

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/12/2011
Reference No.: CR-033-2011
Draft No.: 3
Proposer(s): Franklin
Sponsor(s): Franklin, Lehman
Item Title: A Resolution concerning Adequate Transportation Facilities – Brandywine Road Club for the purpose of suspending the Brandywine Road Club as a means of satisfying the adequate transportation facilities requirement in considering proposals for development in the Brandywine area

Drafter: Karen T. Zvakos, Legislative Officer
Resource Personnel: Brendon L. Laster, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:		Executive Action:
Committee Referral:	5/26/2011 - PSFM	Effective Date:
Committee Action:	6/15/2011 - FAV(A)	
Date Introduced:	4/26/2011	
Public Hearing:		
Council Action (1)	7/12/2011 - ADOPTED	
Council Votes:	WC:A, MRF:A, AH:A, LJ:N, ML:A, EO:A, OP:A, IT:A, KT:A	
Pass/Fail:	P	
Remarks:		

AFFECTED CODE SECTIONS:

COMMITTEE REPORTS:

PUBLIC SAFETY AND FISCAL MANAGEMENT COMMITTEE

Date 6/15/2011

Committee Vote: Favorable as amended: 4-0-1, (In favor: Councilmembers Campos, Franklin, Patterson, and Toles - Abstained: Turner)

This resolution will suspend the Brandywine Road Club (road club) as a means of determining the adequate transportation facilities requirement when considering proposals for development in the Brandywine area.

In a Memorandum dated June 13, 2011, Council Member Franklin stated that the Road Club allows developers in this area to be exempt from having to meet the normal transportation adequacy requirements in the County's Subdivision Code and instead pay a formula-based fee (a formula established in the early 90's) into a Brandywine Road Club fund. The payment into this fund allows the transportation adequacy requirement in the Subdivision Code to be "deemed satisfied" for a development whether or not any road improvements are made in connection with the impact of that specific development.

"Tom Haller, attorney for Mid-Atlantic Builders spoke in opposition to the resolution. He stated that nothing will

happen in the Brandywine area without the Road Club.

The Office of Law has reviewed this resolution and finds it to be in proper legislative form with no legal impediments to its adoption.

There should not be any fiscal impact on the County as a result of adopting CR-33-2011. The current balance in the Brandywine Road Club Developer Contribution Account is approximately \$2.6 million.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This Resolution proposes to suspend the Brandywine Road Club as a means of satisfying the adequate transportation facilities requirement in considering proposals for development in the Brandywine area.

7/12/2011: Prior to adoption, CR-33-2011 (DR-2) was amended on the floor as follows:

1. On page 1, in Line 3, after “suspending”, insert “, with certain exceptions,”.
2. On page 3, in line 6, after “County, Maryland, that” , insert “except for applications located entirely within a Commercial, Industrial, or Employment and Institutional Area (“E-I-A”) Zone, or a combination thereof,”.

CODE INDEX TOPICS:

INCLUSION FILES:
