

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2013 Legislative Session

Resolution No. CR-83-2013
Proposed by Council Member Patterson (by request – Planning Board)
Introduced by Council Members Franklin and Davis
Co-Sponsors _____
Date of Introduction July 24, 2013

RESOLUTION

1 A RESOLUTION concerning

2 The Subregion 6 Sectional Map Amendment

3 For the purpose of approving, with amendments and revisions, as an Act of the County Council
4 of Prince George's County, Maryland, sitting as the District Council, the Sectional Map
5 Amendment ("SMA") for Subregion 6, thereby setting forth and adopting detailed zoning
6 proposals in Planning Areas 77, 78 (excluding that portion included in the 2007 Approved
7 Westphalia Sector Plan), 79, 82A, 82B, 85B, 86A, 86B, 87A and 87B for the area generally
8 bounded by the Patuxent River (East), the Charles County line (South), the Conrail Line, PEPCO
9 powerline right of way, Piscataway Creek, Andrews Air Force Base, Old Alexandria Ferry Road,
10 Branch Avenue, Allentown Road, Interstate 95/495, Pennsylvania Avenue, Ritchie Marlboro
11 Road (West), White House Road, Largo Road, Watkins Park Drive, Oak Grove Road, Leeland
12 Road, US 301 and District Branch (North).

13 WHEREAS, upon approval by the District Council the Sectional Map Amendment for
14 Subregion 6 will update the 1994 *Subregion VI Study Sectional Map Amendment* (Planning
15 Areas 79, 82A, 82B, 86A, 86B, 87A and 87B); the 1994 *Melwood Westphalia Sectional Map*
16 *Amendment* (Planning Areas 77 and 78 excluding that portion included in the 2007 *Westphalia*
17 *Sectional Map Amendment*); the 1993 *Subregion V Sectional Map Amendment* (Planning Area
18 85B); and

19 WHEREAS, in adopting CR-89-2007 on November 20, 2007, the County Council of Prince
20 George's County, Maryland, sitting as the District Council, authorized initiation of an
21 amendment to the 1994 Approved Sectional Map Amendment for the Subregion VI Study Area,

1 1994 Melwood Westphalia Sectional Map Amendment (excluding the 2007 Westphalia Sector
2 area) and Planning Area 85B of the Subregion V Sectional Map Amendments, in order to
3 develop a comprehensive approach to implementing the recommendations of the 2002 General
4 Plan and to ensure that future development is consistent with County growth policies; and

5 WHEREAS, the District Council approved the Prince George's County Planning Board's
6 initiation of a master plan and concurrent sectional map amendment pursuant to Sections 27-
7 225.01 and 27-641 of the Zoning Ordinance with the adoption of CR-89-2007 on November 20,
8 2007; and

9 WHEREAS, on September 15, 2009, the District Council approved the 2009 Subregion 6
10 Sectional Map Amendment in CR-62-2009; and

11 WHEREAS, pursuant to an action filed in the Circuit Court for Prince George's County, on
12 October 26, 2012, in consolidated cases CAL09-31402/CAL09-32017, the Circuit Court for
13 Prince George's County declared void the adoption of CR-62-2009 by the District Council for
14 failure to meet the affidavit requirement pursuant to Md. Ann. Code, State Gov't § 15-831
15 (2012), and returned the matter to the District Council for review of the recommendations of The
16 Maryland-National Capital Park and Planning Commission ("M-NCPPC"); and

17 WHEREAS, on November 5, 2012, the District Council, on its own motion, and pursuant to
18 the October 26, 2012, Order of Court and § 27-227 of the Zoning Ordinance, voted to reconsider
19 CR-62-2009 concerning the Subregion 6 Master Plan and Sectional Map Amendment; and

20 WHEREAS, by Order dated November 13, 2012, the District Council remanded the
21 Subregion 6 Master Plan and Sectional Map Amendment to the Planning Board for the purposes
22 of compliance with affidavit requirements pursuant to Md. Ann. Code § 15-831 and resubmittal
23 of its January 2009 Preliminary Subregion 6 Master Plan and Proposed Sectional Map
24 Amendment to the District Council; and

25 WHEREAS, in order to reapprove the Subregion 6 Sectional Map Amendment, the District
26 Council for Prince George's County, in conjunction with the Prince George's County Planning
27 Board, held a joint public hearing on April 22, 2013; and

