

Case No.: A-9979-C

Applicant: Commerce Bank

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 2 - 2007

AN ORDINANCE to amend the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, with conditions.

WHEREAS, Application No. A-9979-C was filed for property described as approximately 0.689 acre of land in the R-55 and C-M zones, located on the north side of Mulberry Street, approximately 150 feet southeast of Baltimore Avenue, identified as 14401 Baltimore Avenue, Laurel, Maryland, to rezone the property to the C-S-C Zone; and

WHEREAS, the application was advertised and the property posted prior to public hearing, in accordance with all requirements of law; and

WHEREAS, the application was reviewed by the Technical Staff, which filed recommendations with the District Council; and

WHEREAS, the Zoning Hearing Examiner held a public hearing on the application and filed a report with the District Council; and

WHEREAS, having reviewed the record, the District Council has determined that the subject property should be rezoned to the C-S-C Zone; and

WHEREAS, as the basis for this action, the District Council adopts the recommendations of the Zoning Hearing Examiner as its findings of fact and conclusions of law; and

WHEREAS, to protect adjacent properties and the general neighborhood, this application is granted subject to conditions.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, is hereby amended by rezoning the property that is the subject of Application No. A-9979-C from the R-55 and C-M zones to the C-S-C Zone.

SECTION 2. The rezoning approved herein is subject to the following conditions:

1. Development of the subject property with a bank shall be in general conformance with the site plan (Exhibit 26) and the architectural elevations (Exhibits 27a and 27b) contained in the record. Prior to issuance of building permits, the Clerk of the Council shall certify that site and building plans generally conform to Exhibits 26, 27a and 27b. All other development shall be subject to the approval of a Detailed Site Plan by the Planning Board, and, in such case, prior to issuance of a building permit, the applicant shall obtain approval of a limited detailed site plan, concerning architecture and site design to ensure Corridor-appropriate and high quality design that does not substantially impact the abutting residential neighborhood.
2. The applicant shall demonstrate to the Urban Design Section and the Planning Board that proposed architectural elevations, landscaping, parking, and buffering show high-quality design, consistent with present and proposed future development in this part of the Route 1 Corridor.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall become effective initially on the date of its enactment, and the rezoning approved herein shall become effective when the applicant accepts in writing the conditions in Section 2.

Enacted this 27th day of February, 2007, for initial approval, by the following vote:

In Favor: Council Members Exum, Bland, Campos, Dean, Dernoga, Harrington, Knotts, Olson and Turner

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Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL
FOR THAT PART OF THE MARYLAND-
WASHINGTON REGIONAL DISTRICT IN
PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Camille A. Exum, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

Case No.: A-9979-C

Applicant: Commerce Bank

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

FINAL CONDITIONAL ZONING APPROVAL

AN ORDINANCE to incorporate the applicant's acceptance of conditional zoning and to grant final conditional zoning approval.

WHEREAS, the District Council in approving Application No. A-9979-C, to rezone the subject property from the R-55 and C-M zones to the C-S-C Zone, attached conditions to the rezoning; and

WHEREAS, the applicant has duly consented in writing to the Council's conditions; and

WHEREAS, the District Council, having reviewed the application and the administrative record, deems it appropriate to accept the applicant's consent to the conditions and to approve final conditional rezoning.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Final conditional zoning approval of Application No. A-9979-C is hereby granted. The applicant's written acceptance of the conditions referred to above, at the time of initial conditional zoning approval, is hereby incorporated into this amendment of the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.

SECTION 2. Use of the subject property as conditionally reclassified shall be subject to all requirements in the applicable zones and to the requirements in the conditions referred to above. Failure to comply with any stated condition shall constitute a zoning violation and shall be sufficient grounds for the District Council to annul the rezoning approved herein; to revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; or to take any other action deemed necessary to obtain compliance.

SECTION 3. This Ordinance is effective on May 16, 2007, the date of receipt of the applicant's acceptance of the conditions imposed.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Camille A. Exum, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council