THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Community Planning Division

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February 27, 2017

MEMORANDUM

TO: Andree Green Checkley, Planning Director ABC

VIA: Ivy A. Lewis, Division Chief, Community Planning Division IAL
Frederick Stachura, J.D., Planning Supervisor, Community Planning Division FS

FROM: Scott Rowe, AICP, CNU-A, Planner Coordinator, Community Planning Division SR
Daniel Sams, Planner Coordinator, Community Planning Division D.S.

SUBJECT: **Administrative Correction of Zoning Map for Grid 205NE03, Planning Area 68 (4001-4005 34th Street, 3400 and 3402 Bunker Hill Road)**

The purpose of this memorandum is to request approval for an administrative correction to the County Zoning Map to correct a mapping error.

In February, 2017, staff reviewed an application for a building permit (4791-2017-0) to construct a rear deck on a single-family detached residence at 3400 Bunker Hill Road in Mount Rainier. The Zoning Map in PG Atlas showed the property split zoned: half in the Development District Overlay/Mixed Use Town Center (D-D-O/M-U-TC) zone and half in the Development District Overlay/One Family Detached Residential (D-D-O/R-55) zone. The entire property is classified in the Gateway Arts District Development District Overlay Zone. The zone boundary between the two underlying zones bisects the house itself.

Staff researched the zoning of this property, as this split zoning presented questions as to the applicable standards for such an addition. In CR-34-1982, the District Council, in its approval of the 1982 *Planning Area 68 Sectional Map Amendment,* stated "[d]welling units located along the periphery of the Neighborhood Business Revitalization Area in Mount Rainier are considered generally inappropriate for commercial land use and should be encouraged to remain in residential use similar to the surrounding neighborhood. This objective is best accomplished through application of the R-55 zone." [Page 6, Lines 25-32].

Accordingly, CR-34-1982 approved the Sectional Map Amendment with the following amendment to the endorsed SMA: "Amendment 8: Change SMA proposed zoning for 0.15± acres **at**

3400 and 3402 **Bunker Hill Road**…from the C-S-C [Commercial Shopping Center] **to the R-55 zone**." [Page 15, Lines 2-5] The previous zoning was Local Commercial, Existing (C-1).

Rather than rezoning the residential portion of the property based on the location of the existing dwellings, the Zoning Map was erroneously amended to place half the subject property in the C-S-C zone, and half in the R-55 zone, with the zone boundary bisecting the house at 3400 Bunker Hill Road. Staff believes the Zoning Map should have reflected a zone boundary between the rear of the commercial building at 4001-4005 34th Street and the dwelling at 3400 Bunker Hill Road.

This error was carried forward in the 1994 *Approved Sectional Map Amendment for Planning Area 68*, which continued the split zoning with the subject zoning boundary and reclassified the western portion of the property from C-S-C to M-U-TC.

The 1994 *Approved Mount Rainier Town Center Development Plan* includes a hand-drawn map on page 2 that clearly shows the boundary of the M-U-TC zone running behind the commercial building on 34th Street and clearly excludes the house at 3400 Bunker Hill Road. However, the Zoning Map was not updated to reflect this.

The 2004 *Approved Sectional Map Amendment for the Prince George's County Gateway Arts District* carried forward the erroneous zoning. The current Mixed Use Town Center Development Plan, approved in 2010, was processed as a Secondary Amendment to the 1994 Development Plan and did not adjust the boundary of the M-U-TC Zone.

Staff proposes that the Official Zoning Map be changed to reflect Amendment 8 of the CR-34-1982 and the 1994 rezoning of the western portion of the property inclusive of the commercial building at 4001-4005 34th Street into the M-U-TC zone, with the eastern portion, including the dwellings at 3400 and 3402 Bunker Hill Road, classified in the R-55 Zone. Both properties shall remain in the Gateway Arts District D-D-O Zone.

In addition, staff recommends the following errata sheets be placed in the relevant documents:

1994 Approved Master Plan and Sectional Map Amendment for Planning Area 68
2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District
2010 Approved City of Mount Rainier Mixed-Use Town Center Development Plan

The commercial building at 4001-4005 34th Street is zoned M-U-TC. The single-family dwellings at 3400 and 3402 Bunker Hill Road are zoned R-55.

READ AND AGREED

Andree Green Checkley, Planning Director — Date: 3/2/17

Attachments:

1. Zoning Map showing error
2. Relevant pages from CR-34-1982
3. Map from 1994 *Approved Mount Rainier Mixed Use Town Center Development Plan* showing correct zoning.

cc: Debra Borden, Principal Counsel
Alan Hirsch, Chief, Development Review Division
James Cannistra, Chief, Information Management Division
Matthew Mills, Senior Counsel, Legal Department
Michael Shean, Planning Supervisor, Information Management Division
Henry Zhang, Planning Supervisor, Development Review Division
Whitney Chellis, Planning Supervisor, Development Review Division
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ADMINISTRATIVE CORRECTION

1994 *Approved Sector Plan and Sectional Map Amendment for Planning Area 68*

February 23, 2017

CR-45-1994 authorizes the Prince George's County Planning Department of The Maryland-National Capital Park and Planning Commission to "make appropriate text and map revisions" to the 1994 *Approved Sector Plan and Sectional Map Amendment for Planning Area 68* to correct identified errors and reflect updated information. This sectional map amendment carried forward an erroneous zone boundary line created by the 1982 *Approved Sectional Map Amendment for Planning Area 68*. This error affects Zoning Change 13, shown on Map 16 on page 95 and described on pages 109 and 110, and the Zoning Map insert. The Zoning Map should show the following classifications:

The commercial building at 4001-4005 34th Street is zoned M-U-TC. The single-family dwellings at 3400 and 3402 Bunker Hill Road are zoned R-55.

ADMINISTRATIVE CORRECTION

2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District

February 23, 2017

CR-78-2004 authorizes the Prince George's County Planning Department of The Maryland-National Capital Park and Planning Commission to "make appropriate text and map revisions" to the *2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* to correct identified errors and reflect updated information. This sectional map amendment carried forward an erroneous zone boundary line created by the 1982 *Approved Sectional Map Amendment for Planning Area 68*. This error affects Map 2, Character Areas (page 12), Map 5, Artways (page 43), Map 13, Approved Zoning (page 111), Table 11, Existing and Approved Zoning Inventory Gateway Arts District (in acres) (page 112), and the foldout Zoning Map. The Zoning Map should show the following classifications:

The commercial building at 4001-4005 34th Street is zoned M-U-TC. The single-family dwellings at 3400 and 3402 Bunker Hill Road are zoned R-55 and are in the Traditional Residential Neighborhood Character Area of the Gateway Arts District Development District Overlay Zone.

ADMINISTRATIVE CORRECTION

2010 *Approved City of Mount Rainier Mixed-Use Town Center Zone Development Plan (CSP-10003)*

February 23, 2017

PGCPB Resolution 10-115 authorizes the Prince George's County Planning Department of The Maryland-National Capital Park and Planning Commission to revise the 2010 *Approved City of Mount Rainier Mixed-Use Town Center Zone Development Plan* "as necessary to incorporate mapping, typographical, grammatical, and rewording corrections."

This Secondary Amendment to the Mount Rainier Mixed-Use Town Center Zone carried forward an erroneous zone boundary line created by the 1982 *Approved Sectional Map Amendment for Planning Area 68*. The 1994 *Approved Sectional Map Amendment for Planning Area 68* used the erroneous zone boundary line to incorrectly reclassify two dwellings into the Mixed Use-Town Center zone.

