

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

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**Meeting Date:** 11/25/2003**Reference No.:** CB-65-2003**Proposer:** Dean**Draft No.:** 1**Sponsors:** Dean, Shapiro, Exum, Harrington, Peters, Hendershot,**Item Title:** An Ordinance permitting retail uses in the R-R and I-3  
Zones under certain circumstances

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**Drafter:** Jackie Brown, Director  
PZED Committee**Resource** Nell W. Johnson  
**Personnel:** Legislative Aide

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**LEGISLATIVE HISTORY:****Date Presented:** 9/23/2003**Executive Action:** \_\_\_/\_\_\_/\_\_\_**Committee Referral:** 9/23/2003 PZED**Effective Date:** 1/12/2004**Committee Action:** 10/8/2003 FAV**Date Introduced:** 10/14/2003**Public Hearing:** 11/25/2003 10:00 A.M.**Council Action:** 11/25/2003 ENACTED**Council Votes:** PS:-, MB:A, SHD:A, TD:A, CE:-, DCH:A; TH:A, TK:A, DP:A**Pass/Fail:** P**Remarks:** \_\_\_\_\_

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**PLANNING, ZONING & ECON. DEV. COMMITTEE REPORT****10/8/03**

Committee Vote: Favorable, 4-1 (In favor: Council Members Harrington, Dean, Exum and Knotts. Opposed: Council Member Dernoga)

Staff explained the purpose of the bill and summarized the referral comments that were received.

CB-65-2003 allows retail uses generally permitted by right, or by special exception, in the C-S-C Zone, in the R-R and I-3 Zones if specific conditions are satisfied. The conditions require that the property be located on and inside the Capital Beltway at an existing interchange with the Beltway. The site must contain a minimum of 80 acres that is split-zoned, I-3 and R-R, with not more than 20% zoned R-R. The property shall be proposed for employment uses in the most recently approved applicable master plan. The bill also requires that a detailed site plan be approved in accordance with the Zoning Ordinance and the site plan shall include at least two stores containing 100,000 square feet or more of gross floor area. The legislation is intended to

allow retail uses on properties located in the southwest quadrant of the Beltway and Ritchie Road.

Council Member Dean, the bill's sponsor, indicated to the committee that he proposed this legislation to permit retail uses in an area of his district that is currently underserved and to address the need for commercial/retail uses in that area.

Arthur Horne, Law Offices of Shipley and Horne, spoke in support of CB-65. Andre Gingles, of Gingles, LLC, addressed the committee indicating that there may be other locations with similar industrial zoning which may be appropriate to develop pursuant to the provisions of this bill.

The Planning Board took no position on the bill and provided the following comments. Careful consideration should be given to the long-range effect of further reducing the county's supply of land suitable and planned for employment uses. Retail development on properties planned for employment uses also may have the consequences of further weakening existing under-utilized retail areas. Part IV, Policy 2 of the Economic Development element of the 2002 General Plan recommends a policy to retain and enhance the county's existing businesses. Part IV, Policy 3, Strategy VIII of the Economic Development element further states that the county should ensure that adequate amounts of properly zoned land are available for economic development activities while avoiding overzoning that encourages sprawl and inhibits revitalization efforts.

The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting CB-65-2003. The Principal Counsel indicated that in form, the bill appears to meet statutory and Council rule requirements.

## **BACKGROUND INFORMATION/FISCAL IMPACT**

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

This legislation amends the residential and industrial zones use tables to permit retail uses, generally permitted in the C-S-C (Commercial Shopping Center) Zone, in the R-R and I-3 Zones, under certain circumstances.

## **CODE INDEX TOPICS:**