

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

Meeting Date: 3/19/96

Reference No.: CR-6-1996

Proposer: County Executive

Draft No.: 3

Sponsors: Del Giudice, Scott and Wilson

Item Title: Ten Year Water & Sewerage Plan (December 1995
Amendment Cycle) to change the Water & Sewer
category designations within the 1994 Comprehensive
Ten Year W & S Plan

Drafter: Paivi Spoon
DER

Resource Personnel: Stephen Paul, County
Executive's Office

LEGISLATIVE HISTORY:

Date Presented: __/__/__

Executive Action: __/__/__

Committee Referral:(1) 2/20/96 THE

Effective Date:

Committee Action:(1) 3/14/96 FAV(A)

Date Introduced: 2/20/96

Pub. Hearing Date: (1) 3/12/96 1:30 P.M.

Council Action: (1) 3/19/96 ADOPTED

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

Pass/Fail: P

Remarks:

TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE

DATE: 3/14/96

Committee Vote: Favorable as amended, 4-0 (In favor: Council members Bailey, Estepp, Russell and Scott).

The December 1995 Cycle of Amendments to the Ten Year Water and Sewerage Plan contains sixteen (16) applications for water and sewer category change. The following applications were deferred at the request of the applicant:

95/W-25 PARK RIDGE
95/W-26 EXXON-ARMSTRONG
95/W-27 BEALL PROPERTY
95/P-09 SALUBRIA

Of the remaining twelve (12) applications the Committee recommended approval of the Planning Board's recommendations with one exception. Application 95/W-16 (Rouse-Fairwood), proposes to develop a 1,057 acre parcel with up to 1,799 single family dwellings, 100,000 square feet of retail space, 250,000 square feet of office, service and institutional uses all of which is permitted in the M-X-C Zone. This property, formerly known as the Turf Farm, was rezoned to M-X-C in 1994. The City of Bowie has appealed the District Council's approval of this rezoning to the Circuit Court for Prince George's County and to the Court of Special Appeals of Maryland. Both Courts have denied the appeal, upholding the District Council's action. Since the current M-X-C zoning for this property remains in full force and effect, the County Executive and the Planning Board recommended advancement from category 6 to category 4 for water and sewer. This advancement would allow the applicant to file a preliminary plan of subdivision.

The City of Bowie submitted written opposition to this project, also indicating that it has filed a Petition for a Writ of Certiorari to the Court of Appeals of Maryland. The City of Bowie requested that the Council defer action on this property until the Court of Appeals makes a decision regarding the appeal. The Legislative Officer indicated that it is unlikely that the Court of Appeals will hear the case. A motion to recommend advancement to category 4 failed in Committee by a vote of 2 to 2. The Committee then elected to take no action on application 95/W-16, which in effect will leave the property in category 6.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The County's Comprehensive Ten Year Water and Sewerage Plan provides for three cycles of category change requests to amend the Plan. This resolution represents the December Cycle of Amendments.

The 1994 Comprehensive Ten Year Water and Sewerage Plan was adopted by CR-71-1994, and amended by CR-90-1994, CR-9-1995, CR-29-1995, CR-37-1995, and CR-65-1995. The December Cycle contains sixteen requests for a category change. Eight of the requests are in the Western Branch sewer shed, seven in the Piscataway, and one in the Mattawoman sewer shed.

Environment Article, Title 9, Subtitle 5, of the Maryland Annotated Code, sets procedures for amendments and revisions to the Plan. At least 30 days prior to the public hearing on the amendments, the County Council must submit to the WSSC and M-NCPPC a copy of the proposed resolution for their recommendations.

CODE INDEX TOPICS: