

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

2023 Legislative Session

Resolution No. _____

CR-106-2023

Proposed by _____

Council Member Burroughs

Introduced by _____

Council Members Burroughs, Dernoga, Blegay, Ivey and Hawkins

Co-Sponsors _____

Date of Introduction _____

October 31, 2023

RESOLUTION

A RESOLUTION concerning

The Henson Creek-South Potomac Planning Area Minor Plan Amendment—Minor

Amendment—Approval

For the purpose of approving, with certain revisions herein that are based on the joint public hearing record of testimony, as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Prince George's County, the Henson Creek-South Potomac Planning Area Minor Plan Amendment, amending the 2006 *Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* for portions of Planning Areas 76B and 80 within the minor plan amendment boundaries, generally comprised of the Henson Creek-South Potomac Planning Area portions known as "The Henson Creek Transit Village," "The Broad Creek Transit Village & Medical Park," "The Rosecroft Mixed-Use Area," "Developing Tier," and "Rural Tier."

WHEREAS, upon approval by the District Council, the Henson Creek-South Potomac Planning Area Minor Plan Amendment will amend the 2006 *Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* by modifying guidance for the portions of the Henson Creek-South Potomac Planning Area known as "The Henson Creek Transit Village," "The Broad Creek Transit Village & Medical Park," "The Rosecroft Mixed-Use Area," "Developing Tier," and "Rural Tier"; and

WHEREAS, on March 28, 2023, the County Council of Prince George's County, Maryland, sitting as the District Council, adopted Council Resolution No. CR-020-2023, thereby

1 directing the initiation and preparation of a minor plan amendment and concurrent sectional map
2 amendment for the Henson Creek-South Potomac Planning Area by the Planning Board of the
3 Maryland-National Capital Park and Planning Commission; and

4 WHEREAS, a sectional map amendment was prepared concurrently with this minor plan
5 amendment to implement said plan, as amended; and

6 WHEREAS, the District Council and the Planning Board held a duly-advertised joint
7 public hearing on the Henson Creek-South Potomac Planning Area Minor Plan Amendment and
8 its concurrent Sectional Map Amendment on June 13, 2023; and

9 WHEREAS, on September 7, 2023, the Prince George's County Planning Board held a
10 public work session to examine the analysis of testimony, transcripts of oral testimony provided
11 at the Joint Public Hearing (on June 13, 2023), as well as written testimony and other exhibits
12 contained within the joint public hearing record; and

13 WHEREAS, on September 14, 2023, the Planning Board, upon consideration of the
14 record and staff digest, adopted the Henson Creek-South Potomac Planning Area Minor Plan
15 Amendment with revisions in Prince George's County Planning Board Resolution of Plan
16 Adoption PGCPB No. 2023-93, and transmitted the adopted Minor Plan Amendment to the
17 District Council on September 19, 2023; and

18 WHEREAS, pursuant to Section 27-3502(i)(6) of the Zoning Ordinance, the Planning
19 Board transmitted the Adopted Minor Plan Amendment, technical staff report, and Endorsed
20 Sectional Map Amendment, with their respective recommendations as to same, to the District
21 Council on September 19, 2023; and

22 WHEREAS, on October 24, 2023, the District Council held a public work session,
23 convened as the Committee of the Whole, to examine the Planning Board adopting resolution,
24 staff's technical report, the analysis of testimony prepared by the staff, as well as the array of
25 exhibits and other testimony within the record of public hearing testimony; and

26 WHEREAS, after questions and discussion regarding the record of hearing testimony for
27 the adopted Minor Plan Amendment by members of the District Council, the Committee of the
28 Whole voted favorably on October 24, 2023, to direct staff to prepare a Resolution of Approval
29 of the Henson Creek-South Potomac Planning Area Minor Plan Amendment, incorporating
30 revisions, specifically, to approve Amendments Numbered 1 and 14, respectively, to the 2006

1 master plan as proposed concerning the property located at 2112 Brinkley Road (Tax Account
2 1346022); and

3 WHEREAS, it is the intention of the District Council to approve a Master Plan
4 amendment to reflect revisions to “Map 1: Plan Concept” to include 2112 Brinkley Road and
5 change map shading from “Medium to High Intensity Residential Area” to “Low Density
6 Residential” and move label so it no longer points to this property; and

