

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

Meeting Date: 6/17/97

Reference No.: CB-44-1997

Proposer: County Executive

Draft No.: 3

Sponsors: Bailey, Estepp, Wilson

Item Title: A Zoning Ordinance concerning Mixed-Use Transportation, R-M Comprehensive Design, and Residential Zones; defining a Waterfront Entertainment/Retail Complex; permitting this use in an M-X-T Zone; and allowing non-industrial M-X-T uses in Residential and Comprehensive Design Zones in accordance with certain requirements

Drafter: Maurene Epps Webb
Office of Law

Resource Personnel: P. Michael Errico, County
Executive's Office

LEGISLATIVE HISTORY:

Date Presented: 4/1/97

Executive Action: __/__/__ __

Committee Referral:(1) 4/1/97 PZED

Effective Date: 8/4/97

Committee Action:(1) 5/2/97 FAV (A)

Date Introduced: 5/13/97

Pub. Hearing Date: (1) 6/17/97 1:30 P.M.

Council Action: (1) 6/17/97 ENACTED

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

Pass/Fail: P

Remarks: _____

5/13/97 - CB-44-1997 (DR-2) Amended on the floor before introduction; DR-3 subsequently introduced

PLANNING, ZONING, & ECON. DEV. COMMITTEE REPORT

DATE: 5/2/97

Committee Vote: Favorable as amended, 4-1 (In favor: Council Members Del Giudice, MacKinnon, Russell and Wilson; Opposed: Council Member Maloney).

Mr. Milt Peterson, owner of the property, gave a presentation on the proposed development, named, National Harbor. The original project, PortAmerica, included both residential and commercial development. National Harbor, which will take approximately 9 to 12 years to develop, will have commercial development only, which includes retail stores, hotels and restaurants. Mr. Peterson wants the National Harbor to attract tourists internationally, as well as local metropolitan residents. Mr. Jim Todd, President of Peterson Company, gave an overview of why this type of proposed development will be successful. Andre Gingles, representing Peterson Company, explained that the legislation was necessary because the development has two separate pieces of property which they want to combine under one site plan. A rezoning of the property would take longer to expedite the project.

The Legislative Officer finds the bill in proper legal form, with some amendments. These amendments include the provision of a footnote for the new use proposed by this bill rather than creating exceptions to the existing permitted uses in Section 27-441 (Uses Permitted, Residential Zones) and Section 27-515 (Uses Permitted, Comprehensive Design Zones).

Dale Hutchison, representing the Planning Board, spoke in support of the bill and also proposed amendments which satisfies concerns raised by the Legislative Officer. These amendments include the following:

Page 2, Line 30 provides additional language which requires that any alterations or revisions to an approved site plan be in conformance with the approved Conceptual Site Plan.

Clarification was made to Page 3, line 20, that a Comprehensive Design Plan and Specific Design Plan are not required as part of the review process for property or properties in the R-M Zone which are part of an assemblage of properties, inclusive of property already zoned M-X-T, which are included in a Conceptual Site Plan for a Waterfront Entertainment/Retail Complex.

Several recommendations for amendments to Part 10., Division 6, were accepted by the Committee. Specifically, additional language in Section 27-548.01.02(d) requires that a site plan be certified by the Planning Director prior to building permit issuance.

Substitute language was included in Subsection (e) of Section 27-548.01.02 which indicates that "the requirements of Part 3, Division 9, Subdivision 3 and Section 27-546 of this Subtitle, do not apply to the processing or approval of a detailed site plan for a Waterfront Entertainment/Retail Complex. The Planning Board shall consider Detailed Site Plans for Waterfront Entertainment/Retail Complexes in accordance with procedures specified in (1) through (6) of this section.

The Committee agreed that language should be added to Section 27-124.02 (Woodland Conservation and Tree Preservation) that says "in the case of development comprised of lands zoned Residential, R-M, and M-X-T, for which there is an approved single Conceptual Site Plan applicable to all of the properties, the Woodland Conservation/Afforestation Threshold shall be in accordance with the requirements for the M-X-T Zone.

The Committee also requested an amendment to the definition of Waterfront Entertainment/Retail Complex to include language requiring that the property front on the Potomac River.

The Department of Environmental Resources offered no comments on the legislation. The Department of Public Works and Transportation supports the legislation.

BACKGROUND INFORMATION/FISCAL IMPACT

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

This legislation will define a Waterfront Entertainment/Retail Complex and permit this use in a M-X-T Zone, and allow non-industrial M-X-T uses in Residential Zones and Comprehensive Design Zones in accordance with certain requirements.

CODE INDEX TOPICS: (Zoning)

Comprehensive Design Zones

Specific use[s] requirements

Surface mining; sand and gravel wet-processing	27-532.01
<u>Waterfront Entertainment/Retail Complex</u>	<u>27-532.03</u>

Mixed Use Zones

In general

Optional method of development.....	27-545
[Specific uses]	
[Surface mining; sand and gravel wet-processing.....	27-548.01]
Permitted Uses	27-547

Specific use requirements

<u>Marinas.....</u>	<u>27-548.01.01</u>
<u>Surface mining; sand and gravel wet-processing (non-conforming uses).....</u>	<u>27-548.01</u>
<u>Waterfront Entertainment/Retail Complex</u>	<u>27-548.01.02</u>

Residential Zones

Specific Use Requirements

Agricultural Preservation Development.....	27-445.01
Airstrip, private	27-445.07
Antennas, monopoles, and related equipment buildings for mobile telephone transmission or other telecommunications.....	27-445.04
Home Association Recreational Use.....	27-445
Private schools	27-443
Recreational Community Development	27-444
Surface mining; sand and gravel wet-processing	27-445.02
<u>Waterfront Entertainment/Retail Complex</u>	<u>27-445.08</u>