

Case No. A-9980-C

Applicant: FCD-Development, LLC
(Brandywine Crossing)

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

ZONING ORDINANCE NO. 16 - 2006

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-9980-C was filed for property described as approximately 52.78 acres of land, in the I-1 and I-3 zones, on the eastern side of U.S. Route 301, at the intersection with Matapeake Business Drive, Brandywine, 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 Technical Staff and the Planning Board have transmitted recommendations on the application, and the District Council has considered them; and

WHEREAS, the Zoning Hearing Examiner held a public hearing 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 classified in the C-S-C Zone; and

WHEREAS, the District Council adopts the report of the Zoning Hearing Examiner as its findings and conclusions in this case; and

WHEREAS, to protect adjacent properties and the neighborhood, the Council approves this rezoning subject to conditions.

SECTION 1. The Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, is hereby amended by reclassifying the property which is the subject of Application No. A-9980-C from the I-1 and I-3 zones to the C-S-C Zone.

SECTION 2. Approval of Application No. A-9980-C is subject to the following conditions:

1. Development of the site shall conform with the approved Tree Conservation Plans (TCP I/26/91 and TCP II/133/91).
2. Detailed Site Plan approval is required before issuance of building or grading permits, to ensure compatibility with surrounding industrially zoned properties and conformance with the purposes of the C-S-C Zone.

SECTION 3. This Ordinance shall become effective when the applicant accepts in writing the conditions in Section 2.

Ordered this 18th day of September, 2006, for initial approval, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Exum, Harrington, Hendershot, Knotts and Peters

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: _____
Thomas E. Dernoga, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

Case No.: A-9980-C

Applicant: FCD-Development, LLC
(Brandywine Crossing)

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

FINAL CONDITIONAL ZONING APPROVAL

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

WHEREAS, the District Council approved Application No. A-9980-C to rezone the subject property from the I-1 and I-3 zones to the C-S-C Zone, attached conditions; and

WHEREAS, the applicant has duly consented in writing to the 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.

IT IS, THEREFORE, ORDERED:

1. Final conditional zoning approval of Application No. A-9980-C is hereby granted. The applicant's written acceptance of the conditions referred to above, at the time of initial conditional rezoning approval, is hereby incorporated into this amendment of the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.

2. Use of the subject property as conditionally rezoned 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.

3. This Ordinance is effective on October 4, 2006, 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: _____
Thomas E. Dernoga
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council