

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/23/2004
Reference No.: CB-097-2004
Draft No.: 1
Proposer(s): Dean
Sponsor(s): Dean, Harrington, Peters, Exum
Item Title: An Ordinance allowing certain eating and drinking establishments, retail trade and service uses, gas stations and lodging uses in the I-1 Zone under certain circumstances.

Drafter: Jackie Brown, Director PZED Committee
Resource Personnel: Nell W. Johnson, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	10/5/2004	Executive Action:	
Committee Referral:	10/5/2004 - PZED	Effective Date:	1/10/2005
Committee Action:	10/20/2004 - FAV		
Date Introduced:	10/26/2004		
Public Hearing:	11/23/2004 - 10:00 AM		
Council Action (1)	11/23/2004 - ENACTED		
Council Votes:	MB:A, SHD:A, TD:A, CE:A, DCH:A, TH:-, TK:A, DP:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-473

COMMITTEE REPORTS:

PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Date 10/20/2004

Committee Vote: Favorable, 5-0 (In favor: Council Members Dernoga, Bland, Dean, Exum, and Harrington)

This legislation permits in the I-1 Zone certain non-industrial uses, including eating or drinking establishments (restaurants), gas stations, hotels, and department or variety stores if certain conditions are met. The uses must be located within an industrial park which is adjacent to a Beltway interchange constructed after June, 2002, and the parcel is the subject of a preliminary plan of subdivision that was approved pursuant to Subtitle 24 prior to June 30, 2004. A Detailed Site Plan is also required for the development of these uses.

The bill's sponsor explained that CB-97-2004 is intended to facilitate the location of these uses to serve the employees of an existing industrial park as well as those traveling on the Interstate.

The Planning Board opposes CB-97-2004 indicating that the bill could apply to a property located in the northwest quadrant of I-95 and Ritchie-Marlboro Road immediately adjoining those roads. This property is one of the last properties along the Beltway that can accommodate significant development. The retail pad site development

proposed does not appear to be the best use of properties located along the Beltway. This type of development also does not return the public investment in the newly constructed Beltway interchange at this location. Furthermore, the buildings constructed on the site and large tall signs normally associated with such uses will be visible from the Beltway. A site such as this presents an opportunity to present a view of the County which is more favorable than that normally associated with these types of uses.

The proposed development also will eliminate another property from the possible development of high-employment generating uses that the General Plan strongly recommends to correct the current jobs/housing imbalance in the County.

The Principal Counsel reviewed CB-97-2004 and suggested technical amendments for clarity purposes. To improve readability, it was suggested that paragraph (D) in the new footnote, note 10, be amended to strike the first set of parentheses around the words “used for commercial purposes”, and the words “in the industrial park” at the end. The Principal Counsel also recommended that the bill set out footnote 27’s provisions in the text of the bill, even though the footnote is not being amended, so that readers do not have to go to the printed Zoning Ordinance to understand the bill.

The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting CB-97-2004.

Andre Gingles spoke in support of the legislation, restating the intent that the commercial uses are intended to serve the nearby office park. Mr. Gingles noted the site plan review process required by the legislation that will allow further review of specific uses proposed on the site.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation amends the Industrial Zone Use Tables to permit certain eating and drinking establishments, retail trade and service uses, gas stations and lodging uses in the I-1 Zone if the property meets certain criteria. These uses are generally permitted (by special exception) in the I-1 Zone.

CODE INDEX TOPICS:

INCLUSION FILES:
