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## Zoning Map Amendment

## A-10006

Application	General Data
<b>Project Name:</b> Curtis Farm  <b>Location:</b> East side of MD 5/US 301, at the southeast quadrant of its intersection with Cedarville Road, extending to the Charles County line.  <b>Applicant/Address:</b> George Curtis, Jr. & Lyda Curtis 7911 Cedarville Road Brandywine, Maryland 20613	Date Accepted: 04/23/2008
	Planning Board Action Limit: N/A
	Plan Acreage: 51.637
	Zone: R-R
	Dwelling Units: N/A
	Gross Floor Area: N/A
	Planning Area: 85A
	Tier: Developing
	Council District: 09
	Municipality: N/A
	200-Scale Base Map: 221SE07

Purpose of Application	Notice Dates
Rezoning from the R-R Zone to the C-S-C Zone.	Adjoining Property Owners Previous Parties of Record Registered Associations: 01/24/2008 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: N/A

Staff Recommendation		Staff Reviewer: Tom Lockard	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

October 22, 2008

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board  
The Prince George's County District Council

VIA: Jimi Jones, Zoning Supervisor

FROM: Tom Lockard, Planner Coordinator

SUBJECT: **Zoning Map Amendment Application No. A-10006**

REQUEST: **Rezone property from the R-R Zone to the C-S-C Zone for development of retail commercial uses.**

RECOMMENDATION: **DENIAL**

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NOTE:

This application is on the agenda for the Planning Board to decide whether or not to schedule a public hearing. If the Planning Board decides to hear the application, it will be placed on a future agenda.

Any person may request the Planning Board to schedule a public hearing. The request may be made in writing prior to the agenda date or in person on the agenda date. All requests must specify the reasons for the public hearing. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in this application. The request must be made in writing and sent to the Office of the Zoning Hearing Examiner at the address indicated above. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

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## FINDINGS:

A. **Location and Field Inspection:** The subject 51.64-acre site is located at the southeast quadrant of the intersection of Crain Highway (US 301) and Cedarville Road, extending south to the Charles County line. The subject property consists of a tax parcel (Parcel 2, Map 165, Grid A-1) and is classified in the R-R Zone. It has not been subdivided. This subject property has been used for agricultural purposes for many years and contains several dwellings and associated outbuildings.

B. **History:** The 1993 *Approved Master Plan and Adopted Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B* retained the subject site in the R-R (Rural Residential) Zone.

C. **Master Plan Recommendations:**

**2002 General Plan:** This application is located in the Developing Tier and in a corridor with limited access highway. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. The General Plan states that “Developing Tier ... Corridors should be developed at sufficient intensities with integrated mixed land uses, sustain existing bus service, and create additional opportunities for more walk-, bike-, or drive-to-transit commuting.”

**1993 Approved Master Plan for Subregion V:** The property is located in Planning Area 85A. The master plan recommended employment-industrial type uses for the subject property as part of Employment Area C and envisioned that the neighborhood would include employment-office, light manufacturing/business and accessory commercial uses. The 1993 *Approved Master Plan and Sectional Map Amendment for Subregion V Planning Areas 81A, 81B, 83, 84, 85A and 85B* retained the subject property in the R-R Zone, per the request of the resident property owner for continued residential use and as premature for industrial development.

D. **Request:** This applicant is requesting a rezoning of the subject property from the R-R to the C-S-C Zone for development of retail commercial uses.

E. **Neighborhood and Surrounding Uses:**

The subject property is located in a neighborhood defined by the following boundaries:

North—	Brandywine Road (MD 381)
South—	Mattawoman Creek (Charles County Line)
East—	CSX Railroad Line
West—	Robert S. Crain Highway (US 301)

While this neighborhood is somewhat large and ignores Cedarville Road as a northern boundary, it does correlate to the 1993 master plan boundary for Employment Area C. If Cedarville Road were to be chosen, it would constrict the neighborhood to the point where it would contain only the applicant’s property. The neighborhood proposed by the applicant is generally consistent with that which was accepted for the two Brandywine Crossing rezoning cases (A-9980 & A-9990) to

the north. The neighborhood is developing with a mix of residential and commercial uses. The few existing industrial/employment uses envisioned by the master plan are located to the north and northeast of the subject property.

