

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/24/2012
Reference No.: CB-028-2012
Draft No.: 2
Proposer(s): Turner, Davis
Sponsor(s): Turner, Davis, Lehman
Item Title: An Ordinance concerning the M-X-T Zone for the purpose of defining Flex Space in the Zoning Ordinance and designating Flex Space as a permitted use in the M-X-T Zone under certain circumstances

Drafter: Karen T. Zavakos, Legislative Officer
Resource Personnel: Tomeka Bumbry, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	5/15/2012	Executive Action:	
Committee Referral:	5/15/2012 - PZED	Effective Date:	9/10/2012
Committee Action:	6/6/2012 - FAV(A)		
Date Introduced:	6/19/2012		
Public Hearing:	7/24/2012 - 10:00 AM		
Council Action (1)	7/24/2012 - ENACTED		
Council Votes:	WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-107.01, 27-547

COMMITTEE REPORTS:

PZED Committee Report

Date 6/6/2012

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Franklin, Harrison, Olson and Patterson)

Staff gave an overview of the legislation and informed the committee of written referral comments that were received. CB-28-2012 amends the Zoning Ordinance to define the term flex space and to permit the use in the M-X-T (Mixed Use Transportation) Zone. Council Member Turner, the bill's sponsor, informed the committee that she proposed this legislation at the request of the City of Bowie and St. John's Properties to facilitate the location of an additional use and expand economic development opportunities at an existing development located at Routes 301 and 50.

The Office of Law reviewed CB-28-2012 and determined that it is in proper legislative form with no legal impediments to its enactment. The Department of Environmental Resources submitted correspondence indicating no position on the legislation. Kerry Watson, representing the County Executive's Office, indicated that the Executive is in support of CB-28-2012. The Maryland-National Capital Building Industry Association submitted a letter dated

June 5, 2012 in support of the legislation.

The Planning Board supports the legislation with amendments as follows. The definition on page 2, lines 4 through 7 should be amended for clarity. The revised definition would read: “(89.2) Flex Space: An office, contractor’s office, manufacturing, assembly, or warehouse located within a structure no greater than one (1) story above grade, and which typically includes roll-up overhead doors on the rear and office at the front of the units.” Next, footnote 13 should be amended as follows: “Provided the property was rezoned from the E-I-A Zone to the M-X-T Zone through a Sectional Map Amendment approved between January 1, 2006 and July 1, 2012.”

Arthur Horne, representing St. John’s Properties, addressed the committee speaking in support of CB-28-2012. Andrew Roud, of St. John’s Properties, spoke in support of the legislation informing the committee that there has been a conflict with storage uses since the property was rezoned to M-X-T, and CB-28-2012 will harmonize the uses. Joe Meinert, City of Bowie Planning Director, addressed the committee indicating that the City is in support of the legislation and that its enactment will help economic development.

The Committee voted in favor of CB-28-2012 including the amendments to the definition and footnote recommended by the Planning Board.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This Ordinance will create a definition for Flex Space in the Zoning Ordinance and provide for its permitted use in the M-X-T Zone provided the property was rezoned from E-I-A to M-X-T through a SMA rezoning approved after January 1, 2006.

CODE INDEX TOPICS:

INCLUSION FILES:
