

A G E N D A I T E M S U M M A R Y

Reference No: CB-116-1991

Draft No: 1

P r i n c e G e o r g e ' s

Meeting Date: 11/26/91

C o u n t y C o u n c i l

Requester: P

Item Title: An Ordinance for the purpose of establishing that general retail uses permitted in the C-S-C Zone shall be permitted in the C-M Zone, under certain circumstances

Sponsors P

Date Presented ___/___/___ **Executive Action** ___/___/___
Committee Referral (2) 11/26/91 P&Z **Effective Date** ___/___/___
Committee Action (1) 11/12/91 FAV(A)
Date Introduced 11/5/91
Pub. Hearing Date (1) 11/26/91 2:00 PM

Council Action (1) 11/26/91 Recommitted
Council Votes CA: A_, B_: A_, C_: N_, D_: A_, F_: A_, MC: A_,
 M_: A_, P_: A_, WI: A_, __: __, __: __, __: __

Pass/Fail P

Remarks _____

Drafter: **Resource** Mary Lane
 Personnel: Committee Director

LEGISLATIVE HISTORY

PLANNING AND ZONING COMMITTEE REPORT **Date:** 11/12/91

Committee vote: Favorable as amended, 3-2 (In favor: Council Members Bell, Del Giudice and Mills; in opposition: Council Members Castaldi and Fletcher).

This legislation would permit any general retail use that is permitted in the C-S-C Zone to be permitted in the C-M Zone, provided the C-M zoned tract of land is at least 30 acres in size, and is proximate to major arterial roads. Staff noted that the words "proximate" and "arterial" would have to be defined, since they are not defined in the Zoning Ordinance and their interpretation would be left to the discretion of the permit review staff. It was suggested that "proximate" be amended to "adjacent" or "abutting", and "arterial" be defined as "an existing 120' right-of-way".

The Planning Board opposes the legislation, stating that the purposes of the C-M and C-S-C Zones greatly differ, and the bill dilutes the hierarchy of commercial zoning categories. It also undermines the Master Plan and SMA processes. Dale Grant, of Bowie, Mollie Giesman, representing the City of Bowie, and Gail Wheat, representing the Prince George's Municipal Association, spoke in opposition to the legislation.

In addition to the arguments made by the Planning Board, they noted that the proposal threatens the viability of the Bowie New Town Center, which has been designated for the C-S-C uses through the Bowie-Collington Master Plan. Jerry McDonough and Frank Aluisi, representing Francis Gaegler and the Renaissance Center, spoke in support of the legislation. They explained the long history of the project, and argued that because of the unusual size and location of this property in relation to other C-M Zoned parcels, the retail uses permitted in the C-S-C Zone would be appropriate for this property.

The Committee amended the legislation to include a requirement for a Detailed Site Plan to be approved by the District Council, as well as the technical amendments proposed by staff.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The retail uses that are currently permitted in the C-M Zone are those that "may be disruptive to the harmonious development, compactness and homogeneity of retail shopping areas". This legislation expands the purposes of this zone, to include the general retail uses that are currently permitted in the C-S-C Zone, provided the gross tract area is at least 30 acres, and is proximate to an intersection of major arterial roads.