The property is surrounded by the following uses:

- North— I-1 zoned properties developed with miscellaneous industrial/commercial service uses (gas station/convenience store, Panda power plant, Soil Safe soil reclamation company) and a large warehouse store (the former Wards warehouse).
- South— Mattawoman Creek, beyond which are strip-commercial uses in Charles County.
- East— CSX Railroad spur line, beyond which are residential and agricultural uses in the R-A Zone.
- West— Crain Highway (US 301) across which is undeveloped land in the C-M and R-A Zone.

**F. Zoning Requirements:**

**Section 27-157(a)(1) of the Zoning Ordinance provides that no application shall be granted without the applicant proving that either:**

- (A) There has been a substantial change in the character of the neighborhood; or**
- (B) Either**
  - (i) There was a mistake in the original zoning for property which has never been the subject of an adopted Sectional Map Amendment, or**
  - (ii) There was a mistake in the current Sectional Map Amendment.**

**Applicant's Position:**

**Change:** The applicant notes that since the last sectional map amendment (SMA), there have been four rezoning applications approved by the District Council within the subject neighborhood (A-9980, A-9990, A-9987, and A-9988). The first two applications involved a change in zoning from an industrial/employment zone (I-1 and I-3) to a commercial zone (C-S-C) for a large retail commercial center. The latter rezoned property from the I-3 and E-I-A Zones to the R-M and L-A-C Zones, respectively, for a mixed use residential/commercial development. The applicant contends that the subject application should not be treated dissimilarly.

With the development of retail commercial forthcoming on the Brandywine Crossing properties to the north, the applicant believes that the character of the neighborhood has changed to the point to warrant the rezoning from residential to commercial.

**Mistake:** The applicant contends that retaining the subject property in the R-R Zone in the SMA was a mistake. The District Council based their recommendation for employment uses in Employment Area C in the 1993 master plan on the mistaken belief that the land, having gone through the preliminary plan process, was on the threshold of development. However, little of this

anticipated development has occurred in the more than 15 years that have elapsed since the approval of the master plan. Thus, the assumptions or premises relied upon by the District Council at the time of the master plan were invalid or have proven erroneous over time.

Further, the master plan recommended different commercial uses on the opposite side of US 301, although both sides show virtually identical characteristics. There was no rationale given for this difference. The C-S-C Zone would permit flexibility of design and use of the property without limiting the property to residential development, in turn serving a retail deficient neighborhood. As evidence, the applicant offers that the 2010 county population estimate (840,921) was exceeded in 2004 (842,967). This mistake in estimation corresponds to the subregion as well, for which the master plan estimated a 2010 population of 53,922, while evidence in the record of A-9990 placed the 2004 population within a seven-mile radius of the site at 116,675.

To summarize:

1. The subject property was retained in the R-R Zone despite being located in Employment Area C with a recommendation for industrial/employment uses.
2. The master plan severely underestimated the population increases and the demographic trends.
3. Areas set aside for employment development never developed as such despite the 15 year time period since the comprehensive rezoning.

These instances are mistakes revealed through the passage of time.

#### **Staff's Analysis:**

**Change:** It is difficult to argue that the development dynamic of Employment Area C has turned out differently than was envisioned by the County in 1993. Although it could be argued that the recommendations of the 1993 master plan were not expected to happen overnight, the fact remains that there has been little industrial development in this area, and some of what has developed has either changed use (the Wards warehouse, to the north) or is to be subsumed by the commercial retail proposed in the Brandywine Crossing cases. It should be noted that the industrial uses that have developed here (particularly the Panda power plant and Soil Safe soil treatment facility (the largest such facility on the east coast)) have located in proximity to the subject property. The retail commercial centers relied upon by the applicant have not yet been built although they have been diligently moving their way through the various approval processes and may have, by the time this case is considered in public hearings, commenced in some manner. The Villages of Timothy Branch just recently received their approval by the District Council and are not as far along. Staff would note that those two cases (A-9987 and A-9998) were for comprehensive design zones and hinged on their conformance to the 2002 General Plan, not on an argument of change and mistake. Further, the development occurring at the time of and since the SMA, in proximity to the subject site, has given the immediate neighborhood a decidedly more industrial rather than a less industrial flavor. A power plant and soil reclamation facility are certainly not evidence of a change from industrial uses to commercial ones. Rezoning themselves, without some substantial physical change to see in the field, are generally not accepted as strong evidence of a change. Many rezonings go through the entire development approval process only to languish and never come to fruition for a host of reasons.

**Mistake:** Staff points out that there is a strong presumption of validity accorded a comprehensive rezoning. The presumption is that at the time of its adoption of the comprehensive rezoning, the District Council considered all of the relevant facts and circumstances then existing concerning the subject property. Mistake or error can be shown in one of two ways:

- A. A showing that at the time of the comprehensive rezoning the District Council failed to take into account then existing facts or reasonably foreseeable projects or trends or;**
- B. A showing that events that have occurred since the comprehensive zoning have proven that the District Council's initial premises were incorrect.**

The 1993 approved master plan for Subregion V recommends industrial development for the subject property. The zoning to achieve the master plan's recommendation was not placed upon the site at the request of the property owner during the subsequent sectional map amendment. The owner prevailed in their argument for continued residential use, calling industrial development premature. In this case it would seem, 15 years ago, the owner of the property was more prescient than was the County. It now seems somewhat disingenuous for the applicant to now argue that the District Council was mistaken to grant their request. While they claim that to treat them dissimilarly would be unfair, staff would note several ways that this property is different than the subject properties to the north:

1. The subject property, unlike all other four properties to the north, was retained in the residential zone in which it existed at the time of the SMA. It was never placed in an industrial zone.
2. The subject property, unlike the two commercial rezonings to the north, had never been subdivided for development and was thus not as far along in the development process.
3. The two applications at the Villages of Timothy Branch were for comprehensive design zones, not Euclidean zones. Change or mistake was not an issue in those cases, rather they hinged on their compliance with the recommendation of the 2002 General Plan. They also are for a mixed-use development rather than strictly a retail commercial use, as would be developed here.

The applicant also argues that the District Council should have treated the frontage along the east side of US 301 in a similar fashion to the west side, most of which was placed in the C-M Zone, since "both sides share virtually identical characteristics." This ignores the spur line of the CSX Railroad tracks that runs through Employment Area C. There is no such heavy freight line (and potential transit along the main line) running along the west side of US 301.

It is also true that the population estimates for Prince George's County were reached sooner than was expected. However, this can bring about many other needs than just retail commercial. Housing and job needs are driven by population as well. As far as the 116,675 persons within a seven-mile radius of the site of A-9990 are concerned, the applicant does not explain how that measure differs from the subregion. If, in fact, the radius is applied consistently from a center point, it would take in substantial areas of Charles County which have seen significant increases over the last several decades.

The applicant's arguments raise valid points about the amount of time that has elapsed since the last comprehensive rezoning. Many years have passed and the industrial employment envisioned

by the plan has not materialized. While it is widely recognized that a planning area should undergo comprehensive rezoning more frequently than every 15 years, we do not agree that failure to develop within the lifetime of a master plan constitutes a mistake.

- G. **Conformance with the Purposes of the C-S-C Zone:** The purposes of the C-S-C Zone are contained in Section 27-454(a)(1) of the Zoning Ordinance and are as follows:

- (A) **To provide locations for predominantly retail commercial shopping facilities;**
- (B) **To provide locations for compatible institutional, recreational and service uses;**
- (C) **To exclude uses incompatible with general retail shopping centers and institutions;**  
**and**
- (D) **For the C-S-C Zone to take the place of the C-1, C-2, C-C and C-G Zones.**

If the proposed rezoning were approved, the subject property would conform to most of the above purposes. However, a condition of approval would need to be added to require the applicant to file a detailed site plan application to ensure compatibility with the surrounding residential and industrially-zoned properties.

- H. **Referral Responses:**

1. **Environmental Planning Section:** The 51.63-acre property in the R-R zone is located in the southeast quadrant of the intersection of Crain Highway (US 301) and Cedarville Road (MD 381). The southern boundary of the site is Mattawoman Creek, and the eastern boundary is the CSX Railroad line. Current air photos indicate that 95 percent of the site is in open farm fields, and only two acres of the site are wooded. Numerous residential and agriculturally-related buildings are located on the property. This site contains streams, 100-year floodplain and wetlands associated with Mattawoman Creek in the Potomac River watershed. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. Cedarville Road is designated in the Subregion V master plan (1993) as a historic road. Crain Highway (US 301), which borders the site to the west, is a master-planned divided arterial, and an existing source of traffic-generated noise. According to the *Prince George's County Soil Survey*, the principal soils on the site are in the Beltsville, Bibb, Croom, Iuka, Leonardtown and Sassafra series. All of these soils, except for Sassafra, are hydric and may present difficulties due to high water tables and impeded drainage. Marlboro clay does not occur in this area. The site is in the Developing Tier according to the General Plan. According to the *Approved Countywide Green Infrastructure Plan*, the Mattawoman stream valley along the southern boundary is a regulated area and approximately the lower half of the property is within an evaluation area.

**Conformance with the Master Plan**

The subject property is located within the Subregion V approved master plan and sectional map amendment (1993). The site is located in the Brandywine Special Study Area. The protection of environmental features in accordance with the master plan has not been addressed in the zoning amendment application. Reviews during future development phases will provide a more detailed evaluation of conformance with the master plan.

### **Conformance with the Countywide Green Infrastructure Plan**

The site contains regulated areas, evaluation areas, and small network gaps identified in the Countywide Green Infrastructure Plan, which are consolidated along the stream corridor located along the southern border of this site. The site is located within the Mattawoman Creek Stream Valley Special Conservation Area.

The Mattawoman Creek is a 60,300-acre watershed located in Prince George's and Charles Counties. Approximately 18,500 acres of the total watershed is located in Prince George's County. The creek originates in Brandywine in Prince George's County and flows south towards Waldorf in Charles County, where it begins to form the border between the two counties at US 301.

The Mattawoman Creek and its tidal and non-tidal wetlands were identified in a 1981 Maryland Department of State Planning report on areas of critical State concern. The creek, its wetlands and its tributaries are among the most productive finfish spawning and nursery streams in the entire Chesapeake Bay region. The nontidal wetland areas support unusually large numbers of fish-eating wildlife, especially Great Blue Herons, Great Egrets, Bald Eagles, and Black-Crowned Night Herons.

The quality of the water entering the stream systems in the watershed is of particular concern. The Benthic IBI (1999–2003 biological assessment) for the Mattawoman Creek is poor; the habitat rating (1999–2003 biological assessment) is fair. When evaluation areas occur within the watershed, the woodlands present should be preserved adjacent to streams to widen the corridors adjacent to regulated areas to protect water quality. Reviews during future development phases will provide more detailed evaluation of conformance with the Green Infrastructure Plan.

### **Environmental Impacts**

No natural resource inventory plan (NRI) or forest stand delineation (FSD) was submitted with the subject application, and are not required as part of a zoning amendment application. It should be noted that an NRI and other environmental information must be approved prior to submittal of a preliminary plan, and is recommended for any other development application.

The southern portion of the site contains small stream branches and wetland areas. The open quality of the site makes the construction of large pad sites for the development of commercial-style buildings easy to accommodate, and allows for development to be focused away from the regulated and evaluation areas of the site.

Because the protection of the water quality of Mattawoman Creek is a priority concern, impervious surfaces should be fragmented and water quality treatment should occur using micro-management techniques throughout the site.

This site will be subject to the provisions of the Woodland Conservation and Tree Preservation Ordinance because the site is larger than 40,000 square feet in area, and contains more than 10,000 square feet of woodlands.

The proposed rezoning will result in a decreased woodland conservation threshold requirement for the site from 20 percent to 15 percent, but because the amount of existing woodland on the site falls below the woodland conservation threshold, a 15 percent afforestation requirement will be applied regardless of the zoning. As a result there is



little difference between the amounts of woodland conservation that would be required for the subject property if the subject application is approved.

A tree conservation plan will be required when appropriate in the development process. Because most of the site contains regulated areas and evaluation areas within the designated green infrastructure network, and is an identified special conservation area in the Countywide Green Infrastructure Plan, woodland conservation should be provided on-site to the greatest extent possible.

### **Environmental Constraints**

According to the *Prince George's County Soil Survey*, the principal soils on the site are in the Beltsville, Bibb, Elkton, Iuka, Leonardtown and Sassafras series. Except for Sassafras, all of these soils are hydric, have perched water tables and impeded drainage. High groundwater is problematic for both foundations and basements.

Crain Highway (US 301) is an existing source of traffic-generated noise, and a master planned arterial in the segment adjacent to the subject property. Because the requested zoning is commercial, mitigation to reduce noise levels to those required for residential uses is not required. If residential-type uses or uses that result in the need for noise mitigation are proposed, noise evaluation will take place with the appropriate application.

### **Historic Road**

Cedarville Road is designated in the Subregion V master plan as a historic road, and is subject to the *Prince George's County Design Guidelines and Standards for Scenic and Historic Roads* prepared by the Prince George's County Department of Public Works and Transportation (DPW&T).

The master plan proposes that the existing roadway be upgraded to collector standards. There may be historic or scenic characteristics that should be identified and preserved within the adjacent viewshed as part of the proposed development application.

An inventory of significant visual features for the viewshed adjacent to the right-of-way of Cedarville Road should be submitted with the next development review application. This information can be included on the forest stand delineation or tree conservation plan for the site, if appropriate.

## **2. Community Planning South Division:**

### **1993 Subregion V Master Plan**

The 1993 Subregion V master plan recommends development of employment land uses at this location and to the north. Rural living area land uses are recommended to the east. To the west, across MD 5/US 301, commercial land use is recommended. The southern boundary of the property is Mattawoman Creek, which is also the boundary with Charles County. Preparation of a new master plan and SMA for Subregion V is in progress. It is anticipated that a preliminary master plan and SMA will be published in early 2009 for review at a joint public hearing by the Planning Board and District Council, tentatively scheduled for March/April 2009. Final approval of the new plan and SMA is anticipated in the Summer/Fall 2009 and will establish new land use policies for the area including the subject property.

## **2002 General Plan**

In 2002, the countywide General Plan approved goals, objectives, policies and strategies organized around a theme of development tiers, corridors and centers. Although most of the 1993 Subregion V master plan's Employment Area C and the Brandywine Special Study Area (west of US 301/MD 5) was designated in the General Plan as a "Center (possible future)" the subject property is south of (outside) the Center boundaries. The subject property is located within the Developing Tier, and within a "Corridor with Limited Access Highway" (see above vision for each policy area).

In approving the 2002 General Plan, the District Council states that "upon approval, the General Plan...will amend current master plans and functional plans with respect to countywide goals, objectives, policies and strategies..." (CR-47-2002 (DR-2)), page 2, lines 9–13). Accordingly, there are several General Plan goals, guiding principles, priorities, objectives and policies with respect to corridors in the Developing Tier that are pertinent to evaluation of this application.

## **Economic Development**

The 2002 General Plan specifies that "with the exception of high-quality schools, quality economic development is the highest countywide priority. Related to this, a major objective of the general plan is to increase the jobs to population ratio (J:P) by 39 percent over the next 25 years." (p. 75) In addition, the General Plan includes "detailed criteria for future planning priorities in designated growth Tiers, Centers, Corridors" in Table 8: Evaluation Criteria (p. 98). It is worth noting that for corridors, one of three criteria is the "potential for mixed-use projects with a heavy employment component that will increase the jobs-to-housing ratio." The requested C-S-C Zone typically results in automobile-oriented retail shopping centers with generally lower intensity employment patterns.

## **Developing Tier—Corridor Designation**

This application is located in a corridor with limited access highway in the Developing Tier. A corridor is where more intense development is anticipated in the future. In General Plan designated corridors, development is envisioned as being concentrated at nodes with an intense mix of land use types (both vertical and horizontal) and a strong emphasis on pedestrian- and transit-oriented design. Along limited access highways, corridor node designations are limited to the area generally within one-quarter mile of an interchange/intersection and not extend into the Rural Tier. The General Plan does not specifically identify the intersection of MD 5/US 301 and Cedarville Road as a corridor node; that determination should be made in the context of the new master plan. The subject property is adjacent to the Rural Tier to the east, across a railroad track, which is roughly one-quarter mile from MD 5/US 301. Any development of this site should be carefully buffered to screen the view from the Rural Tier.

## **Planning Background and On-going Planning Studies**

In the 1993 master plan, it was anticipated that industrial development recommendations were long range, stating that: "Employment growth (in Subregion 5)...is forecast to be slower than in the rest of the County until after the turn of the century." (p. 29) The industrial development that has taken place in Employment Area C is primarily located in the immediate vicinity of the subject property. A very large, high-bay industrial warehouse, a vehicle salvage/auction yard, and an electric power generation plant are located directly across Cedarville Road from the subject property; a soil reclamation operation is located a little farther north along a railroad track. The railroad track is located on the eastern periphery of this application and has the potential to provide rail

access to this site. As such, maintaining an employment-industrial focus for future development of this area is not unreasonable.

### **Commercial Rezoning Applications**

Industrial development in Employment Area C has been even slower than anticipated by the land owners and the development community. Rezoning applications to allow other land uses perceived to be more marketable have been submitted in Employment Area C over the past several years. The District Council has recently approved two commercial rezoning applications (A-9980 and A-9990) in Employment Area C that changed the zoning from industrial to the C-S-C (Commercial Shopping Center) Zone. These properties are located in the south-central portion of Employment Area C, and are under construction as a large shopping center. In 2008, two (mostly residential) rezoning applications (A-9987 and A-9988) were approved north of the subject property that changed the zoning from industrial zones to L-A-C (Local Activity Center) and R-M (Residential-Medium) Comprehensive Design Zones. Approximately 1,200 dwelling units and over three-quarters of a million square feet of retail commercial development has been approved in Brandywine Employment Area C that were not anticipated by the 1993 master plan via these rezoning applications. These decisions shift the employment orientation recommended by the master plan in the central portion of Employment Area C from industrial, office or service jobs to residential and commercial retail or office jobs. These shifts affect the types of employment anticipated by the master plan as well as employee and customer transportation travel patterns, which are largely automobile dependent. The impact of these changes should be evaluated in the context of the new master plan and the transportation network evaluation conducted therein before additional automobile-oriented commercial retail development is approved.

### **US 301 Waldorf Area Transportation Improvement Project**

A US 301 Waldorf Area Transportation Improvement Project is under study by the Maryland State Highway Administration (SHA) to identify alternatives for new roads, road improvements or transit options that address growing traffic congestion issues along the MD 5/US 301 corridor in northern Charles County and southern Prince George's County. A number of transportation alternatives and improvement options have been identified and are being evaluated in comparison to each other. These alternatives will have varying impacts on the subject property, depending on which alternative is selected. Prince George's County is on record in opposition to one of the selected corridors, the western by-pass of Waldorf, which is located several miles to the west of the subject property. The remaining alternatives are closer to the subject property, including improvements along the MD 5/US 301 alignment or a new corridor somewhat to the east of the subject property. The selection of an alternative and the effect on land uses along the corridor is an issue to be addressed in the new Subregion V master plan that is also in progress. Recommendations from the SHA study are anticipated within the time frame of the master plan review and approval process. For more detail, the Transportation Planning Section of the Countywide Planning Division should be consulted.

### **US 301/MD 5 Transit Right-of-Way Preservation Study**

The Maryland Mass Transit Administration is conducting a study to identify possible future bus rapid transit/light rail alignments and locations for transit stations along the MD 5 corridor. It is anticipated that the new Subregion V master plan will recommend right-of-way alignments and transit stop locations, along with mixed-use, pedestrian-oriented development patterns that will reinforce and support transit services. At present, these locations are foreseen as nearly one mile farther north in the

MD 5/US 301 corridor than the subject property, due to the more diverse mix and higher concentration of ongoing and proposed development activity.

## **CONCLUSION**

The 1993 Subregion V master plan recommends employment-industrial land uses for the subject property. The 2002 General Plan identifies the property in a designated corridor for mixed-use, transit-oriented development at designated nodes. The requested rezoning to the C-S-C Zone would allow for additional commercial retail shopping center development and primarily automobile-oriented transportation travel patterns that were not anticipated by the 1993 Subregion V master plan. Industrial development that has occurred since 1993 is adjacent to the subject property, which is also located along a railroad line. The existing master plan recommendation for employment development may still be appropriate at this location. Any decision to change the master plan recommendations, or how to interpret the corridor policies of the 2002 General Plan, and related rezoning decisions should be made in context of the comprehensive evaluation now in progress via the new Subregion V master plan and SMA. Staff, finding neither substantial change to the character of the neighborhood or mistake in the comprehensive rezoning, recommends DENIAL of A-10006.