan recommended the Retail-Commercial land use category.)*

SMA:

C-M Zone. *(The endorsed SMA recommended the C-S-C Zone.)*

AMENDMENT 12**Location/Description:**

Undeveloped Outlot A comprising 9.5± acres on the north side Auth Place, adjacent to Britannia Way.

Previous Zoning:

I-3 Zone

Master Plan:

No amendment.

SMA:

C-M Zone. *(The endorsed SMA recommended the I-3 Zone (although the C-M Zone was recommended as a future zone to accommodate a particular use (car storage) of the land).)*

AMENDMENT 13**Location/Description:**

Capital Gateway (73.6± acres) property outside of the Capital Gateway Boulevard loop road.

Previous Zoning:

I-1 and I-3 Zones

Master Plan:

Mixed-Use Transportation land use category. *(The adopted plan recommended the Employment land use category.)*

SMA:

M-X-T Zone. *(The endorsed SMA recommended the I-1 and I-3 Zones.)*

AMENDMENT 14**Location/Description:**

Approximately 12± acres of developed lots and parcels (single-family dwellings and a church) on the north side of Auth Road, 600 feet east of Auth Place and extending eastward to Old Soper Road.

Previous Zoning:

R-R Zone

Master Plan:

Retail-Commercial land use category and the **Low Suburban residential land use category** (for the church site only). *(The adopted plan recommended the Urban residential land use category.)*

SMA:

C-S-C Zone and retain the existing **R-R Zone** (for the church site only). *(The endorsed SMA recommended the revision from the R-R Zone to the R-18C Zone (Change SE 2).)*

AMENDMENT 15**Location/Description:**

Undeveloped Lot 33 (1.3± acres) on Capital Gateway Boulevard

Previous Zoning:

R-R Zone

Master Plan:

No amendment.

SMA:

I-3 Zone. *(The endorsed SMA recommended the revision from the R-R Zone to the I-3 Zone (Change SE 7).)*

AMENDMENT 16

Location/Description: Parcels 236, 463 and 465 consisting of one dwelling on 3.4 acres on the south side of Auth Road, east of Mercedes Boulevard.

Previous Zoning: R-R Zone

Master Plan: **Suburban residential land use category.** *(The adopted plan recommended the Low-Urban residential land use category.)*

SMA: **R-80 Zone.** *(The endorsed SMA recommended the revision from the R-R Zone to the R-T Zone (Change SE 3).)*

AMENDMENT 17

Location/Description: Parcels 14 and 27 (part of former Price Club property), consisting of 4.1± acres on the north side of Auth Place, west of Britannia Way.

Previous Zoning: I-3 Zone

Master Plan: No amendment.

SMA: **C-M Zone.** *(The endorsed SMA recommended the I-3 Zone.)*

AMENDMENT 18

Location/Description: Parcel 79, consisting of 2.8± acres, on the south side of Suitland Road across from Poplar Road.

Previous Zoning: C-S-C Zone

Master Plan: **Service-Commercial land use category.** *(The adopted plan recommended the Retail-Commercial land use category.)*

SMA: **C-M Zone.** *(The endorsed SMA recommended the C-S-C Zone.)*

SECTION 2. BE IT FURTHER RESOLVED that staff is authorized to make appropriate text and map revisions to correct identified errors, reflect updated information, and incorporate the changes resulting from Council actions described in this Act.

SECTION 3. BE IT FURTHER RESOLVED that this Sectional Map Amendment is an amendment to the Zoning Ordinance, and the official Zoning Map for the Maryland-Washington Regional District in Prince George's County. The zoning changes approved by this Act shall be depicted on the official Zoning Maps of the County.

SECTION 4. BE IT FURTHER RESOLVED that the provisions of this Act are severable: if any zone, provision, sentence, clause, section or part thereof is held illegal, invalid,

1 unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity,
2 unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions,
3 sentences, clauses, sections or parts of the Act or their application to other zones, persons, or
4 circumstances. It is hereby declared to be the legislative intent that this Act would have been
5 adopted as if such illegal, invalid, unconstitutional or inapplicable zone, provision, sentence,
6 clause, section or part had not been included therein.

7 SECTION 5. BE IT FURTHER RESOLVED that this Act shall take effect on the date of
8 its adoption.

Adopted this 21st day of November, 2000.

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: _____
Dorothy F. Bailey
Chair

ATTEST:

Joyce T. Sweeney
Clerk of the Council