

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/20/2012
Reference No.: CB-075-2012
Draft No.: 3
Proposer(s): Olson
Sponsor(s): Olson, Lehman
Item Title: An Ordinance concerning the Mixed-Use Town Center (M-U-TC) Zone for the purpose of requiring detailed site plan approval for certain development projects in the Mixed-Use Town Center (M-U-TC) Zone.

Drafter: Karen T. Zavakos, Legislative Officer
Resource Personnel: Dannielle M. Glaros, Legislative Aide

LEGISLATIVE HISTORY:

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|----------------------------|--|--------------------------|----------|
| Date Presented: | 9/18/2012 | Executive Action: | |
| Committee Referral: | 9/18/2012 - PZED | Effective Date: | 1/7/2013 |
| Committee Action: | 10/10/2012 - FAV(A) | | |
| Date Introduced: | 10/23/2012 | | |
| Public Hearing: | 11/20/2012 - 10:00 AM | | |
| Council Action (1) | 11/20/2012 - ENACTED | | |
| Council Votes: | WC:A, DLD:-, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A | | |
| Pass/Fail: | P | | |
| Remarks: | | | |

AFFECTED CODE SECTIONS:

27-546.12

COMMITTEE REPORTS:

PZED Committee Report

Date 10/10/2012

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Franklin, Olson, Patterson and Toles)

Staff summarized the purpose of the legislation and informed the committee of referral comments that were received. CB-75-2012 amends the Zoning Ordinance to provide detailed site plan approval for certain phased development projects proposed in the M-U-TC Zone.

Council Member Olson, the bill's sponsor, informed the committee that he presented this legislation to fulfill an action taken by the District Council which rezoned certain property to M-U-TC earlier in the calendar year.

The Legislative Officer presented a Proposed Draft-2 (DR-2) with amendments to address comments received from the Chief Zoning Hearing Examiner (ZHE). The ZHE provided written comments as follows. "Pursuant to Section 27-290 of the Zoning Ordinance, Detailed Site Plans are currently heard by the Planning Board and may be appealed to, or called up by, the District Council. Unless a new type of Detailed Site Plan review is being proposed by this legislation it would be less confusing if the following language on page 2, line 7 is deleted: "and shall be subject to

District Council review.’ If a new type of review is intended, additional language should be added to flesh out what that review will be. The Detailed Site Plan requirement imposed by the bill also needs clarification. The M-U-TC Zone requires approval of a Town Center Development Plan. This Plan requires similar information to that required in a Detailed Site Plan. (See, Prince George’s County Code Sections 27-274, 281, 283, and 546.14). Both address development standards and guidelines for parking, loading and circulation; lighting; views; green areas; and architecture. The Town Center Development Plan goes further, allowing the inclusion of specific findings and criteria for uses permitted as a Special Permit in the Use Table, and allowing the creation of a local design review committee to advise the Planning Board and/or the District Council during its review. Is it anticipated that the Detailed Site Plan can amend the Town Center Development Plan? Is there something in particular that the Town Center Development Plan does not address that should be reviewed via Detailed Site Plan?” The ZHE suggests that the language be narrowed to ask for this information in the Detailed Site Plan, and that language be added to clarify whether these Detailed Site Plans are amendments to the Town Center Development Plan.

Proposed DR-2 contained amendments as follows: on page 2, lines 5 and 6, after “through a zoning map amendment” add “or primary amendment”; lines 7 and 8, strike the word “project” and add “consistent with the most recently approved Development Plan”, line 8, change “shall” to “may”, and line 9, after “may be subject to District Council review” add “in accordance with Part 3, Division 9, of this Subtitle.”

During the committee discussion, additional amendments were suggested to Proposed DR-2 as follows: on page 2, line 6, change “twenty (20)” to “thirty (30)”, on lines 9-10, add a new sentence at the end of the subsection to read: “This requirement shall not apply to property that is publicly owned as of September 1, 2012”, and on lines 12-13, add an uncodified section stating “BE IT FURTHER ENACTED that the provisions of this Ordinance shall not apply to property zoned Mixed Use Town Center (M-U-TC) prior to January 1, 2012.”

Arthur Horne and Chris Hatcher testified in support of the legislation including the additional amendments which were being considered by the committee. The Town of Riverdale Park and the City of College Park submitted letters requesting the committee’s favorable recommendation on CB-75-2012.

The committee voted favorably including the amendments in Proposed DR-2 as well as the additional amendments suggested during the committee discussion.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This Ordinance provides detailed site plan approval for certain phased development projects proposed in the M-U-TC Zone.

10/23/2012 - Prior to introduction, CB-75-2012 (DR-2) was amended as follows:

1. On Page 2, delete lines 12 and 13.
2. On page 3, in Line 1, strike "SECTION 3" and insert "SECTION 2" in lieu thereof.

CB-75-2012 (DR-3) was introduced.

CODE INDEX TOPICS:

INCLUSION FILES:
