The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

April 25, 2025

MEMORANDUM

TO: Lakisha Hull, AICP, LEED AP BD+C, Planning Director

VIA: Tony Felts, AICP, Acting Deputy Planning Director of Administration
David Warner, Principal Counsel

FROM: Kierre McCune, Planning Supervisor, Master Plans and Studies Section, Community Planning Division
Korey Arsenault, Planner II, Long-Range Planning Section, Community Planning Division

SUBJECT: **Administrative Correction to the 2004 *Approved Sector Plan for the Prince George's Gateway Arts District***

Under the Prince George's County adopted code, the Planning Director is allowed to "Make administrative corrections to the Official Zoning Map and comprehensive plans" by 27-3305(a)(3) of the Zoning Ordinance. In efforts to review requests received in an efficient manner, the Planning Director coordinates with Planning staff to combine requests as the best use of resources within the Community Planning Division's work program for that referenced fiscal year.

The purpose of this memorandum is to request the approval of the Planning Director to approve an administrative correction per the above-referenced code standards to errant boundaries of the Town Center and Traditional Residential Neighborhood Character Areas and to amend property lines for properties in the 2004 *Approved Sector Plan for the Prince George's Gateway Arts District* plan area and to reflect these corrections in the County's Geographic Information System ("GIS") layers for Property Lines, and Future Land Use.

In May 2024, Planning staff conducting development review on properties in this area noted that St. Jerome's Academy and Child Care Center was split between two different Character Areas. The property owner reached out to Mr. Matt Tedesco about the potential issues. Mr. Tedesco, with the approval of the property owner, reached out to Planning staff to research the potential error in the boundary map and other potential errors to these boundaries in the vicinity.

Figure 1 displays the location of each of these properties in relation to one another. Figure 2 displays their character area designation. Figure 3 shows their prior and current zoning designations.

On behalf of the property owner, Mr. Tedesco's letter (May 28, 2024) identifies four errors and requests them to be resolved:

1. Place the entirety of St. Jerome's Academy and Child Care Center (5207 42nd Place, Hyattsville, MD 2078) in the Town Center Character Area
2. Place the entirety of the single-family dwelling (5201 42nd Place, Hyattsville, MD 20781) in the Traditional Residential Neighborhood Character Area

3. Remove the Robert J. King Memorial Park (4205 Gallatin St, Hyattsville, MD 20781) from Town Center Character Area and place it in the Traditional Residential Neighborhood Character Area
4. Include the parking for the Masonic Temple (4210 Farragut St, Hyattsville, MD 20781) in the Town Center Character area instead of the Traditional Residential Neighborhood Character Area

Figure 4 is the map from Mr. Tedesco illustrating these requests.

Plan History and Background

Upon receiving the request, Planning staff proceeded with separate comprehensive analysis and research. The 2004 Gateway Arts District Sector Plan and Sectional Map Amendment provides policy and strategy guidance for various plan elements and establishes seven character areas. These seven character areas are: Town Center, Arts Production and Entertainment, Neighborhood Arts and Production, Multifamily Residential Community, Traditional Residential Neighborhood, Neighborhood Commercial, and Stream Valley Park.

The designation of a property in a specific character area dictates which land uses are allowed and what design standards it must adhere to. Therefore, it is of paramount importance to rectify the Character Area boundaries to ensure the intended land use and design for these properties are being implemented.

Of the seven character areas, only the Town Center and the Traditional Residential Neighborhood are relevant to this area.

The sector plan describes the goal of the **Town Center** as:

> "To enhance the walkability of the town centers by creating a framework for high-quality, mixed-use, pedestrian-oriented development incorporating human-scale buildings, an attractive streetscape, landscaping, and small parks" (p. 135)

The sector plan describes the goal of the **Traditional Residential Neighborhood** as:

> "To promote development of both family- and artist-oriented residential development in the R-55, R-35, R-20, and R-T Zones. To preserve the single-family residential neighborhood character as the anchor of the Arts District, while supporting artists who produce and teach from their homes. To enhance the "built-in" natural surveillance of public areas by active neighbors on porches, in yards, and on the sidewalk." (p. 138)

Conversations with staff who served as a core team member during the plan writing process for the 2004 *Gateway Arts District Sector Plan* helped shed light on how the character areas were drawn. Staff stated that the maps were created based off zoning classification at the time, and not property ownership. The character areas maps were created in Adobe Illustrator and not with a Geographic Information System tool, hence the possibility of imprecise and errant lines.

