THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Community Planning North Division

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DEVELOPMENT REVIEW DIVISION

March 6, 2012

MEMORNDUM

TO: Fern Piret, Planning Director

VIA: Vanessa C. Akins, Division Chief, Community Planning North Division

FROM: Robert J. Duffy, AICP, Planning Supervisor, Community Planning North Division

SUBJECT: **Errata on Page 140 of the 2004 Approved Sector Plan and SMA for the Prince George's County Gateway Arts District**

The purpose of this memorandum is to request approval for the addition of an errata sheet to the 2004 Approved Sector Plan and SMA for the Prince George's County Gateway Arts District to correct a minor error found in the Development District Overlay Zone (DDOZ) applicability section on page 140.

While researching an answer to a customer question received during the week of February 20, 2012, staff identified a contradiction between the text in the second exemption statement on page 140 and the use table starting on page 167. The customer resides in a single-family detached dwelling located in the Stream Valley Park Character Area and wants to construct a small expansion to the existing home.

Exemption 2 on page 140 reads (emphasis added):

> "Stream Valley Park Character Area. Properties within the stream valley park character area are exempt from the development district standards but are required to meet the O-S and R-O-S Zone standards enumerated in the Zoning Ordinance. However, the Table of Uses Permitted for the Prince George's County Gateway Arts District **does not apply to this area**."

However, the Table of Uses Permitted beginning on page 167 clearly includes the Stream Valley Park character area as one of the seven character areas controlled by the DDOZ use table.

The use of the work "not" in the context of the exemption statement creates a direct contradiction in the plan text between the applicability section and the use table. If the intent of the DDOZ were intended to exclude the Stream Valley Park character area from the use table, the table would not include SVP as a column.

Neither the Planning Board Resolution of Adoption PGCPB No. 04-199 or the District Council Resolution of Approval CR-78-2004 (or the subsequent and related District Council resolutions specific to this sector plan that exempt certain properties in the Traditional Residential Neighborhood in Hyattsville

and Mount Rainier from certain development standards) mandate the incorporation of the last sentence in Exemption 2 above. Furthermore, staff cannot locate any references or indication in the analysis of public hearing testimony that indicates the intent of the sector plan was to exempt the Stream Valley Park character area from the DDOZ use table.

Staff believes an error was made in the drafting of the plan text, and that the last sentence of Exemption 2 should read: "However, the Table of Uses Permitted for the Prince George's County Gateway Arts District **does** apply to this area."

Consequently, an errata sheet should be drafted to reflect this minor correction and eliminate any confusion with regard to DDOZ applicability within the Stream Valley Park character area. We request approval to correct this error. If granted, the errata sheet will complement hard copies of the sector plan and will be posted on the publication web page.

READ AND AGREED:

Fern Piret — 3/20/2012

Fern Piret, Planning Director, M-NCPPC
Prince George's County Planning Department

Date

c: Alan Hirsch, Division Chief, Development Review Division
Steve Adams, Planning Supervisor, Development Review Division
Whitney Chellis, Planning Supervisor, Development Review Division
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