

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

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**Meeting Date:** 11/25/2003

**Reference No.:** CB-70-2003

**Proposer:** Harrington

**Draft No.:** 1

**Sponsors:** Harrington

**Item Title:** An Ordinance permitting retail uses in the R-T Zone  
under certain circumstances

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**Drafter:** Jackie Brown, Director  
PZED Committee

**Resource** Kenneth C. Williams  
**Personnel:** Legislative Aide

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**LEGISLATIVE HISTORY:**

**Date Presented:** 9/30/2003

**Executive Action:** \_\_/\_\_/\_\_\_\_

**Committee Referral:** 9/30/2003 PZED

**Effective Date:** 1/12/2004

**Committee Action:** 10/22/2003 NR

**Date Introduced:** 10/28/2003

**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:A, DCH:A; TH:A, TK:A, DP:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

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**PLANNING, ZONING & ECON. DEV. COMMITTEE REPORT**

**10/22/03**

Committee Vote: No Recommendation, 5-0 (In favor: Council Members Harrington,  
Dernoga, Dean, Exum and Knotts)

This legislation amends the residential use table in Section 27-441(b) of the Zoning Ordinance to allow retail uses, uses permitted in the C-S-C (Commercial Shopping Center) Zone, in the R-T (Residential Townhouse) Zone, if and only if the property meets the specific criteria given in footnote 71 of the bill. The footnote sets out several area and locational criteria and also requires detailed site plan approval of any proposed retail development on an R-T parcel which meets the criteria.

Council Member Harrington, the bill's sponsor, indicated to the committee that he supports commercial development for the particular area in his district that the bill would apply to as

opposed to additional townhouses due to the impact residential development would have on the overcrowded schools in the area.

The Planning Board opposed CB-70 and provided the following Planning Department staff comments. CB-70-2003 would apply to an area in the Glenn Dale planning area in the southeast quadrant of the MD 704 (Martin Luther King, Jr. Highway) and Lottsford-Vista Road intersection. The site has been zoned for townhouses since the approval of the 1993 Glenn Dale Master Plan/Sectional Map Amendment (SMA). It was previously zoned R-R. Most of the R-T zoning south of this site was developed with townhouses. Heather Glen Manor and Vista Gardens (south) are nearing development completion. The subject site had a preliminary subdivision approved for townhouses, but the subdivision has expired. The subject site is the last large parcel zoned for townhouses in this area.

Existing Enterprise Plaza and DuVall Village shopping centers are approximately 1.5 miles and less than one-mile from the subject site, respectively. DuVall Village has not been built-out at this time. There are other undeveloped commercial sites at MD 450 and Bell Station Road and in the retail component of the Fairwood development farther east on MD 450. The staff has not analyzed the need for additional commercial space in the area given these existing and planned commercial developments.

Generally, from a planning standpoint, retail uses should be restricted to areas already planned and zoned for retail, including underutilized retail areas through processes such as the Master Plan and SMA. 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 Planning Department staff comments also noted that the zoning map amendment process provides for public notification, participation and appeal rights that are necessary to ensure a legally defensible procedure.

The Principal Counsel, District Council, determined that the bill does not appear to violate State, County, or District Council law or rules, and is in proper legislative form. The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting CB-70-2003.

Aisha Braveboy, representing the County Executive's Office, informed the committee that the Executive takes no position on CB-70-2003. The following individuals spoke in support of the legislation: Delegate Michael Vaughn, Maryland House of Delegates, District 24, and resident of Vista Gardens; Arthur Horne, representing the Michael Companies; Reverend Alexander Jones, Pastor, New Life Baptist Church; Carl Hayes, Chief Operating Officer, Christian Hope Ministries (Hope Christian Church), and Anthony Paige. Mr. Horne also provided committee members with copies of an economic analysis of the proposed retail development (dated October 15, 2003) prepared by RESI (Research and Consulting).

Darlene Robinson, resident of Heather Glen Manor, spoke in opposition to the bill.

Mr. Harrington requested the committee's support for a vote of no recommendation to allow the bill to proceed to introduction and public hearing before the full Council, and to provide additional time for the developers to meet with the communities in the surrounding area to discuss their concerns.

**BACKGROUND INFORMATION/FISCAL IMPACT**

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

This legislation amends the residential zone use tables to permit retail uses, generally permitted in the C-S-C (Commercial Shopping Center) Zone, in the R-T Zone.

**CODE INDEX TOPICS:**