

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

Meeting Date: 4/8/97

Reference No.: CB-15-1997

Proposer: Del Giudice

Draft No.: 1

Sponsors: Del Giudice

Item Title: An Ordinance amending the use requirements in the
M-X-T Zone

Drafter: Mary Lane
PZ&ED Committee Director

Resource Personnel: Therese Yewell
Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 2/18/97

Executive Action: __/__/__ __

Committee Referral:(1) 2/18/97 PZED

Effective Date: 7/7/97

Committee Action:(1) 3/27/97 FAV

Date Introduced: 4/8/97

Pub. Hearing Date: (1) 5/13/97 1:45 P.M.

Council Action: (1) 5/22/97 ENACTED

Council Votes: DB:A, SD:A, JE:A, IG:N, AMc:A, WM:N, RVR:A, AS:A, MW:A

Pass/Fail: P

Remarks:

5/13/97 - After the public hearing was held, the Council deferred action on this bill until the next
Legislative Day at the request of the sponsor.

PLANNING, ZONING & ECON. DEV. COMM. REPORT

DATE: 3/27/97

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

Council Bill 15 amends two requirements of the M-X-T Zone. First, the requirement that three out
of four uses be provided is reduced to two out of three uses, with the hotel/motel use being combined
with the dwellings category. Also, if the property is in a Transit District Overlay Zone, the site plan
may show only one of the use categories, provided that an existing use on an abutting property in the

M-X-T Zone may be used to fulfill the requirement for two different uses. The plan must show the way that the two uses will be integrated in terms of access and design.

The sponsor explained that the legislation addresses a fundamental problem with the M-X-T Zone, which is that the hotel/motel use is a separate use category. It is difficult on smaller parcels to achieve three out of four uses, and these parcels are not being assembled for unified development proposals. The Zone needs to be more workable and flexible. He also noted that the bill was not precipitated by a specific site or project.

The Planning Board supports the bill, with an amendment that limits the reduction in required uses to M-X-T Zoned properties within approved Transit District Overlay Zones. The County Executive supports the legislation, as it "makes the M-X-T Zone more flexible and would help use attract the high quality developments we are seeking for our Metro stations." The Chamber of Commerce also supports the legislation.

Andre Gingles, representing National Harbor; Bill Shipp, of Fossett and Brugger; Paul Rodbell, and Vernell Arrington spoke in support of the legislation. Kap Kapistan, representing Beltway Developers, spoke in opposition.

The Committee discussed requiring three uses at suburban locations in the vicinity of interchanges, and only two uses at urban locations near Metro stations. An amendment to limit the applicability of the reduction in required uses to sites within 1,000 feet of a Metro station failed for lack of a second. The Committee voted the bill out with a favorable recommendation without amendments.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The Mixed Use-Transportation Oriented (M-X-T) Zone currently requires that three out of four use categories be included in each Conceptual Site Plan for the Zone. These categories are: retail; office, research, or industrial uses; dwellings; and hotel or motel. This legislation reduces the requirement to two uses, and combines hotel/motel with residential uses. The legislation also allows properties located in a TDOZ to use the existing uses on abutting M-X-T zoned land to fulfill the requirement for mixed use. The Plan must demonstrate integration in terms of access and design.

CODE INDEX TOPICS: