

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

**Meeting Date:** 11/18/97

**Reference No.:** CB-99-1997

**Proposer:** Bailey, Russell

**Draft No.:** 2

**Sponsors:** Bailey, Russell

**Item Title:** An Ordinance to permit multifamily dwellings in a Mixed Retirement Development and increase the maximum number of attached dwelling units allowed

**Drafter:** Jackie Brown  
PZ&ED Committee Director

**Resource Personnel:** Jackie Woody  
Legislative Aide

**LEGISLATIVE HISTORY:**

**Date Presented:** 9/16/97

**Executive Action:** \_\_/\_\_/\_\_ \_\_

**Committee Referral:**(1) 9/16/97 PZED

**Effective Date:** 11/18/97

**Committee Action:**(1) 10/8/97 FAV

**Date Introduced:** 10/14/97

**Pub. Hearing Date:** (1) 11/18/97 1:30 PM

**Council Action:** (1) 11/18/97 ENACTED

**Council Votes:** DB:A, SD:A, JE:A, IG:A, TH:A, WM:N, RVR:-, AS:A, MW:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

**PLANNING, ZONING & ECONOMIC DEV. COM. REPORT**

DATE: 10/8/97

Committee Vote: Favorable, 4-1 (In favor: Council Members Del Giudice, Hendershot, Russell and Wilson; Opposed: Council Member Maloney).

Staff gave an overview of the legislation indicating that this bill as well as CB-83-1997 are intended to clarify the intent of CB-78-1996, adopted by the Council in October 1996. It was explained that CB-78-1996 created a mixed retirement development in the Zoning Ordinance and permitted this use in certain Comprehensive Design Zones.

Council Member Maloney inquired as to how many other mixed retirement developments in the R-L Zone would this legislation apply to and why it is necessary to define a quadruple-attached dwelling.

Mr. Maloney suggested that the Committee discuss and receive comments regarding CB-83-1997 and CB-99-1997 simultaneously since the bills are related.

Council Member Russell, sponsor of CB-99-1997, spoke regarding a planned mixed retirement development in the Kettering area. Mr. Russell indicated that both CB-83-1997 and CB-99-1997 are necessary to permit a type of dwelling not currently defined in the Ordinance and to amend the Ordinance to provide the flexibility necessary to implement the intended types of dwellings in a Mixed Retirement Development as defined by CB-78-1996.

Robert Manzi, representing Evangel Church, and Russ Warfel, representing Steve Stavrou, spoke in support of the legislation. Steve Stavrou, representing Stavrou Senior Communities, also spoke in support of both CB-83-1997 and CB-99-1997. Mr. Manzi and Mr. Warfel explained that subsequent to the enactment of CB-78-1996, the townhouse legislation was also enacted. This legislation strengthened the townhouse regulations and as a result limited the types of attached units intended within a Mixed Retirement Development. Mr. Warfel indicated that CB-83-1997 allows that a quadruple-attached dwelling is not a townhouse in a Mixed Retirement Development. This flexibility is necessary since retirement aged persons who are interested in moving to this type of community may not want a lot containing at least 1,800 square feet and a dwelling unit with more than one story.

CB-99-1997 permits multifamily dwellings in the R-L Zone if located within a Mixed Retirement Development and allows the percentage of the number of attached dwelling units to be flexible. Mr. Manzi explained that at the time of Comprehensive Design Plan, the District Council will have the opportunity to review the plan and set maximums on the types and percentages of dwellings. Mr. Manzi reiterated that both bills (CB-83-1997 and CB-99-1997) are corrective pieces of legislation and are not in conflict with the intent of CB-78-1996.

Council Member Maloney questioned why there should not be a maximum number of attached units established in this legislation in order to ensure that the community could not be developed with only attached dwellings. Dale Hutchison of the M-NCPPC indicated that the development could not contain 100 percent attached units since the definition of Mixed Retirement Development requires a mix of dwelling unit types, including attached, detached, multifamily dwelling units, nursing or care homes, or assisted living facilities.

Myron Johnson, Vice President of the Kettering Civic Federation, spoke in support of the legislation. He indicated that the civic group is working with the developer to form a committee comprised of seniors to comment and offer suggestions as to what seniors are looking for in this type of retirement community.

The Planning Board supports the legislation. The Office of Law finds the bill to be in proper legislative form.

Council Member Maloney moved an amendment to the bill which would place a maximum on the number of attached dwelling units allowed; the motion failed for lack of a second.

**BACKGROUND INFORMATION/FISCAL IMPACT**

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

The Zoning Ordinance currently prohibits multifamily dwellings in the R-L Zone. The Ordinance also limits the number of attached units within a development in the R-L Zone. This legislation clarifies the types of housing allowed in a Mixed Retirement Development in the R-L Zone which is permitted as a result of the enactment of CB-78-1996.

**CODE INDEX TOPICS:**