

Case No.: A-9990-C

Applicant: FCD – Development, LLC
(Project Name – Brandywine Crossing
Phase, II)

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

ZONING ORDINANCE NO. 12 - 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-9990 was filed, requesting the rezoning of approximately 30.35 acres of land, located on the eastern side of U.S. Route 301, at the northwest corner of Matapeake Business Drive and Timothy Branch Drive, Brandywine, from the I-1 and I-3 zones 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 and the Planning Board, which filed recommendations with the District Council; and

WHEREAS, a public hearing was held before the Zoning Hearing Examiner, who has filed recommendations with the District Council; and

WHEREAS, having reviewed the record in this case, with the Examiner's decision, 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 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 amended basic plan 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 which is the subject of Application No. A-9990 from the I-1 and I-3 zones to the C-S-C Zone.

SECTION 2. The basic plan for Application No. A-9990 is hereby amended, subject to the following conditions:

1. All prior conditions of approval remain in effect.
2. Detailed site plan approval shall be required, prior to the issuance of any building or grading permit, to ensure compatibility with the surrounding industrially zoned properties, conformance with the purposes of the C-S-C Zone, and compliance with all prior conditions of approval.
2. The portion of the site within Long's Subdivision shall be subject to the transportation conditions imposed by the Planning Board in its approval of Preliminary Plan 4-97124.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall become effective 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 5th day of November, 2007, for initial approval, by the following vote:

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

Opposed:

Abstained:

Absent: Council Members Campos and Dernoga

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: _____
Camille A. Exum, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

Case No.: A-9990-C

Applicant: FCD – Development, LLC
(Project Name – Brandywine Crossing
Phase, II)

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-9990, to rezone the subject property from the I-1 and I-3 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-9990 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 November 20, 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