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

A RESOLUTION concerning

The Marlboro Pike Sector Plan and Sectional Map Amendment

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

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

WHEREAS, on January 22, 2008, in Council Resolution CR-3-2008, the County Council of Prince George’s County, Maryland, sitting as the District Council, directed The Maryland-
National Capital Park and Planning Commission to prepare a new Marlboro Pike Sector Plan and Sectional Map Amendment in order to develop a comprehensive approach to implementing the recommendations of the 2002 General Plan and to ensure that future development is consistent with County policies; and

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

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

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

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

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

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

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

WHEREAS, on June 4, 2009, the Planning Board adopted the Sector Plan and endorsed the Sectional Map Amendment with revisions in response to the public hearing testimony as described in Prince George’s County Planning Board Resolution PGCPB No. 09-84 and transmitted the adopted Sector Plan, endorsed Sectional Map Amendment and supporting
documents to the District Council on June 9, 2009; and

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

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

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

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

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

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

WHEREAS, the District Council finds that preserving residential neighborhoods is an important goal in the Marlboro Pike Plan and where feasible alternative vehicular access for commercial vehicles to the Prince George’s County owned facility located at 3415 North Forest Edge Road shall be evaluated to lessen the impact on the adjacent residential community on North and South Forest Edge Road. In the event of the sale of the property to a private entity for
commercial or industrial use, access and site design should be revised to avoid use of the
residential streets in this neighborhood for commercial access; and

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

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 Marlboro Pike Sector Plan and
Sectional Map Amendment as adopted and endorsed by The Maryland-National Capital Park and
Planning Commission on June 4, 2009, by PGCPB No. 09-84 are hereby approved with the
following revisions and amendments:

AMENDMENTS TO THE SECTIONAL MAP AMENDMENT

AMENDMENT 1 Retain C-M Zone

Existing Use: Gas Station

Street Address: 2000 Brooks Drive

Existing and Endorsed SMA Zone: C-M

Account: 0420638 Acreage: 0.60 acres

Tax Map: 080 Grid: F1 Parcel: A

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

Existing Use: Car Wash/Oil & Lube Station

Street Address: 5401 Marlboro Pike

Existing and Endorsed SMA Zone: C-M

Account: 3679271 Acreage: 2.35 acres

Tax Map: 080 Grid: F1 Lot: 1
AMENDMENT 3  Rezone C-M Zone to C-S-C Zone
   Existing Use: Vacant Commercial Center
   Street Address: 5425 Marlboro Pike
   Existing and Endorsed SMA Zone: C-M
   Account: 0449637  Acreage: 0.63 acres
   Tax Map: 081  Grid: A1  Parcel: 50

AMENDMENT 4  Rezone R-T Zone to C-S-C Zone
   Existing Use: Single-Family Dwelling Unit
   Street Address: 5431 Marlboro Pike
   Existing Zone: R-T  Endorsed SMA Zone: R-18
   Account: 0449629  Acreage: 1.212 acres
   Tax Map: 081  Grid: A1  Parcel: 51

AMENDMENT 5  Rezone I-1 Zone to C-S-C Zone
   Existing Use: Church
   Street Address: 5501 Marlboro Pike
   Existing Zone: I-1  Endorsed SMA Zone: R-18 (SMA Change #B10)
   Account: 0437640  Acreage: 2.67 acres
   Tax Map: 081  Grid: A1  Parcel 52

AMENDMENT 6  Rezone C-M Zone to C-S-C Zone
   Existing Use: Parking Lot
   Street Address: 5410 Marlboro Pike
   Existing and Endorsed SMA Zone: C-M
   Account: 0462184  Acreage: 0.35 acres
   Tax Map: 081  Grid: A1  Parcel: 35
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
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
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
REVISION 6

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

REVISIONS TO THE ADOPTED MARLBORO PIKE SECTOR PLAN

REVISION 1

CHAPTER IV- TRANSPORTATION

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

BE IT FURTHER RESOLVED that the staff is authorized to make appropriate text and map revisions to correct identified errors, reflect updated information, 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; and

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

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.

BE IT FURTHER RESOLVED that this Resolution shall take effect on the date of its 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