28 WHEREAS, pursuant to Section 27-645(b) of the Zoning Ordinance, on March 21, 2013,
29 the Planning Board referred the public facilities element of the Preliminary Subregion 6 Master

1 Plan and Proposed Sectional Map Amendment for review, comments and identification of any
 2 inconsistencies between the public facilities proposed in the Plan and any existing or proposed
 3 State or County facilities; and

4 WHEREAS, the District Council subsequently did not find any inconsistencies between the
 5 proposed public facilities in the master plan proposal as adopted in CR-54-2013; and

6 WHEREAS, on June 6, 2013, the Planning Board held a work session to consider the public
 7 hearing testimony; and

8 WHEREAS, on June 27, 2013, the Planning Board endorsed the sectional map amendment
 9 with revisions, in response to the public hearing testimony, as described in Prince George's
 10 County Planning Board Resolution PGCPB No. 13-70, and transmitted the endorsed sectional
 11 map amendment and supporting documents to the District Council on July 1, 2013; and

12 WHEREAS, on July 8, 2013, the District Council held a work session to review Planning
 13 Board endorsed SMA, including recommendations on public hearing testimony, as well as the
 14 record and exhibits associated with the Subregion 6 Master Plan and Sectional Map Amendment,
 15 and upon discussion, directed Technical Staff to prepare a resolution of approval incorporating
 16 revisions; and

17 WHEREAS, the District Council has reviewed several comprehensive design zone
 18 proposals and finds the proposals to be in general conformance with the land use
 19 recommendations of the Adopted Subregion 6 Master Plan; and

20 WHEREAS, the District Council recognizes that its actions to approve the comprehensive
 21 design zones as described in the Sectional Map Amendment and approve a Basic Plan for each
 22 development which, combined with policies and strategies in the plan text becomes the basis on
 23 which the second phase, Comprehensive Design Plan, and third phase, Specific Design Plan(s),
 24 will be processed as a continuing development sequence.

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 the Subregion 6 Sectional Map
 28 Amendment as endorsed on June 27, 2013, by PGCPB No. 13-70, be and the same is hereby
 29 approved, with the following revisions:

REVISION ONE:

Modify the SMA to add:

Existing Zone: R-A **Proposed Zone:** C-S-C

Location: SE Crain Highway **Tax Account:** 3951068

Street Address: 6100 Block SE Crain Highway

Land Area: 12.39 ± acres

Legal Description: Tax Map 102, Grid A-4; 208SE13; Parcel 116

Existing Use: Vacant Land

REVISION TWO:

Modify the SMA to add:

Existing Zone: R-R **Proposed Zone:** C-S-C

Location: Dower House Road at MD 223 **Tax Account:** 0916288

Street Address: 6905 Dower House Road

Land Area: 1.52 ± acres

Legal Description: Map 108, Grid F-2; 209SE9; Parcel 65

Existing Use: auto body shop/convenience store and single family dwelling

REVISION THREE:

Modify the SMA to add:

Existing Zone: R-A **Proposed Zone:** M-X-T

Location: SE quadrant MD 223/

South Osborn Road

Street Address: 5800 Woodyard Road **Account:** 1716299

Land Area: 37.61 ± acres

Legal Description: Tax Map 100, Grid B-3; 208SE9; Parcel 6

Existing Use: Vacant Land

REVISION FOUR:

Modify the SMA to add:

Existing Zone: R-E **Proposed Zone:** R-80

Location: 11210 Brown Road

Street Address: 11210 Brown Road

Account: 1712702

Land Area: 9.97 ± acres

Legal Description: Tax Map 83, Grid C-3; Parcel A

Existing Use: Vacant Land

REVISION FIVE:

Modify the SMA to add:

Existing Zone: R-R **Proposed Zone:** I-1

Location: MD 275/Marlboro Racetrack Road

Street Address: Marlboro Pike

Account: 0248161

Land Area: 0.238 ± acres

Legal Description: Tax Map 102; Grid A-1; Parcel 70

Existing Use: Vehicle Storage Yard

BE IT FURTHER RESOLVED that the planning staff is authorized to make appropriate textual, graphical, and map revisions to correct identified errors, reflect updated information and revisions, and incorporate the zoning map changes reflected in this Resolution.

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

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

Adopted this 24th day of July, 2013.

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: _____
Obie Patterson
Vice Chair

ATTEST:

Redis C. Floyd
Clerk of the Council