7 WHEREAS, the District Council has reviewed the Planning Board’s adopted
8 recommendation as to the Henson Creek-South Potomac Planning Area Minor Amendment
9 embodied within PGCPB Res. No. 2023-93; and

10 WHEREAS, the District Council finds that the proposed change to “Map 1: Plan
11 Concept” concerning 2112 Brinkley Road was in fact incorporated—perhaps as an oversight—
12 within the Planning Board in its Adopting Resolution and Recommendation, by way of the
13 Board’s adoption of Attachment 2, “Errata Sheet for the Proposed Henson Creek-South Potomac
14 Minor Master Plan Amendment,” within PGCPB Res. No. 2023-93, attached hereto as
15 Attachment A and incorporated as if fully restated herein; and

16 WHEREAS, notwithstanding the apparent prior inclusion of the revisions to “Map 1:
17 Plan Concept” within Attachment 2 to PGCPB Res. No. 2023-93, the District Council finds that,
18 for purposes of clarity and consistency, its Resolution of Approval should include the stated
19 revision to approve the Minor Plan Amendment as proposed in its March 2023 Resolution of
20 Initiation as to 2112 Brinkley Road, in its Resolution of Approval, as articulated in its motion at
21 the public work session conducted on October 24, 2023; and

22 WHEREAS, after introducing the proposed Resolution of Approval at a public session,
23 the Council referred the Resolution with proposed Revisions to the Planning Board for
24 comments in accordance with law; and

25 WHEREAS, on November 9, 2023, the Planning Board reviewed the proposed
26 Resolution of Approval with proposed Revisions and issued comments in the manner prescribed
27 in the local zoning laws; and

28 WHEREAS, on November 14, 2023, the Council convened as the Committee of the
29 Whole to review the Planning Board’s comments on the proposed Resolution of Approval with
30 proposed Revisions as to the Minor Amendment to the Henson Creek-South Potomac Master
31 Plan; and, after discussion, voted for a favorable recommendation on the legislation.

NOW, THEREFORE, BE IT RESOLVED by the 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, that the 2023 Henson Creek-South Potomac Planning Area Minor Plan Amendment as adopted by Planning Board and embodied within the resolution adopted on September 14, 2023, PGCPB No. 2023-93, being set forth in Attachment A, which is attached hereto and incorporated as if restated fully herein, be and the same is hereby APPROVED, subject to the following revisions, in accordance with express prescriptions of law:

REVISION NUMBER ONE:

Revise “Map 1: Plan Concept” to include 2112 Brinkley Road and change map shading from “Medium to High Intensity Residential Area” to “Low Density Residential”; and move the label on the map so that it no longer points to this property.

REVISION NUMBER TWO:

Revise and amend the Land Use, Transportation, and Public Facilities comprehensive plan Map 14 (insert) to reflect the following designations as to referenced property.

Address: 2112 Brinkley Road

Tax Account: 1346022

2006 Future Land Use Category: Residential Medium

Amended Future Land Use Category: Residential Low

1 BE IT FURTHER RESOLVED that the planning staff is authorized to make appropriate
2 textual and graphical revisions to the Master Plan, as amended, to correct identified errors,
3 reflect updated information and revisions, and otherwise incorporate the changes reflected in this
4 Resolution.

5 BE IT FURTHER RESOLVED that the provisions of this Resolution are severable. If any
6 provision, sentence, clause, section, zone, zoning map, or part thereof is held illegal, invalid,
7 unconstitutional, or unenforceable, such illegality, invalidity, unconstitutionality, or
8 unenforceability shall not affect or impair any of the remaining provisions, sentences, clauses,
9 sections, zones, zoning maps, or parts hereof or their application to other zones, persons, or
10 circumstances. It is hereby declared to be the legislative intent that this Resolution would have
11 been adopted as if such illegal, invalid, unconstitutional, or unenforceable provision, sentence,
12 clause, section, zone, zoning map, or part had not been included therein.

13
Adopted this 14th day of November, 2023.

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
Chair

ATTEST:

Donna J. Brown
Clerk of the Council