1. St. Jerome's Academy - 5207 42nd Place, Hyattsville, MD 2078

Property Assessment: The property is split between the Town Center and Traditional Residential Neighborhood.

Property Request: Place entirety of the Academy and Child Care center in Town Center.

Staff's Conclusion: Recommends proceeding with correcting the error through the administrative process (see explanation below).

Staff recommends placing entirety of the St. Jerome's Academy and Child Care Center in Town Center, retain Traditional Residential Neighborhood on Single-Family home on NW corner of lot 13. Update property lines in PGAtlas to reflect accurate information from deed.

There is a discrepancy between the recorded property line for St. Jerome's Academy between what is recorded in PGAtlas and with the State Department of Assessments and Taxation and what was submitted by Mr. Tedesco. This must be addressed prior to correcting the character area boundary for this property. The Planning Department's records show no delineation between the single-family residence at 5215 42nd Pl, Hyattsville, MD 20781 on the northwest portion of lot 13 and the rest of lot 13 containing the Academy and the Child Care Center. In the image as submitted for the subject property, it draws a demarcation between the Academy and the home in Figure 4. Research conducted by Planning staff determined that the lot was "resubdivided" by deed after its original recordation in 1907. Deeded property lines are not accurately captured in PGAtlas, or in this case, not captured at all.

Additionally, a record from the Prince George's County Courts detailing the dimensions and boundaries of the property from a deed in 1944 as recorded in L. 723, f. 384 (Figure 5) was reviewed by Planning staff. This information is publicly available through the Maryland land record volumes and was verified by Planning staff as well. In addition to this, his team provided a site plan depicting existing structures and property lines and the lines are in accordance with what is described in the original deed (Figure 6).

Planning staff's analysis concluded that there should have been more clarification of the character areas to reflect the difference in use and intent between a single-family home and an educational facility and child care center. Instead, Planning staff found that a horizontal line was erroneously used to place the home and child care center into the Traditional Residential Neighborhood and St. Jerome's Academy into the Town Center.

This appears errant as the stated goal of the Traditional Residential Neighborhood is "To promote development of both family- and artist-oriented residential development" and to "preserve the single-family residential neighborhood character as the anchor of the Arts District" (p. 138). The Traditional Residential Neighborhood makes no allusion to civic or residential-supportive uses (such as a child care center). The Town Center is imagined as an "active community and arts center" where "civic…uses are supported" (p. 136). The child care center does not belong in the Traditional Residential Neighborhood Character Area.

The realization of correct property lines, the disparate character of the different structures and their alignment with a particular character area's goal informs our suggestion that the property lines in PGAtlas, and the character area boundaries should be adjusted so that both the St. Jerome's Academy and Child Care Center are wholly within the Town Center, and the dwelling remains wholly in the Traditional Residential Neighborhood.

2. The Single-Family Dwelling - 5201 42nd Place, Hyattsville, MD 20781

Property Assessment: The home is split between the Town Center and Traditional Residential Neighborhood.

Property Request: Place entirety of home in the Traditional Residential Neighborhood Character Area.

Staff's Conclusion: Recommends proceeding with correcting the error through the administrative process (see explanation below).

Upon completing a comprehensive analysis, Planning staff noted that the single-family dwelling at 5201 42nd Place is partially in the Town Center and Traditional Residential Neighborhood Character Areas. The line dividing the two character areas bisects the home and fails to follow any property line or other meaningful boundary. It is evident that the intent of the map maker was to 'carve out' a portion of the Town Center and to place the home in the Traditional Residential Neighborhood. Either through negligent mapping, incorrect projections, or poor digitization, the difference between the single-family dwelling's fence line (as it is a part of lots 29, 30, 31) and the intended 'carve-out' has become exaggerated.

Planning staff recommends the inclusion of the entirety of the dwelling at 5201 42nd Pl in the Traditional Residential Neighborhood Character Area.

3. The Robert J. King Memorial Park - 4205 Gallatin St, Hyattsville, MD 20781

Property Assessment: One-third of the park is in the Traditional Residential Neighborhood Character Area, the rest is in the Town Center Character Area.

