

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2021 Legislative Session

Reference No.: CB-065-2021

Draft No.: 2

Committee: COMMITTEE OF THE WHOLE

Date: 10/7/2021

Action: FAV(A)

REPORT:

Committee Vote: Favorable as amended, 10-0 (In favor: Council Members Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Taveras, and Turner)

The Committee of the Whole convened on October 7, 2021 to consider CB-65-2021. The Planning, Housing and Economic Development Committee Director summarized the purpose of the legislation and informed the Committee of written comments received on referral. CB-65-2021 amends the Zoning Ordinance development regulations for Warehouse uses in the I-3 (Planned Industrial/Employment) Zone of Prince George's County, provided that the development is on land that meets certain minimum acreage and location requirements that are targeted for development and redevelopment in the County.

The Planning Board supports the legislation with amendments as discussed with staff analysis in a letter dated September 23, 2021 to Council Chairman Hawkins.

“Policy Analysis:

CB-65-2021 amends the warehousing regulations for properties located in the Planned Industrial/Employment Park (I-3) Zone. The bill exempts a property(s) from the limitations on “warehousing, wholesaling, or storage of materials not used, or produced on the premises” uses, if it is located entirely within the Capital Beltway (I-95/I-495) envelope and contains less than fifteen acres of land.

The property(s) must have also been classified in the I-3 Zone under a Sectional Map Amendment approved before January 1, 1978 and is vacant when filing a Conceptual Site Plan.

This bill will impact 14 properties with 49 tax identification numbers attached to the properties. The Planning Board is not able to determine if a property is vacant when a CSP application is submitted. The proposed legislation does not change any other applicable development regulations or requirements for the I-3 Zone. CB-65-2021 will still be required to comply with the I-3 Zone net lot area, lot frontage, building coverage, and green area regulations, typically more restrictive than other

industrial zones. Those regulations ensure there are minimal detrimental effects on adjacent properties and maximizes open space.

The Planning Board would like to recommend three technical amendments. On page 3, line 2, add an “I” in front of 495 so the text reads “I-95/I-495”. Next, delete the word “envelope,” as it is unclear what this means. As amended the property will have to be located inside the Beltway. There should also be clarifying language added to the bill to explain the number of feet the property is from the I-95/ I-495 Interchange.

The Planning Board believes the proposed legislation could facilitate employment opportunities for the County.

Impacted Property:

The proposed legislation will impact 14 I-3 zoned properties. There are 49 tax identification numbers attached to the properties.

Adopted Zoning Ordinance:

The adopted Zoning Ordinance eliminated the I-3 (Planned Industrial/Employment Park) Zone and replaced it with the IE (Industrial, Employment) Zone. The uses “warehouse showroom,” “storage warehouse,” “outdoor storage (as a principal use),” and “consolidated storage” are permitted in the IE Zone with use-specific standards.

The uses “cold storage plant” or distribution warehouse” are subject to Special Exception approval in the IE Zone with Special Exception standards. Site plan requirements would be determined by the square footage of the proposed development, but all developments must meet the applicable development standards of Part 6: Development Regulations.”

The Office of Law reviewed CB-65-2021 as it was presented on September 14, 2021 and found it to be in proper legislative form with no legal impediments to its adoption.

Thomas Haller, representing Manekin Investment Associates 9, LLC, (“Manekin”) testified in support of the legislation and submitted a letter dated September 29, 2021 for the record. Mr. Haller discussed the following amendment requested in his letter:

“There is one amendment that is requested to correct an oversight. Specifically, Section 27-471(g) references several types of warehousing uses, warehousing, wholesaling, distribution and storage of materials. Section 27-471(g)(1)(E), which amends the restriction on such uses, inadvertently leaves out the word “distribution” on Line 31 on Page 2 of the legislation. Manekin would request that the legislation be amended to add the word “distribution” and correct his oversight.”

On a motion by Council Member Hawkins and second by Council Member Davis, the Committee voted favorable with the technical amendments recommended by the Planning Board including the clarification that the property must be located inside the beltway and Mr. Haller's requested amendment to add the word "distribution" on Line 31 on Page.