This error affects the aerial photograph depicting the zone boundary on Page 6 of the 2010 Development Plan, Figure 4 on page 13, Figure 6 on page 15, Figure 7 on page 17, Figure 10 on page 25, Figure 11 on page 26, Figure 12 on page 27, Figure 15 on page 32, Figure 24 on page 45, Figure 25 on page 47, Figure 27 on page 49, Figure 36 on page 71, Figure 37 on page 73, Figure 38 on page 78, Figure 48 on page 81, the Implementation Map on page 110, and the Specific Property or Building Recommendations Map on page 129. The specific recommendations for 3400 Bunker Hill Road in the Building and Property Inventory on page 189 should be deleted. The single-family dwellings at 3400 and 3402 Bunker Hill Road are not subject to the requirements of the M-U-TC Zone.

The Zoning Map should show the following classifications:

The commercial building at 4001-4005 34th Street is zoned M-U-TC. The single-family dwellings at 3400 and 3402 Bunker Hill Road are zoned R-55.


Attachment 1
4017
4013
MU-TC
(Mixed-Use
Town Center)
R-55
(One-Family Detached
Residential)
4009
3402
4007
3400
4005
4003
4001
BUNKER HILL RD
R-55
(One-Family Detached
Residential)
3405
MU-TC
(Mixed-Use
Town Center)
Legend
3400 Bunker Hill Road Building Footprint
Property
Zoning
MU-TC (Mixed Use Town Center)
R-55 (One-Family Detached Residential)
N
0
12.5
25
50
Feet
M-NCPPC

rezoned by Petition A-9323-C:

1. All material and equipment stored upon the subject property shall be stored in an orderly and neat manner.

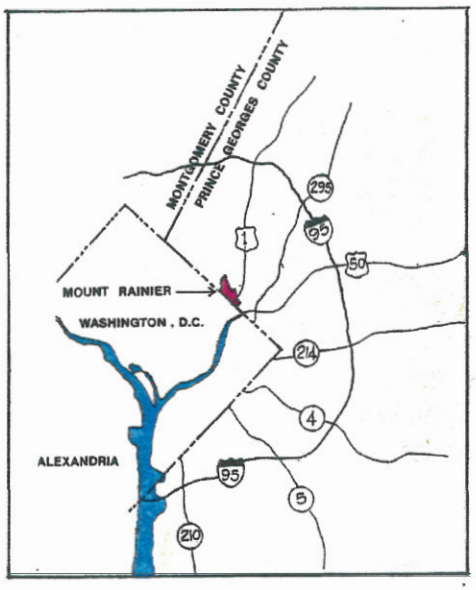
2. No material shall be stored greater than the height of the fencing surrounding the subject property, and no movable portions of equipment utilized on the property shall be stored in a manner that the movable portions are left in an upright position.

3. The property occupant shall plant Eastern Arborvitae, Eastern Redcedar, or Leland Falsecypress or a mixture thereof, five to six feet in height at planting, spaced five feet on center, along the boundary lines of the subject property abutting residential properties.

g) The properties at the end of the block bounded by Rhode Island Avenue, 38th Avenue, and Bunker Hill Road, north from and including the Suburban Trust Bank, are appropriate for commercial land use.

h) Prior to the issuance of building and/or use and occupancy permits for the U-Haul Company property in the Avondale area (subject to zoning petition A-9374 and SMA change Number A-20), the Planning Board should review and approve a site plan of the proposed development for the adequacy of buffering, screening, internal landscaping and compatibility with the existing shopping center area. Particular attention should be paid to the adequacy of access routes through the shopping center parking lot to the proposed U-Haul business; if necessary, consideration should be given to requiring additional, perhaps exclusive, access routes to the property from Chillum Road.

i) Dwelling units located along the periphery of the Neighborhood Business Revitalization Area in Mt. Rainier are considered generally inappropriate for commercial land use and should be encouraged to remain in residential use similar to the surrounding neighborhood. This objective is best accomplished through application of the R-55 Zone. It is recognized however, that these areas may be considered for publicly developed parking lots to serve existing business areas in the future.



VICINITY MAP