Property Request: Place the entirety of the park in the Traditional Residential Neighborhood Character Area.

Staff's Conclusion: Recommends proceeding with correcting the error through the administrative process. However staff's recommendation differs from the request of Mr. Tedesco (see explanation below).

Upon completing a comprehensive analysis, Planning staff recommends placing the entirety of the park in the Town Center Character Area. The Robert J. King Memorial Park is owned and operated by the City of Hyattsville. It is comprised of lots 8, 9, and 10. Lots 9 and 10 are entirely within the Town Center Character Area and lot 8 is excluded. This park aligns with the Town Center's goal of incorporating small parks into pedestrian oriented development. Given this goal and that 2/3 of the park's area is in the Town Center designation, the error here is not the inclusion of the park in the Town Center, but the exclusion of lot 8 from the Town Center.

To correct this, Planning staff recommends expansion of the Town Center boundary to include the entirety of lot 8. The expansion of the character areas of the 2004 *Gateway Arts District Sector Plan* is permitted by the adopted County Code, and is embodied with 27-3305(a)(3) which describes the Powers and Duties of the Planning Director.

4. The Masonic Temple parking lot - 4210 Farragut St, Hyattsville, MD 20781

Property Assessment: The temple building is in the Town Center Character Area, however its associated parking lot is in the Traditional Residential Neighborhood Character Area.

Property Request: Place the parking lot in the Town Center Character Area to match the character area of the temple.

Staff's Conclusion: Planning staff does not recommend the Planning Director to proceed with the administrative correction process.

Upon completing a comprehensive analysis, the Planning staff recommends retaining its designation as the two properties are in different zoning categories. As noted earlier, the methodology used for creating the character areas was contingent upon the properties zoning and not ownership. Therefore, the placement of the Masonic Temple in the Town Center Character area (NAC zoning, C-S-C prior zoning), and its parking lot (RSF-65 zoning, R-55 prior zoning) in the Traditional Residential Neighborhood is intentional and is not an error in need of correction.

Figure 1A. Context Map Footprint



Figure 1B. Context Map Aerial



Figure 2. Character Area Map



Figure 3a. Prior Zoning



Figure 3b. Current Zoning

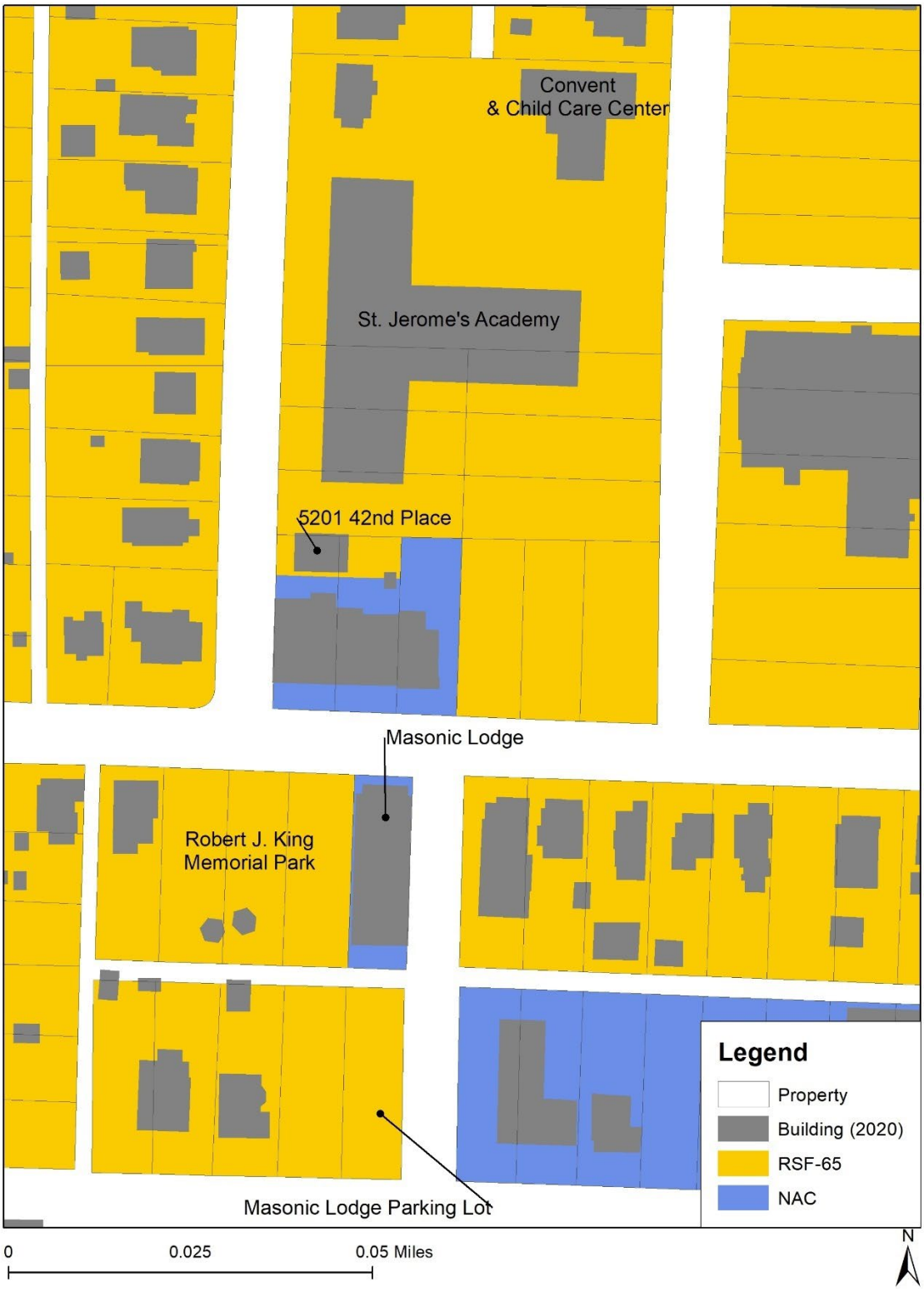

Figure 4. Exhibit from Mr. Matt Tedesco, on behalf of the property owner

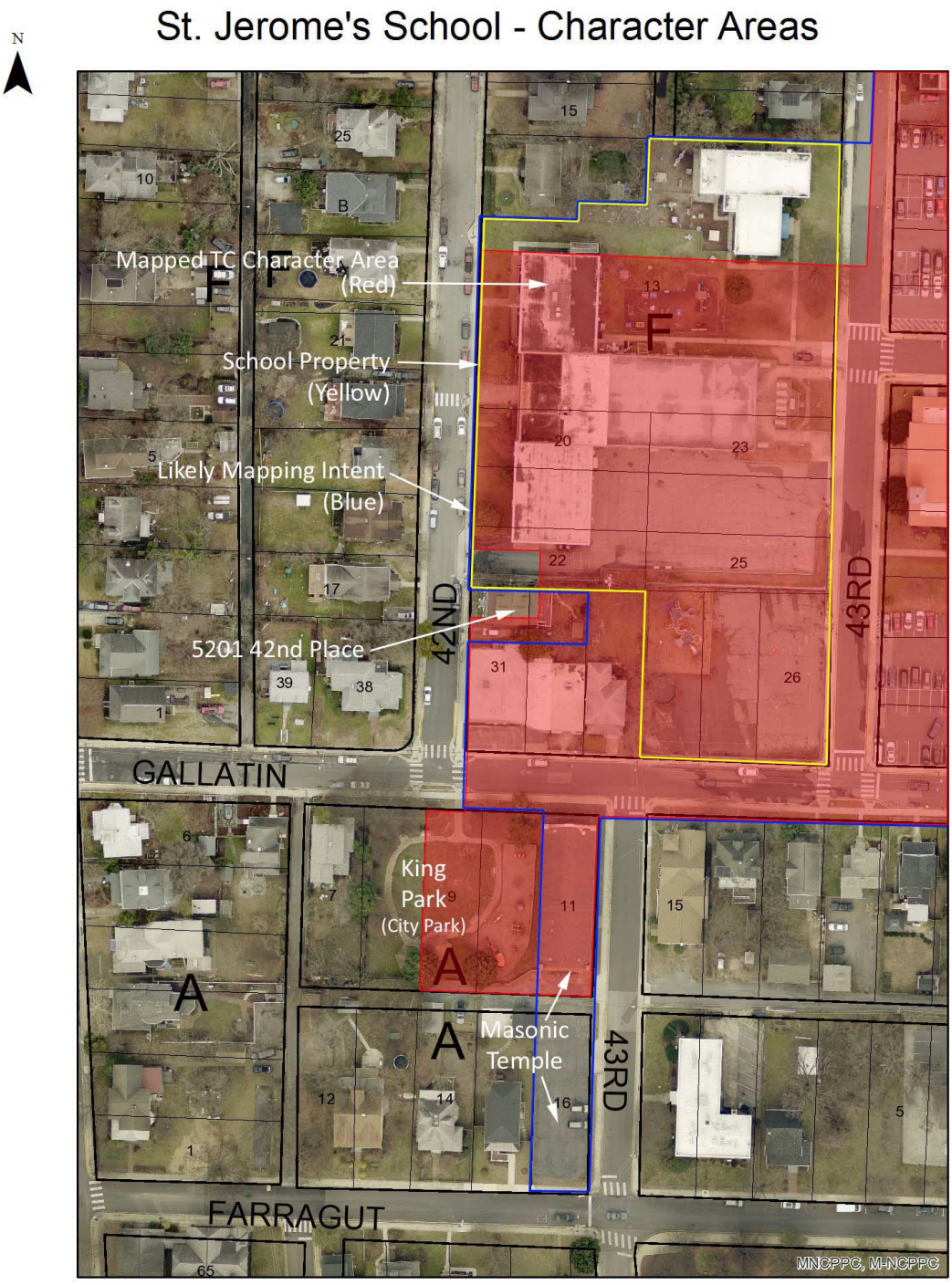

Figure 5. Original Deed

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Witness my hand and Notarial seal.

(Notary Seal)

V. Eugenia Thomas

Notary Public D. C.,

My commission expires October 14, 1945.

Enrolled April 3, 1944 10-09 A. M.,

Rent to Rev. Edw. H. Roach St. Jerome's Church Hyattsville Md. May 18, 1944

H. Winship Wheatley, et ux.,
Emma L. Wheatley

To

The Most Reverend Michael J. Curley, Archbishop of Baltimore

U. S. Rev. $33.00 State Tax $30.00

THIS DEED MADE this 29th day of March in the year of our Lord one thousand nine hundred and forty-four by and between H. Winship Wheatley and Emma L. Wheatley, his wife, parties hereto of the first part, and The Most Reverend Michael J. Curley, Archbishop of Baltimore, and his successors in office, according to the Discipline of the Roman Catholic Church, a corporation sole, party hereto of the second part:

Witnesseth, that in consideration of the sum of Ten (10) dollars, lawful money of the United States to them in hand paid before the sealing and delivery of these presents, the said parties of the first part do grant and convey unto The Most Reverend Michael J. Curley, Archbishop of Baltimore, and his successors in office, according to the Discipline of the Roman Catholic Church, a corporation sole, party of the second part, in fee simple, all those certain pieces or parcels of ground, with the improvements, easements and appurtenances thereunto belonging, situate, lying and being in Prince George's County, State of Maryland, being part of the same land which the said H. Winship Wheatley, one of the parties of the first part obtained from A. W. Miller, unmarried, and Ellen E. Tierney, widow, by deeds dated the 30th day of August 1916 and the 23rd day of September, 1919 recorded among the land records of said County in Liber No. 116 at folio 451 and in Liber No. 147 at folio 341, and being described as follows, to wit:-

Part of lot numbered thirteen (13), and all of lots numbered twenty (20) to twenty-five (25), both inclusive, in Ellen E. Tierney's subdivision of block lettered "F", in "Wine & Johnson's 2nd Addition to Hyattsville"; as per plat of said Tierney's subdivision recorded in Plat Book B. D. S. No 1, plat 39, one of the land records for said Prince George's County, said part of lot 13 being more particularly described as follows:

Beginning for the same at the southwest corner of said lot 13 and running thence Easterly along the south line thereof, 275 feet to the southeast corner of said lot and being also the westerly line of Olive Avenue, now 43rd Avenue; thence northerly along said Easterly line of said lot 13, 220 feet to the northeast corner of said lot 13; thence westerly along the Northern line of said lot 13, a distance of 149 feet to the East line of a conveyance to W. D. Porter, dated May 29, 1922 and recorded in Liber No. 179, at folio 438 of the land records for said County; thence southerly, along said East lines of the Porter conveyance and the conveyance to H. Winship Wheatley, Jr., dated March 18, 1930, and recorded in Liber No. 343, at folio 421, a distance of 60 feet; thence westerly along the second line of the Wheatley conveyance reversed, 53 feet; thence south and parallel with the west line of said lot 13, a distance of 15 feet; thence westerly and parallel with the north line of said lot 13, a distance of 73 feet to the west line of said lot; thence south along said west line, 145 feet to

PRINCE GEORGE'S COUNTY CIRCUIT COURT (Land Records) 723, p. 0384, MSA_CE64_812. Date available 07/30/2004. Printed 06/04/2024.

the beginning.

To Have and to Hold the said pieces or parcels of ground and premises above described or mentioned, and hereby intended to be conveyed, together with the rights privileges, appurtenances, and advantages thereto belonging or appertaining unto and to the only proper use, benefit and behoof forever of the said The Most Reverend Michael J. Curley, Archbishop of Baltimore, and his successors in office, according to the Discipline of the Roman Catholic Church, a corporation sole, in fee simple;

Taxes and assessments, and annual benefit charges of the Washington Suburban Sanitary Commission, adjusted to the date of transfer and thereafter are assumed by the grantee herein.

And the said parties of the first part covenant that they will warrant specially the property hereby conveyed; and that they will execute such further assurances of said land as may be requisite.

Witness their hands and seals.

Test:	Madeline E. Dailey	H. Winship Wheatley	(Seal)
	Madeline E. Dailey	Emma L. Wheatley	(Seal)

State of Maryland, Prince George Co. SS

I Hereby Certify that on this 29th day of March 1944, before the subscriber, a Notary Public in and for the County and State aforesaid, personally appeared in said County, H. Winship Wheatley and Emma L. Wheatley, his wife, and did acknowledge the foregoing deed to be their act.

In Testimony Whereof I have affixed my official seal this 29th day of March A. D. 1944.

(Notary Seal) Madeline E. Dailey
Notary Public

My commission expires May 1945.

Enrolled April 3, 1944 10-42 A. M.,

/// ////////////////////////////// //

Robert E. Wright
Nannie R. Wright
to
Julius Elgin Sherbert
Thelma Elizabeth Sherbert

U. S. Rev. $6.60 State Tax $5.80

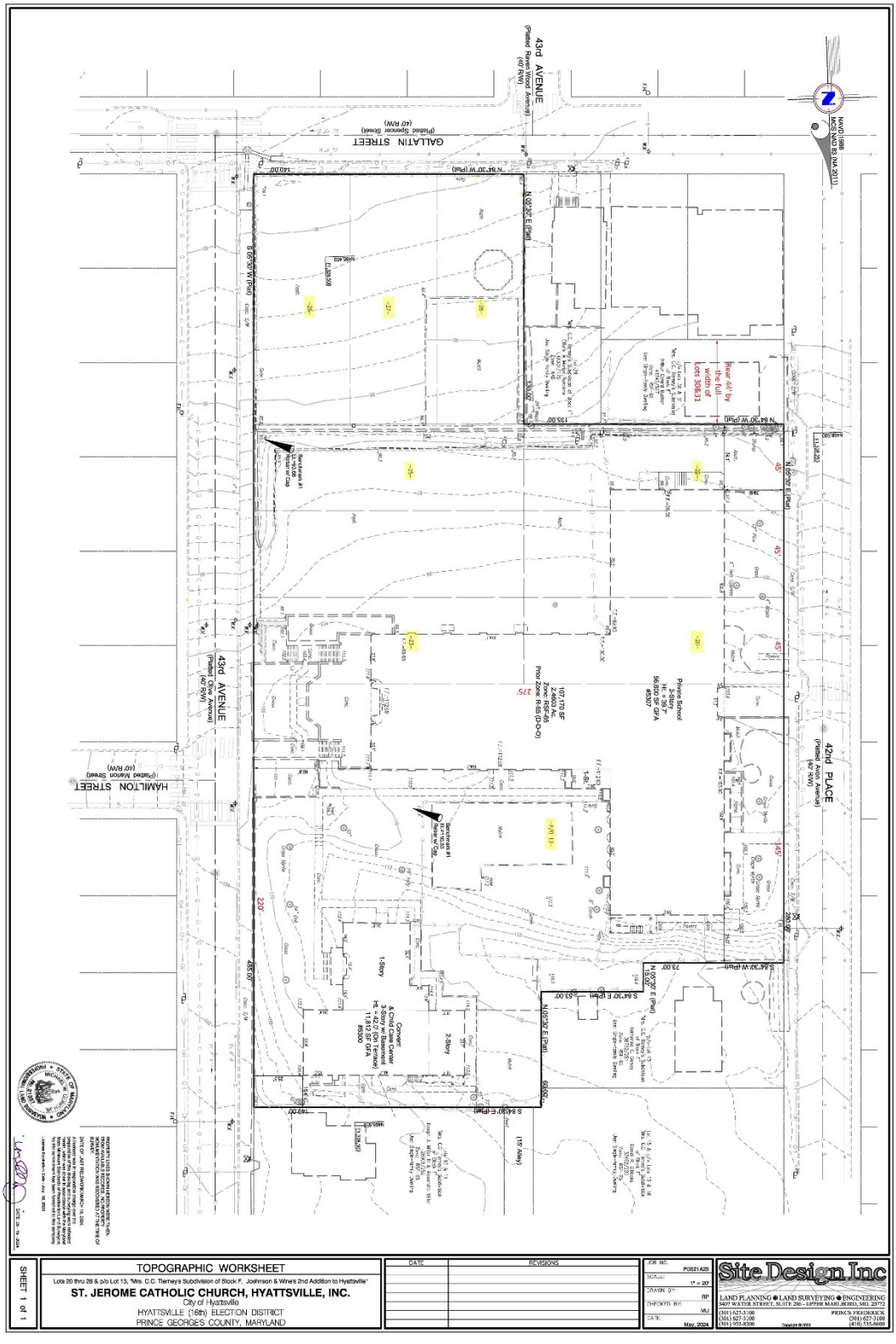
THIS DEED made this 29th day of March in the year of our Lord one thousand nine hundred and forty-four by and between Robert E. Wright and Nannie R. Wright, his wife parties hereto of the first part, and Julius Elgin Sherbert and Thelma Elizabeth Sherbert, his wife parties hereto of the second part:

Witnesseth, that in consideration of the sum of Ten (10) dollars lawful money of the United States to them in hand paid before the sealing and delivery of these presents the said parties of the first part do grant and convey unto Julius Elgin Sherbert and Thelma Elizabeth Sherbert, his wife, parties of the second part, in fee simple, as tenants by the entirety all those certain pieces or parcels of ground, with the improvements, easements and appurtenances thereunto belonging, situate, lying and being in Prince Georges County, State of Maryland, being the same land which the said parties of the first part as Tenants by the Entirety obtained from Justus S. Wardell by deed dated the 15th day of June 1937, recorded among the Land Records of said County in Liber 472 at folio 290, and being described as follows, to wit:

Recd to Julius E. Sherbert 3604-43rd Ave. Brentwood Md. May 18, 1944

PRINCE GEORGE'S COUNTY CIRCUIT COURT (Land Records) 723, p. 0385, MSA_CE64_812. Date available 07/30/2004. Printed 06/04/2024.

Figure 6. Existing Site Plan



READ AND AGREED

Lakisha Hull (Apr 25, 2025 14:32 EDT)

Lakisha Hull, AICP, LEED AP BD+C, Planning Director

25/04/2025

Date

cc:
James Hunt, MPA, Acting Deputy Planning Director of Operations
James Cannistra, C.P., GISP Division Chief, Information Management Division
Katina Shoulars, Division Chief, Countywide Planning Division
Sherri Conner, Acting Chief, Development Review Division
Robert Gelner, Informational Technology Systems Manager, Information Management Division
Lisa Isenberg, Principal Planning Technician, Development Review Division
Development Review Division Staff
Members of the Prince George's County Council, sitting as the District Council
Clerk of the Prince George's County Council

Signature:

Email: korey.arsenault@ppd.mncppc.org

Signature:

Email: kierre.mccune@ppd.mncppc.org

Signature:

Email: david.warner@mncppc.org

Signature:

Email: tony.felts@ppd.mncppc.org