



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

Laurel Annexation Petition No. 1-2005/01

Application	General Data
Project Name: Laurel Annexation Petition No. 1-2005/01 Location: Nouth side of Contee Road, approximately 500 feet west of US 1 Applicant/Address: City of Laurel 8103 Sandy Spring Road Laurel, Maryland 20707	Date Accepted: 01/23/06
	Planning Board Action Limit: N/A
	Plan Acreage: 10.77± acres
	Zone: I-CS Zone
	Dwelling Units: 451
	Square Footage: N/A
	Planning Area: 60
	Council District: 01
	Municipality: City of Laurel
	200-Scale Base Map: N/A

Purpose of Application	Notice Dates
Development of 451 dwelling units on land recently annexed by the City of Laurel.	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

February 2, 2006

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. 1-2005/01**

REQUEST: Development of 451 dwelling units on land recently annexed by the City of Laurel

RECOMMENDATION:

- A. Location and Field Inspection:** The subject property is on the north side of Contee Road, approximately 500 feet west of US 1 (Baltimore Avenue). The property is currently undeveloped and surrounded by the following uses:

North—A food processing facility and offices in the City of Laurel.

East—Recently constructed shopping center in the City of Laurel.

South—Across Contee Road is the Marlo Furniture Store and retail uses in the C-S-C Zone

West—Single-family detached homes and undeveloped land in the R-R Zone.

- B. Nature of the Request:** The proposed annexation involves two lots recently annexed into the City of Laurel on which a development of 451 multifamily dwelling units is proposed. The property is in the city's I-CS Zone.

- 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..**

The subject property is part of a recently approved annexation petition (LAP-1-2005) that consisted of 13 lots in the Braygreen Industrial Park. The Planning Board reviewed Laurel Annexation Petition 1-2005 Charter Resolution No.132 on April 7, 2005. The Board found that the petition to annex the Braygreen Industrial Park and rezone it from the County's I-1 Zone to Laurel's I-CS Zone would not provide development substantially different from uses anticipated in the 1990 Master Plan for Subregion I.

- D. Master Plan Issues:** The 1990 Subregion I Master Plan recommends employment uses for the subject properties. After reviewing the uses permitted and development standards for the proposed zones, staff found that the uses in the proposed I-CS Zone are similar to the uses in the current (County zone) I-1 Zone. The 2002 General Plan places the subject properties in the Developing Tier. With respect to employment areas, the goal of the Developing Tier is to develop compact, planned employment areas. The subject industrial park continues to develop as a compact, planned employment area. Staff also notes that the General Plan designates US 1 as a corridor. The General Plan recommends that corridors be developed with a mix of residential and nonresidential community-oriented uses and transit-oriented development at designated nodes.

In our initial review of the annexation petition, staff determined that placing these properties in the City of Laurel's I-CS Zone would not impair the recommendations or goals of the master plan

or general plan. Subsequent to our review, the City of Laurel received a proposal to develop a 451-unit apartment complex on the property. In order to facilitate this development, a Revitalization Overlay Zone was proposed for the annexed property. This overlay zone allows a mix of residential, retail and office uses. However, neither the county's I-1 Zone or the city's I-CS Zone allow this mix of uses.

E. Transportation Impact: The proposed development would impact the Contee Road / Baltimore Avenue (US 1) intersection. The Transportation Planning Section notes that:

“The intersection is under construction at this time with improvements that will fix it for the sites that are being developed right now. More extensive improvements are needed to serve other developments such as Brickyard.

“This site was originally reviewed as Marlo III, for 125,000 sq. ft. of light service industrial. The preliminary plan (4-03038), which had a trip cap of 108 AM and 108 PM trips expired in October 2005.

“If the site is to be developed with 451 multifamily residences, it would generate 235 AM and 271 PM peak hour trips. The ADDITIONAL TRIPS represent additional development over and above what has been anticipated through our review process. Per the recent traffic study for The Brickyard (4-04120), the development was capped at a level that brought US 1/Contee Road to the upper limit of LOS D. Anything more, and the intersection fails.

“We have not determined what improvements are needed to serve additional trips. If pressed, I would suggest that development be limited to conform to the existing approved trip cap of 108/108. This would translate to 180 multifamily residences. A fallback would require a traffic study involving the US 1/Contee Road intersection conforming to our standards, with the city prepared to require the needed improvements of this developer.”

F. Public Facilities Impact: The Public Facilities Section found no significant impact from the proposed annexation and rezoning.

G. Natural Resources: The Environmental Planning Section in a memo dated February 1, 2006, submits that there are no county-regulated environmental features on the subject properties. Many of these properties have approved Tree Conservation Plans.

CONCLUSION:

The proposed zoning would allow the construction of 451 multifamily dwellings. The 1990 Subregion I Master Plan recommends the property for employment use. However, the 2002 General Plan designates US 1 as a corridor, extending northward from inside the Beltway to the City of Laurel. More specifically, it recommends corridors to develop with a mix of residential and nonresidential community-oriented uses and transit-oriented uses at designated nodes.

If the Council determines the proposed zoning would allow uses that are substantially different from county plan recommendations, the proposed development could not proceed for at least five years. However, if the Council determines there is no such substantial difference, the development may proceed. If the latter occurs, it is recommended that the applicant shall demonstrate to the satisfaction of the Council that the additional traffic to be generated from the proposed development will not result in unacceptable service levels on adjacent county roadways.