

Case No.: A-9989-C

Applicant: Ritchie Station Marketplace

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

ZONING ORDINANCE NO. 14 - 2008

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-9989 was filed, to rezone property described as about 116.5 acres of land in the I-1, I-3, and R-R zones, located in the southwest quadrant of the interchange formed by Ritchie-Marlboro Road and the Capital Beltway (I-495/ I-95), Capitol Heights, 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 recommendations with the District Council; and

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

WHEREAS, as the basis for this action, the District Council adopts the decision of the Zoning Hearing Examiner as its findings and conclusions in this case; and

WHEREAS, to protect adjacent properties and the general neighborhood, approval of the application is granted subject to conditions; and

WHEREAS, as part of this approval, the District Council takes notice of the approval of DSP-04080/02, with all of its plans, details, and conditions; and

WHEREAS, all future staff reviews of plans for grading, infrastructure, and construction on the subject property shall be guided by the plans and conditions in this Ordinance and in the approved order for DSP-04080/02.

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-9989 from the I-1, I-3, and R-R zones to the C-S-C Zone.

SECTION 2. Application No. A-9989 is approved with the following conditions:

1. DSP-04080/02, with its plans and conditions, shall guide all future staff review and approval of limited detailed site plans for individual grading, structures, or related improvements on the subject property, in accordance with Section 127-286 (a) of the Zoning Ordinance. All future limited detailed site plans shall be consistent with and conform to the conditions and plans approved in DSP-04080/02.

2. Prior to staff level review and approval of future limited detailed site plans, the Council member for the Councilmanic District that includes the subject property shall be provided written notification by the Planning Director. Within thirty days of receipt of notification, the Council member may file a recommendation with the Planning Director to indicate acceptance or

rejection of the limited detailed site plan, or conditions to be imposed in approval of the plan. The Planning Director and staff shall make their best efforts to follow all Council member recommendations.

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

Enacted this 12th day of May, 2008, for initial approval, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Olson

Vote: 7-0

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: _____
Samuel H. Dean, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

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-9989-C, to rezone the subject property from the I-1, I-3, and R-R zones to the C-S-C Zone, attached 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-9989-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 May 27, 2008, 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: _____
Samuel H. Dean, Chairman

ATTEST:

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