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

Reference No: CR-92-1990

Draft No: 2

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

Meeting Date: 11/13/90

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

Requestor: B

Item Title: Approval of the 2nd and 3rd Amendments to
the MOU between the National Capital
Planning Commission and James T. Lewis
Enterprises regarding PortAmerica

Sponsors B C P

Date Presented ___/___/___ **Executive Action** ___/___/___ ___
Committee Referral (1) 10/23/90 C.O.W. **Effective Date** ___/___/___
Committee Action (1) 10/30/90 FAV
Date Introduced 10/23/90
Pub. Hearing Date () ___/___/___ __:___

Council Action (1) 11/13/90 Adopted
Council Votes B_: A_, CA: A_, C_: A_, CI: __, MC: A_, M_: A_,
 P_: A_, W_: __, WI: A_, __: __, __: __, __: __
Pass/Fail P

Remarks _____

Warren Kahle	Resource
Drafter: Planning Coordinator	Personnel: Steve Gilbert, Esq.

LEGISLATIVE HISTORY

COMMITTEE OF THE WHOLE REPORT

DATE: 10/30/90

Committee Vote: Favorable, 7-0 (In favor: Council Members Bell, Castaldi, Casula, MacKinnon, Pemberton, Wilson, and Wineland)

Mr. Kahle noted that the Council is not a party to the Memorandum of Understanding and Council approval would not abridge the Council's rights and responsibilities to act on any zoning or land use matters related to the PortAmerica development project. The Memorandum of Understanding is between the National Capital Planning Commission and the developer of PortAmerica.

(Note: The four maps referred to in Attachment A were not available when the resolution was drafted, but were circulated to the Council during the Committee of the Whole worksession. Inasmuch as the maps have been included as part of Attachment A, the resolution is now

designated as Draft 2.)

BACKGROUND INFORMATION/FISCAL IMPACT

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

Public Law 99-215, which became effective December 26, 1985, conveyed land adjoining the proposed PortAmerica development from the Department of the Interior to the Maryland-National Capital Park and Planning Commission and defined the conditions whereby the M-NCPPC could grant access across that property to the PortAmerica owner. Included in that legislation was the requirement that the Prince George's County Council approve the "terms and conditions" of a May 7, 1985 Memorandum of Understanding between the National Capital Planning Commission (NCPC) and the PortAmerica developer.

By adoption of CR-27-1986 the District Council approved the terms and conditions of the Memorandum. Subsequently, NCPC and the developer amended the MOU and requested Council approval pursuant to the intent of P.L. 99-215. The Council approved the amendment in CR-38-1988.

By letter of September 19, 1990, the attorney for James T. Lewis Enterprises advised the Council of two additional amendments which were adopted by NCPC in 1990, and were being transmitted for Council approval.