

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

Meeting Date: 7/29/97

Reference No.: CB-78-1997

Proposer: Estep

Draft No.: 2

Sponsors: Estep and Bailey

Item Title: An Ordinance allowing eleemosynary or philanthropic institutions in the R-R Zone under certain circumstances

Drafter: Jackie Brown
PZ&ED Committee Director

Resource Personnel: Evelyn Adams
Constituent Services

LEGISLATIVE HISTORY:

Date Presented: 6/10/97

Executive Action: __/__/__

Committee Referral:(1) 6/10/97 PZED

Effective Date: 9/15/97

Committee Action:(1) 7/2/97 FAV(A)

Date Introduced: 7/8/97

Pub. Hearing Date: (1) 7/29/97 1:30 P.M.

Council Action: (1) 7/29/97 ENACTED

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

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECON. DEV. COMMITTEE REPORT

DATE: 7/2/97

Committee Vote: Favorable as amended, 3-0 (In favor: Council Members Del Giudice, Maloney and Wilson).

This legislation would allow a Groceries on Call as a permitted use in the R-R Zone, under certain circumstances.

Council Member Estep, the bill's sponsor, gave a history on the legislation. This legislation will provide for a Groceries on Call facility which will distribute canned goods, fresh produce, and frozen food to senior citizens, handicapped and disabled persons who are homebound and unable to shop for themselves. This is a food distribution center only, and no food is packaged or cooked on-site.

Larry Taub, representing Top Banana (formerly Groceries on Call), spoke in support of the legislation. He stated that the existing site is a postal facility on R-R zoned property which was formerly leased by the Federal government. The current property is zoned R-R and the legislation, as proposed, will provide for a reuse of the Federal postal facility without having to file for a Special Exception. Mr. Taub stated that the area surrounding the Groceries on Call facility, is not typical R-R zoned property, and contains senior housing and a church. Therefore, he feels the proposed use would be compatible with the surrounding area, and a Special Exception would be too time consuming.

A letter was received from Kathleen McKirchy, Director of Community Services Agency of the Metropolitan Washington Council, AFL-CIO in support of CB-78-1997. The proposed Groceries on Call facility would meet the critical need for this type of service in Prince George's County and provide invaluable service to the elderly.

The Department of Environmental Resources takes no position on CB-78-1997.

The Office of Law has reviewed the legislation and finds it to be in proper legislative form. The Prince George's County Health Department sent a letter and has no recommendations at the present time. The Office of Audits and Investigations reviewed CB-78-1997 and stated that there would be no negative fiscal impact.

The Planning Department supported the bill and suggested revisions to Section 27-441(b)(2)(A) that would delete the "Xs" and replace them with "SEs", except for the R-R Zone which would be a permitted use "P". This amendment would allow an organization serving the homebound located on a lot or parcel no more than 25,000 square feet in area, last occupied by a Federal postal facility by Special Exception in all the other residential zones. The Planning Department also suggested several technical amendments be made to CB-78.

A clarifying amendment was proposed by the Committee that would add language to Section 27-441(b)(2)(A) making it clear that the proposed facility was a reuse of an existing postal facility. The Committee reported the bill out favorably as amended.

BACKGROUND INFORMATION/FISCAL IMPACT

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

Eleemosynary or philanthropic institutions are permitted by Special Exception only in all residential zones. This legislation allows this use by right in the R-R Zone under certain circumstances.

CODE INDEX TOPICS: