

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 5/19/98

Reference No.: CB-37-1998

Proposer: Russell

Draft No.: 1

Sponsors: Russell

Item Title: An Ordinance allowing Eating or Drinking Establishments
in the I-1 Zone under certain circumstances

Drafter:

Resource Personnel: Dawn DeWitt
Citizen Services

LEGISLATIVE HISTORY:

Date Presented: 3/17/98

Executive Action: __/__/__

Committee Referral: 3/17/98 PZED

Effective Date: 7/6/98

Committee Action: 3/31/98 FAV

Date Introduced: 4/7/98

Pub. Hearing Date: 5/19/98 1:30 P.M.

Council Action: 5/19/98 ENACTED

Council Votes: RVR:A, DB:A, SD:A, JE:A, IG:A, TH:A, WM:AB, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECON. DEV. COM. REPORT

DATE: 3/31/98

Committee Vote: Favorable, 2-0-1 (In favor: Council Members Bailey and Estepp; Abstain:
Council Member Maloney)

Staff gave an overview of the legislation and informed the Committee of referral comments which were received. The Planning Board supports the legislation indicating that in essence, this bill will extend a C-S-C Zone use into the I-1 Zone since the I-1 property will abut the C-S-C zoned land. Therefore, this creates no real land use compatibility difficulties under these circumstances. The Executive Branch takes no position on the bill. The Office of Audits and Investigations has determined there should be no negative fiscal impact on the County as a result of enacting CB-37-1998.

Michelle LaRocca, Meyers, Billingsley, Rodbell and Rosenbaum, P.A., representing a property owner of a one acre site on Central Avenue adjacent to Hampton Mall, spoke in support of the legislation. Ms. LaRocca informed the Committee that her client's property is zoned I-1 and is the former location of a restaurant. The property owner is seeking to re-establish a sit-down restaurant on the site which is in an area comprised of the 23-acre Hampton Mall property and other commercially-zoned properties. Ms. LaRocca indicated that CB-37-1998 allows that if a property is in a commercial setting, it may be developed with an eating or drinking establishment (excluding a fast-food restaurant) even though the property is zoned I-1.

Upon a motion by Council Member Estep, the Committee voted a favorable recommendation on the legislation.

BACKGROUND INFORMATION/FISCAL IMPACT

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

Eating or Drinking Establishments are currently permitted in the I-1 Zone accessory to, and within the same building or group of attached buildings as, any permitted use, as well as, within an office building. This use is also permitted by Special Exception under certain circumstances. This legislation allows Eating or Drinking Establishments as a permitted use in the I-1 Zone under certain circumstances.

CODE INDEX TOPICS: