

INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY, MARYLAND

ZONING HEARING EXAMINER OFFICE

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June 27, 2021

TO: Jackie Brown, Director
Planning, Housing and Economic Development Committee

FROM: Maurene Epps McNeil
Chief Zoning Hearing Examiner

Re: CB-42-2021

I have reviewed the above referenced legislation and recommend the following revisions:

- (1) On p.2, insert "Eleemosynary or Philanthropic Institution:" after "E" to provide more transparency as to the provision being revised.
- (2) On p. 2, in the new (E), delete "or non-profit institution" since that term is included in the definition of "eleemosynary or philanthropic institution".
- (3) On p. 2, in the new (E), there is language that allows the eleemosynary use to sell or lease some unspecified portion of the former school building to entities that may operate for profit. This language raises concern. Eleemosynary uses are generally permitted by Special Exception in order to allow the community an opportunity to comment on what the applicant is proposing to develop, and to allow the ZHE/District Council the opportunity to review and approve what will be developed. The bill will allow the eleemosynary use to "sell or lease space" to another entity and said entity will be allowed "to engage in any use permitted in the CSC [Commercial Shopping Center]" Zone. Thus, up to 49% of the former school building (the percentage is capped since the Zoning Ordinance notes that any additional use(s) must be accessory to the primary) may be developed with any use permitted by right or by Special Exception in that commercial zone. If this is the Council's intent it may be helpful, and less impactful

to the surrounding residential community, to set further parameters on these additional uses, such as the following:

- Any use that is permitted by Special Exception in the C-S-C Zone should be required to obtain Special Exception approval in this residential zone;
- The leased/sold uses must demonstrate that each has sufficient parking on site, in the amount that would be required for the use in the C-S-C Zone;
- The bill should be revised to further limit the percentage of the former school building that can be leased or sold to thereby limit any possible adverse impact.

Thank you for the opportunity to comment.