

Case No: S.E. 4756

Applicant: Potomac Energy Holdings,
LLC

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

ZONING ORDINANCE NO. 18 - 2015

AN ORDINANCE, approving Special Exception Application No. 4756, for permission to use approximately 0.728 acre of land, for a Gas Station and Car Wash, in the C-S-C (Commercial Shopping Center) Zone, located on the east side of Baltimore Avenue (US 1), approximately 400 feet north of its intersection with I-95/495 (Capital Beltway), also identified as 10211 Baltimore Avenue, Beltsville, Maryland, in Councilmanic District 1.

WHEREAS, the Planning Board and its Technical Staff recommended approval of the special exception, subject to conditions; and

WHEREAS, the special exception application was advertised and the property was posted prior to the public hearing, in accordance with law; and

WHEREAS, on March 14, 2015, the Zoning Hearing Examiner conducted a public hearing in accordance with the requirements of the Prince George's County Code on the proposed application; and

WHEREAS, on June 16, 2015, the Zoning Hearing Examiner filed a disposition recommendation of approval of the proposed special exception application, subject to conditions; and

WHEREAS, on June 22, 2015, the District Council elected to review the proposed special exception application; and

WHEREAS, on September 21, 2015, the District Council held oral arguments on the proposed special exception application and companion cases DDS-626, DPLS-411, and DSDS-684; and

WHEREAS, as expressly authorized by the Regional District Act within Title 22 of the Land Use Article of the Annotated Code of Maryland, and Subtitle 27 of the Prince George's County Code, we hereby adopt the disposition recommendation of the Zoning Hearing Examiner and conditionally approve the proposed special exception application.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1: The a special exception application for permission to use approximately 0.728 acre of land, for a Gas Station and Car Wash, in the C-S-C (Commercial Shopping Center) Zone, is hereby conditionally APPROVED. In order to protect adjacent properties, the surrounding neighborhood, and to enhance the overall structure of the building, approval of the proposed special exception is subject to the following conditions:

1. Prior to certification of the Special Exception, a copy of an approved Stormwater Management Concept Plan and letter from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) shall be submitted to the Environmental Planning Section.
2. Approval of Special Exception 4756 is subject to all conditions of final approval in companion cases DDS-626, DPLS-411 and DSDS-684.

SECTION 2: This Ordinance shall take effect on the date of its enactment.

Enacted this 19th day of October, 2015, by the following vote:

In Favor: Council Members Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner.

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: _____
Mel Franklin, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council