



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

Laurel Annexation Petition No. 2-2005

Application	General Data
Project Name: Laurel Annexation Petition No. 2-2005 Location: North side of Contee Road approximately 750± feet southeast of the centerline of Clarkwood Lane, known as 7520 Contee Road. Applicant/Address: City of Laurel 8103 Sandy Spring Road Laurel, Maryland 20707	Date Accepted: 7/6/05
	Planning Board Action Limit: N/A
	Plan Acreage: 2.15
	Zone: R-R
	Dwelling Units: N/A
	Square Footage: N/A
	Planning Area: 60
	Tier: Developing
	Council District: 01
	Municipality: N/A
	200-Scale Base Map: 218NE07

Purpose of Application	Notice Dates
Annexation of the property into the City of Laurel and rezoning from the county's R-R Zone to Laurel's R-MD (Residential Medium Density Single-Family Detached Zone).	Adjoining Property Owners Previous Parties of Record Registered Associations: N/A (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: N/A

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

September 6, 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: Laurel Annexation Petition No. 2-2005

REQUEST: Annexation and rezoning of 2.15± acres into the City of Laurel

RECOMMENDATION: APPROVAL

- A. **Location and Field Inspection:** The subject properties are located on the north side of Contee Road approximately 750 feet southeast of Clarkwood Lane. The properties are developed with a total of two single-family detached homes.
- North - Undeveloped land in the City of Laurel.
- East - Single-family homes in the City of Laurel.
- South - Across Contee Road is the Central Parke at Victoria Falls planned retirement community in the county's R-R Zone.
- West - Single-family homes and undeveloped land in the R-R Zone.
- B. **Nature of the Request:** The applicants are requesting annexation into the City of Laurel and placement of the property in the city's R-MD Zone. The property is currently in the county's R-R 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 Georges 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 August 5, 2005, submits that:

The R-MD Zone (Single-Family Detached Medium Density)" was recently created by the city to provide for and encourage variation in the size, shape, and width of one-family detached residential subdivision lots, in order to better utilize the natural terrain and to facilitate the planning of one-family residential developments with medium-sized lots and dwellings of various sizes and styles. The minimum lot size in the R-MD Zone is 9,500 square feet and the maximum density is 3.8 dwelling units per acre. Although this zone would permit a higher density than the R-R Zone, the uses permitted in the zone are not substantially different than the R-R Zone.

The subject annexation petition was also referred to the Environmental Planning, Transportation Planning and Historic Preservation and Public Facilities Planning Sections. No issues were raised by these sections regarding the proposed annexation and rezoning.

CONCLUSION:

Pursuant to Article 23A, Section 9(c), of the Annotated Code of Maryland, the finding to be made by District Council is that the proposed annexation will not place the property in a zone which permits a land use substantially different from the use for the land specified in the current master plan. The subject 2.15-acre property is currently in the county's R-R Zone. The comments provided by the Community Planning Division concludes that the City of Laurel's R-MD Zone does not contain uses that are substantially different from uses in the county's R-R Zone. The staff therefore recommends APPROVAL of the proposed annexation and rezoning.