

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 6/4/2002

Reference No.: CB-22-2002

Proposer: Wilson

Draft No.: 2

Sponsors: Wilson

Item Title: An Ordinance permitting planned retirement communities in the C-O Zone, under certain circumstances

Drafter:

Resource Eugene Singleton
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 3/26/2002

Executive Action: __/__/____

Committee Referral: 3/26/2002 PZED

Effective Date: 7/22/2002

Committee Action: 4/24/2002 FAV(A)

Date Introduced: 4/30/2002

Public Hearing: 6/4/2002 10:00 A.M.

Council Action: 6/4/2002 ENACTED

Council Votes: PS:A, DB:A, TD:A, JE:-, TH:A, TK:A; RVR:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 4/24/02

Committee Vote: Favorable, 3-0 (In favor: Council Members Russell, Hendershot and Wilson)

This legislation amends the Commercial Zones Use Table to allow planned retirement communities in the C-O (Commercial Office) Zone under certain circumstances. The use may only be located on property that meets the criteria contained in Footnote 39 on page 5 of the legislation. The footnote also requires a Detailed Site Plan review for the use and that the site plan meets all Special Exception requirements for planned retirement communities in Section 27-395 of the Zoning Ordinance. The legislation facilitates the development of this use on Lottsford Road near the existing Collington retirement community.

The sponsor of the bill informed the Committee that he supports this project in this location even

though the use is not currently permitted in the zone because the character of the Lottsford Road corridor has changed over the past few years and since the zoning was put in place. He indicated that with construction of a church underway as well as several single-family detached housing developments, the original plans for a commercial office at this location is now inconsistent with the corridor's development.

Staff presented a Proposed Draft-2 of the bill with amendments to address Planning Board comments discussed below. In Draft-2, new language that had been included on page 2, lines 22 and 23, was deleted. Also, on page 3, subsection (v) was deleted and the language originally contained in that subsection was incorporated in new Section (F) for readability and clarity.

The Planning Board opposes the bill and provided the following comments. The Board indicates that CB-22 is contrary to the purpose of the C-O Zone and the bill would essentially eliminate some commercial zoned property and make it residential. In a county where more commercial development is sought, this provision is counter to the newly amended General Plan, which encourages increased commercial development in the next few years. There is ample opportunity for planned retirement communities throughout the County without permitting them in commercial office areas. The Planning Board and its staff also raised concerns about the location of townhouse units on separate lots, vehicular access to the townhouse lots, and the permitted density for this dwelling unit type within the development.

The County Executive takes no position. The Legislative Officer and the Office of Law found the bill to be in proper legislative form. The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting CB-22-2002.

Thomas Haller spoke in support of the legislation indicating that the development is planned as an extension of the retirement development currently under construction at the Villages of Collington. Mr. Haller offered a suggestion for additional language on page 2 of the bill in the "Regulations" section to address Planning Board comments. He suggested adding the words "dwelling unit types" in this section to clarify that regulations for dwelling unit types applicable to the specific zone do not apply for the units within a planned retirement community. The Committee accepted this amendment for inclusion in Draft-2.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

The legislation permits a planned retirement community on C-O property adjoining or across a public right-of-way from R-H property with an existing planned retirement community. The Planning Board must approve a Detailed Site Plan and make certain findings.

CODE INDEX TOPICS: