



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Laurel Annexation Petition No. 1-2004

Application	General Data
Project Name: Laurel Annexation Petition No. 1-2004 Location: West side of MD 197, east of the B & O railroad tracks, and several properties along the east side of Baltimore Avenue between Cherry Lane and Bowie Road Applicant/Address: City of Laurel 8103 Sandy Spring Road Laurel, Maryland 20707	Date Accepted: 4/07/04
	Planning Board Action Limit: 5/25/04
	Plan Acreage: 77.31± acres
	Zone: R-18, I-1, C-M
	Dwelling Units: N/A
	Square Footage: N/A
	Planning Area: 60
	Council District: 01
	Municipality: None
	200-Scale Base Map:

Purpose of Application	Notice Dates
Annexation of the property into the City of Laurel and rezoning from the county's R-R Zone to the City of Laurel's R-55 Zone	Adjoining Property Owners: (CB-15-1998) N/A
	Previous Parties of Record: (CB-13-1997) N/A
	Sign(s) Posted on Site: N/A
	Variance(s): Adjoining Property Owners: N/A

Staff Recommendation		Staff Reviewer: Jimi Jones	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

May 12, 2004

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: **Laurel Annexation Petition No. 1-2004**

REQUEST: Annexation and rezoning of 77.3± acres into the City of Laurel

RECOMMENDATION: APPROVAL with conditions

- A. Location and Field Inspection:** The subject properties are located generally on the west side of MD 197 (Laurel-Bowie Road), east of the B & O railroad tracks and along the east side of Baltimore Avenue, between Cherry Lane to the south and Bowie Road to the north. The properties include the Millstone Manor Apartments (21.15± acres on the west side of Bowie Road east of the B & O railroad tracks) and numerous commercial and light industrial uses along Bowie Road and the east side of Baltimore Avenue.
- B. Nature of the Request:** The proposed annexation involves 22 properties. The City of Laurel's Charter Resolution 126 recommends that the properties be annexed and rezoned (see attached Annexation Map) as follows:
1. "All properties contained in the Millstone Annexation will remain in the R-18 Zone (single-family residential).
 2. "The following properties that were zoned I-1 (Light Industrial) in Prince George's County will be zoned I-CS (Industrial-Commercial Service) in the City: 14711 Baltimore Avenue, 14717 Baltimore Avenue, and 14950 Bowie Road.
 3. "The following property in the Annexation Territory that was zoned I-1 (Light Industrial) in Prince George's County will be zoned I-G (Industrial-General) in the City: 9007 Marshall Avenue.
 4. "The following properties in the Annexation Territory that were zoned C-S-C (Commercial Shopping Center) in Prince George's County will be zoned C-G (Commercial-General) in the City: 9101 Marshall Avenue and 9107 Marshall Avenue.

5. “The following properties in the Annexation Territory that are presently zoned C-M (Commercial Miscellaneous) in Prince George’s County will become C-G (Commercial General) within the City: 14801 Baltimore Avenue, 14805 Baltimore Avenue, 14811 Baltimore Avenue, 14813 Baltimore Avenue, 14815 Baltimore Avenue, 14817 Baltimore Avenue, 14903 Baltimore Avenue, 14921 Baltimore Avenue, 14925 Baltimore Avenue, 14933 Baltimore Avenue, 15001 Baltimore Avenue, 15013 Baltimore Avenue, 14701 Baltimore Avenue, 14900 Staggers Road, and 14731 Baltimore Avenue.
6. “The following property in the Annexation Territory that is presently zoned C-M (Commercial Miscellaneous) in Prince George’s County will become I-CS (Industrial Commercial Service) in the City: 14900 Staggers Road.
7. “The following property in the Annexation Territory that is presently zoned C-M (Commercial Miscellaneous) in Prince George’s County will become C-G (Commercial-General) in the City with the exception of approximately .03 acres which is currently zoned R-R (Rural Residential) in Prince George’s County will become R-5 (One-Family Detached) in the City: 15004 N. Baltimore Avenue.”

C. **Procedures:** Article 23A, Section 9(c), of the Annotated Code of Maryland stipulates the following with regard to municipal annexations:

■...no municipality annexing land may for a period of five years following annexation, place that land in a zoning classification which permits a land use substantially different from the use for the land specified in the current and duly adopted master plan or plans or if there is no adopted or approved master plan, the adopted or approved general plan or plans of the county or agency having planning and zoning jurisdiction over the land prior to its annexation without the express approval of the board of county commissioners or county council of the county in which the municipality is located.●

In addition, in March 1984 the District Council and the Planning Board adopted the following procedures for reviewing annexation and rezoning proposals by the City of Laurel:

1. **Upon County Council receipt of notification of an annexation petition and proposed rezoning, the Clerk of the Council shall promptly refer a copy of the materials received to the Chairman of the Prince George’s County Planning Board.**
2. **A staff report shall be prepared addressing conformance of the proposal with the approved Area Master Plan and General Plan, and the impact of the proposed development on the transportation system, public facilities and natural resources.**
3. **The Planning Board shall review the proposal within 45 days of receipt of the referral and shall promptly transmit copies of the staff report and Planning Board recommendation, if any, to the County Council.**
4. **The County Council will review the Board’s recommendation and determine whether or not to hold a public hearing. If a public hearing is to be held, provisions**

will be made for the posting of notice on the property and advertising the hearing giving not less than two weeks notice. (It is anticipated that the applicant will reimburse the County and the M-NCPPC for the advertising and posting costs). In cases deemed by the Council to be substantially inconsistent with the County's current Master Plan for the subject area, the Council's action will be by resolution (a copy of which will be forwarded to the City by the Clerk of the Council). In cases where the Council finds the annexation proposal in conformity with the Master Plan, the Council will simply advise the City of its action by letter. The Council will make a conscientious effort to act on each case within 45 days of receipt of the Planning Board's recommendation.

- D. Master Plan Issues:** After reviewing the uses permitted and development standards for the proposed zones, the Community Planning Division, in a memo dated May 10, 2004, submits that the proposed zones are similar to the current zones within the county. The Community Planning Division further submits that:
- “1990 Master Plan for Subregion I recommended the following land uses for the properties proposed for annexation: service and retail commercial, light industrial, and high urban residential (17.0-48.4 dwelling units per acre).
 - “The 1990 Sectional Map Amendment for Subregion I retained the R-R Zone and the I-1 Zone for the majority of these properties. Properties fronting on US 1 were rezoned to the C-M Zone and two small properties fronting Laurel-Bowie Road on the west side of the B & O railroad line were rezoned to C-S-C.
 - “The proposed City of Laurel zones for the properties to be annexed will not be substantially different from the existing zones for these properties.”
- E. Transportation Impact:** In a memo dated May 10, 2004, the Transportation Planning Section found no major traffic impacts that would result from the proposed annexation and rezoning. The Transportation Planning Section believes that any traffic impacts that would occur as a result of the rezoning proposed as a part of annexation would be at signalized intersections along US 1 and MD 197, and these facilities are operated by the State Highway Administration.
- F. Public Facilities Impact:** The Historic Preservation and Public Facilities Planning Section found no significant impact from the proposed annexation and rezoning.
- G. Natural Resources:** The Environmental Planning Section, in a memo dated May 12, 2004, provided the following comments:

“A review of the information available indicates that streams and 100-year floodplain associated with the Bear Branch watershed of the Patuxent River basin occur on the subject properties. The soils found to occur are in the Beltsville-Leonardtown-Chillum association. These soils are moderately deep, well to poorly drained, dominantly gently sloping, that have a compact subsoil or substratum.

“According to information from the Maryland Department of Natural Resources, Natural Heritage Program there are no rare, threatened or endangered species found to occur in

the vicinity. There are no scenic or historic roads adjacent to the subject parcels. There are no approved tree conservation plans for the subject properties.

“The subject properties are developed with uses that contain a high percentage of impervious surfaces and appear to have been constructed prior to the establishment of stormwater management requirements. Only one small area of regulated woodland exists on the properties. Any woodland greater than 10,000 square feet should be preserved during future development. To the east are the Baltimore and Ohio railroad lines that run north and south. These lines are a potential noise source for residential uses.

“As properties redevelop, emphasis should be placed on providing stormwater management using techniques that provide water quality as well as water quantity treatment. Tree cover needs to be re-established in the area to reduce the ambient temperatures and cool the large areas of impervious surfaces. A minimum of 10 percent tree cover should be provided through tree planting when properties redevelop.”

CONCLUSION:

The proposed annexation does not propose to place the subject properties in a zoning classification that permits land uses substantially different from the use for the land specified in the 1990 Master Plan for Subregion I. Staff therefore recommends APPROVAL of the proposed annexation and rezonings subject to the following conditions:

1. As the properties redevelop, emphasis shall be placed on providing stormwater management using techniques that provide water quality as well as water quantity treatment.
2. A minimum of 10 percent tree cover shall be provided through tree planting when the properties redevelop.