

ORDINANCE NO. 1940

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND TO CONCUR WITH THE CITY OF LAUREL PLANNING COMMISSION FOR THE REVISED CONCEPTUAL SITE PLAN FOR THE WESTSIDE MIXED-USE DEVELOPMENT, THE PROPERTY IS ZONED M-X-T AND LOCATED OFF WESTSIDE BLVD AND VAN DUSEN ROAD LAUREL, MARYLAND 20707, AND PROVIDING AN EFFECTIVE DATE.

Sponsored by the President at the request of the Administration.

WHEREAS, the Mayor and City Council of Laurel, Maryland created a Mixed Use Transportation Zone (M-X-T) which functions as an overlay to facilitate the orderly development of land located near major intersections and transit facilities and promote the mixed-use development of land; and

WHEREAS, this particular zoning is specifically identified for the subject property on the Zoning Map of the City of Laurel, as adopted by the Mayor and City Council of Laurel, Maryland in September 28, 2009, and as amended from time to time; and

WHEREAS, the Mayor and City Council of Laurel, Maryland placed the subject property within the M-X-T zone for consistency with the duly adopted Master Plan; and

WHEREAS, on January 28, 2013, the Mayor and City Council of Laurel, Maryland adopted City Ordinance Number 1764, approving the M-X-T Conceptual Site Plan for 39.87 acres of the subject property; and

WHEREAS, on April 22, 2013, the Mayor and City Council of Laurel, Maryland adopted City Ordinance Number 1770, approving the M-X-T Conceptual Site Plan for Parcel A which consisted of 19.89 acres of the subject property; and

WHEREAS, on June 11, 2013, the City of Laurel Planning Commission approved Resolution Number 13-10-PC, approving the M-X-T Final Site Plan Design on Parcel C, Westside for 484 multi-family units; and

WHEREAS, on May 12, 2015, the City of Laurel Planning Commission approved Resolution Number 15-10-PC, approving the Final Site and Landscape Plans for Westside Townhouses; and

WHEREAS, on December 8, 2015, the City of Laurel Planning Commission approved Resolution Number 15-13-PC, approving the Final Subdivision Plat- Westside for 56 townhouse units; and

WHEREAS, the applicant is submitting a conceptual site plan, which illustrates a proposal to revise the development of Phase 3, known as Westside, reducing the retail area to a maximum of 40,000 sq. ft. and proposing an additional 81 townhouses, were the subject property is integral to the previously approved concept plan for Westside, which has already received conceptual M-X-T approval from the Mayor and City Council of Laurel, Maryland; and

WHEREAS, the City of Laurel Unified Land Development Code provides that the Planning Commission shall review and approve a conceptual plan for an M-X-T zone, and it is the wish of the Mayor and City Council of Laurel, Maryland to also participate in the conceptual plan review, and therefore the Commission conditions its approval of the Mayor and City Council of Laurel, Maryland to participate, and incorporates any findings and conclusions of the Council to be used in the preparation of a Final Site Plan for the subject M-X-T development; and

WHEREAS, on March 4, 2019 a letter requesting comment on the Application before the Mayor and City Council of Laurel, Maryland was sent to the Maryland State Highway Administration (SHA), Washington Suburban Sanitary Commission (WSSC), Prince George's County Health Department, Maryland Office of Planning, Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), Baltimore Gas and Electric, Verizon, Maryland-National Capital Park and Planning Commission (MNCPPC), Prince George's County Public Schools Department of Capital Programs, The Office of the Prince George's County Clerk of the Council, and Prince George's County Council Member for District One; and

WHEREAS, letters advising of the public hearing before the City of Laurel Planning Commission and the public hearing before the Mayor and City Council of Laurel, Maryland were sent to all contiguous property owners by certified mail; and

WHEREAS, the City of Laurel Planning Commission held a public hearing on April 9, 2019, and tabled the M-X-T Conceptual Site Plan; and

WHEREAS, the City of Laurel Planning Commission held a public hearing on June 11, 2019, and approved the M-X-T Conceptual Site Plan, subject to the concurrence of the Mayor and City Council, with the following conditions:

1. The Mayor and City Council of Laurel, Maryland affirm the conclusions and findings of the City of Laurel Planning Commission, and also affirm the Planning Commission's adoption of the findings of fact and conclusions of law in the Technical Staff Report, and related department referrals of May 20, 2019.
2. That the Conceptual M-X-T Site Plan and renderings as submitted meet the requirements of Section 20-12 of the City's Unified Land Development Code.

3. In addition, the Planning Commission, based upon the submissions by the applicant and the staff review, find that this proposal specifically meets the requirements of Section 20-12 of the City of Laurel Unified Land Development Code as outlined in the Technical Staff Report.

4. The City of Laurel Planning Commission accepts and includes as part of the record, the applicant's submittal materials, including, but not limited to, the Statement of Justification and other conceptual representations.

5. In concluding its approval, the City of Laurel Planning Commission understood that the proposed M-X-T conceptual site plan is amending phase 3, which includes reducing the retail area to a maximum of 40,000 sq. ft. and proposing an additional 81 townhouses, as compared to the previous approval of the Strittmatter property, which was previously granted by the City of Laurel Planning Commission and concurred by the Mayor and City Council.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and City Council of Laurel, Maryland that the Conceptual Site Plan for the Strittmatter property, and zoned within the M-X-T zone is hereby revised and APPROVED subject to the following conditions:

(1) All construction shall conform to this ordinance, as well as the final M-X-T Plan as approved by the City of Laurel Planning Commission.

(2) The Applicant shall obtain Final Site and Landscape Plan Approval for the proposed townhouse portion of the project from the City of Laurel Planning Commission.

(3) The Applicant shall obtain Preliminary Subdivision Plan Approval for the proposed townhouse portion of the project from the City of Laurel Planning Commission.

(4) The Applicant shall obtain Record Plat Approval from the City of Laurel Planning Commission for the additional townhouse portion of the site.

(5) The Applicant shall obtain Subdivision Plan Approval for each individual pad site within the proposed commercial area from the City of Laurel Planning Commission, if applicable.

(6) The Applicant shall obtain Final Site and Landscape Plan Approval for each individual pad site within the proposed commercial area from the City of Laurel Planning Commission, if applicable.

(7) The Applicant or its designee, shall concurrently apply for the building permits with the City of Laurel Office of the Fire Marshal and Permit Services for the first retail pad and the residential townhouse units.

(8) The Applicant shall comply with all applicable local, state and federal laws and regulations in the development of the Property.

AND, BE IT FURTHER ENACTED AND ORDAINED, that this Ordinance shall take effect from the date of its passage.

PASSED this 8th day of July, 2019.

ATTEST:

KIMBERLEY A. RAU, MMC
Clerk to the City Council

FREDERICK SMALLS
President of the City Council

APPROVED this 8th day of July, 2019.

CRAIG A. MOE
Mayor