



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Zoning Map Amendment

**A-9970**

Application	General Data
<b>Project Name:</b> Renard Lakes  <b>Location:</b> Northwest corner of US 301 and Dyson Road, known as 12401 Southwest Crain Highway.  <b>Applicant/Address:</b> SCAD, LLC 5450 Branchville Road Branchville, Maryland 20740	Date Accepted: 4/18/05
	Planning Board Action Limit: NA
	Plan Acreage: 167.84
	Zone: I-1
	Dwelling Units: 429
	Square Footage: NA
	Planning Area: 85A
	Tier: Developing
	Council District: 09
	Municipality: N/A
	200-Scale Base Map: 216SE08

Purpose of Application	Notice Dates
Rezoning from I-1 to R-S	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed:

Staff Recommendation		Staff Reviewer: JONES, JIMI	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
			X

October 4, 2005

**TECHNICAL STAFF REPORT:**

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

FROM: Jimi Jones, Acting Zoning Supervisor

SUBJECT: **Zoning Application No. A-9970**

REQUEST: Rezoning the subject property from the existing I-1 (Light Industrial) Zone to R-S 2.7-3.5 ("Residential Suburban") Zone, a comprehensive design zone (CDZ)

RECOMMENDATION: **Discussion**

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NOTE:

The Planning Board has scheduled this application for review on the agenda date indicated above. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3530 for additional information.

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## **FINDINGS:**

- A. **Location and Field Inspection:** The subject property, consisting of 167.84 acres, is located on the west side of US 301, Crain Highway, north of its intersection with Dyson Road. Access to the property is proposed from Dyson Road. The property has approximately 1,200 feet of frontage along Dyson Road. The subject property has been permitted for use as a sand and gravel surface mining site, a gravel wash plant, and an asphalt batching plant.

B. **History:**

The 1964 adopted General Plan placed the subject property (“property”, “parcel” or “site”) into the R-R (Rural Residential) Zone.

The 1974 Subregion V master plan recommended suburban residential uses with an ultimate density of 2.6 dwelling units (du/acre)

The 1978 adopted sectional map amendment for Brandywine rezoned the property from the R-R to the R-A Zone

The 1992 proposed SMA included a proposal to rezone the subject property from the R-A to the R-R Zone. The 1992 adopted plan recommended low suburban living area up to 2.6 du/acre. The 1992 endorsed SMA rezoned the property from the R-A to the R-R Zone.

The owner of the property requested that the property be placed in the I-1 Zone because the site is used for sand and gravel mining and has direct access onto US 301. An amendment to the plan was proposed for employment-industrial land use and SMA reclassification to the I-1 Zone (CR-17-1992).

The 1993 Subregion V master plan and approved sectional map amendment rezoned the subject property from the R-A to the I-1 Zone and approved employment-industrial land uses for the subject property (CR-60-1993)

- C. **Master Plan and General Plan Recommendations:** The 1993 Subregion V master plan and approved sectional map amendment place the subject property in the I-1 (Industrial) Zone and recommend employment-industrial land uses. The master plan identifies the subject site as part of Employment Area L on page 79.

The 2002 approved General Plan places the subject property in the Developing Tier. 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.

- D. **Request:** The applicant is requesting an amendment of the basic plan to rezone the subject property from the existing I-1 (Light Industrial) Zone to R-S 2.7-3.5 (“Residential Suburban”) zone, a comprehensive design zone (CDZ).

The proposed Renard Lakes at Smith Bond Farm will be developed as a comprehensively planned community. A total of 429 units are proposed on the 167.84-acre site. The proposed development will be designed as a series of neighborhoods, each with a distinctive character, connected by a

pedestrian and vehicular circulation system. Three existing lakes and the associated gathering spaces will be designed as the central feature for the entire development. This development will be designed to provide housing for a community with a range of lifestyles, ages and incomes. The proposed housing includes 345 single-family houses and 84 townhouses. Three types of single-family houses are proposed on varying-sized lots. The applicant proposes public benefit features which include an extensive pedestrian system for the development. The public benefit features will allow the applicant to increase the residential density to approximately 2.9 dwelling units per acre.

**E. Neighborhood and Surrounding Uses:**

The property is surrounded by the following uses:

**North**— PEPCO transmission line right-of-way and R-O-S (Reserved Open Space) zoned land owned by the Maryland Veterans Commission.

**East**— Industrial uses in the I-1 Zone and US 301, Robert Crain Highway, beyond the industrial uses

**South**— Dyson Road and commercial uses in the C-M Zone across from Dyson Road

**West**— Piscataway Creek Stream Valley Park owned by M-NCPPC. The county recycling drop-off facility is located on the southeast corner of this property. The M-NCPPC Police Fire Arms Range is located on the northeast corner of this property.

The Subregion V master plan places the property in the Gwynn Park neighborhood of the North Village of the Brandywine Community. The triangular-shaped neighborhood is defined by Piscataway Creek and the PEPCO transmission line right-of-way to the north, US 301 to the east, and MD 5 to the west.

**F. Zoning Requirements:**

**Section 27-195(b):**

**Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:**

**(A) The proposed Basic Plan shall either conform to:**

- (i) The specific recommendation of a General Plan map, Area Master Plan map; or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties; or**

The applicant is requesting a rezoning of the property from industrial to residential in order to accommodate 429 residential units on the subject property.

The subject property was placed in the I-1 Zone in order to accommodate employment uses during the 1993 sectional map amendment for Subregion V. The 1993 master plan identifies the subject property as “Employment Area L.” The 2003 General Plan, however, does not encourage employment areas outside of the identified centers and corridors. The General Plan establishes an employment center south of the subject property in the vicinity of the US 301-Branch Avenue (MD 5) intersection. The major objectives of the General Plan are to increase the jobs to population ratio by 39 percent over the next 25 years and ensure that adequate land is available for economic development activities.

This application is not consistent with the master plan, which identifies the subject site as part of Employment Area L on page 79. The subject site is intended to provide employment within the Brandywine Community, specifically within the North Village of Brandywine.

The subject site has excellent access via US 301 and Dyson Road, and the frontage properties will be highly visible to the traveling public. Also, these major roads, the park property to the west, and the electrical transmission line to the north provide substantial buffers from future residential development in the North Village. Therefore, this site is more suitable for industrial uses.

The proposal is, however, consistent with the master plan Residential Planning Guidelines that encourage high quality development, the preservation of sensitive natural features, provide a variety of home designs, building styles and housing types, and promote trails and open spaces.

Compliance with the above finding is under discussion. The applicant has provided additional information for compliance with this finding. Staff is currently reviewing the additional information.

**(ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses.**

The proposed development is in accordance the General Plan’s goals and policies of the Developing Tier including the maintenance of low- to moderate-density land uses and preservation of environmentally sensitive areas. The basic plan also fulfills a number of the objectives of the master plan for living areas including the removal of incompatible uses within living areas; the preservation of natural and scenic assets as an integral part of residential areas to enhance the character, quality and livability of the Subregion; and to provide a wide range of housing opportunities and neighborhood choices which meet the needs of different age groups, family sizes, lifestyles, and incomes. Compliance with the above finding is under discussion. In order to demonstrate compliance with this finding, the applicant has provided additional information. Staff is currently reviewing the additional information.

**(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan;**

While an economic analysis is not formally required for a comprehensive design zone that does not propose to include retail commercial area, the applicant prepared a study to illustrate the positive economic impacts of the proposed development on the regional and countywide economies. Compliance with the above finding is under discussion. The applicant has provided additional information for compliance with this finding. Staff is currently reviewing the additional information.

- (C) Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;**

The applicant has prepared a Traffic Impact Analysis to demonstrate conformance with this section of the Ordinance. The Traffic Impact Analysis is currently under review. Compliance with the above finding is under discussion. The applicant has provided additional information for compliance with this finding. Staff is currently reviewing the additional information.

- (D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;**

The Historic Preservation and Public Facilities Planning Section has reviewed this basic plan amendment request. Compliance with the above finding is under discussion. The applicant has provided additional information for compliance with this finding. Staff is currently reviewing the additional information.

- (E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.**

Compliance with the above finding is under discussion. The applicant has provided additional information for compliance with this finding. Staff is currently reviewing the additional information.

- (2) Notwithstanding subparagraphs (C) and (D), above, where the application anticipates a construction schedule of more than six (6) years (Section 27-179), public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider**

**such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.**

The applicant submits that the proposed development will be completed within six years.

**Sec. 27-191. Planning Board procedures.**

- (a) Each application requesting a Comprehensive Design Zone shall be reviewed by the Planning Board, who shall also make a recommendation on the case.**
- (b) The Planning Board hearing date shall be at least thirty (30) days after the Technical Staff Report is published. The Board shall notify (in writing) all persons of record, and all other persons who requested (in writing) a copy of the Technical Staff Report, of the hearing date.**

The Planning Board hearing is scheduled for November 3, 2005. This technical staff report is being released on October 4, 2005, as required by Section 27-191(b). The applicant has submitted additional information to address the required findings. It is anticipated that additions and modifications to the staff report will be made prior to the Planning Board hearing. A revised technical staff report with final recommendations will be released by October 19, 2005.

- (c) Prior to or at the Planning Board's hearing, the applicant and any other person may submit written responses to the Technical Staff Report, together with any supporting material. If it is not foldable, the material shall be not larger than eighteen (18) inches by twenty-four (24) inches. The responses and attachments shall become a part of the record that will be forwarded to the District Council.**
- (d) The following procedures shall be observed by the Planning Board:**
  - (1) No one shall present evidence after the hearing is concluded, unless a rehearing is ordered.**
  - (2) All hearings shall be open to the public.**
  - (3) The Planning Board shall make its recommendation only on the basis of the record before it.**
  - (4) Any action shall be by a resolution adopted at a regularly scheduled public meeting.**
  - (5) The resolution shall be transmitted to the District Council, together with the original application and the all other record material pertaining to the Zoning Map Amendment application.**

- (6) Copies of the minutes of the Planning Board meeting shall be available for public inspection. The minutes may be copied by anyone during normal working hours.**

The above requirements will be complied with prior to, during and after the Planning Board hearing.

**G. Conformance with the Purposes of the Zone Requested:**

**Sec. 27-511. Purposes.**

**(a) The purposes of the R-S Zone are to:**

- (1) Establish (in the public interest) a plan implementation zone, in which (among other things):**
  - (A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**
  - (B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, or public urban renewal plan;**
- (2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, and public urban renewal plans) can serve as the criteria for judging individual development proposals;**
- (3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**
- (4) Encourage amenities and public facilities to be provided in conjunction with residential development;**
- (5) Encourage and stimulate balanced land development; and**
- (6) Improve the overall quality and variety of residential environments in the Regional District.**

Compliance with the above finding is under discussion. The applicant has provided additional information for compliance with this finding. Staff is currently reviewing the additional information.

**CONCLUSION:**

Conformance with the requirements for the proposed basic plan is under discussion. Referral comments have been received from the various divisions and sections. The applicant has provided additional information for compliance with this finding. Staff is currently reviewing the additional information. Once the revised information is reviewed, the referral comments from the various divisions and sections will be revised



(if required). After reviewing the revised referrals, staff will amend the staff report to include information on compliance with the required findings and a recommendation.

Staff therefore recommends that this application remain under DISCUSSION.