

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

Meeting Date: 11/21/2000

Reference No.: CB-94-2000

Proposer: Estep

Draft No.: 3

Sponsors: Estep

Item Title: An Ordinance permitting development in Comprehensive Design Zones in accordance with requirements of the R-R Zone, under certain circumstances; allowing a private college or university as a permitted use in the R-R Zone, under certain circumstances; and amending definitions and use tables

Drafter:

Resource John Timms

Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 9/26/2000

Executive Action: __/__/__ __

Committee Referral: 9/26/2000 PZED

Effective Date: 1/8/2001

Committee Action: 10/18/2000 FAV(A)

Date Introduced: 10/24/2000

Public Hearing: 11/21/2000 1:30 P.M.

Council Action: 11/21/2000 ENACTED

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

Pass/Fail: P

Remarks: _____

11/21/2000 – Amended on the floor; CB-94-2000 (DR-3) enacted

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 10/18/2000

Committee Vote: Favorable with amendments, 4-0-1 (In favor: Council Members Russell, Scott, Estep and Wilson. Abstained: Council Member Maloney).

This legislation amends Section 27-443 (Private schools) of the Zoning Ordinance to allow a private college in the R-R Zone on property containing at least 300 contiguous acres subject to Detailed Site Plan review. CB-94-2000 also amends Section 27-477 concerning Comprehensive Design Zones to

allow a property that was zoned R-R in a Sectional Map Amendment and then rezoned to a Comprehensive Design Zone to still be developed and used under the R-R regulations. The provision currently exists for property that was zoned O-S, R-A or R-E and this legislation adds the R-R Zone to the list.

Council Member Estep, the bill's sponsor, explained that this legislation would facilitate development of a college campus facility on property located on Frank Tippet Road near Rosaryville Road. Mr. Estep indicated that the property is currently zoned R-S, a Comprehensive Design Zone, that would allow the development of approximately 600 homes on the site. Mr. Estep added that the legislation provides modifications to existing provisions in the Ordinance that currently allow a private school in the residential and Comprehensive Design Zones.

Norman Rivera, of Wilkes Arts, representing the Transnational Law and Business University, spoke in support of CB-94-2000. Mr. Rivera gave an overview of the project and presented a site plan of the development. He also indicated that the proposed residential college campus is an extension of the University of Korea at Seoul.

The Planning Board supports the legislation with amendments to address concerns regarding the amount of green space proposed, the provision of a definition for private college, a reference to the submittal requirements for Detailed Site Plans as well as the requirement for the traditional 2-foot contour interval, not 5-foot as indicated in Draft-1.

The County Executive takes no position on the legislation. The Legislative Officer and the Office of Law find 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-94-2000.

Council Member Maloney questioned the extent of retail commercial and service uses as referenced in Section 27-443(b)(2) that would be allowed on the college campus. Council Member Estep suggested that the legislation be amended to provide language indicating that a full-service gas station would not be allowed within the development and that the commercial uses proposed must be consistent with a campus atmosphere.

Committee staff distributed copies of proposed language for a definition of a private college or university. This definition was added to Section 107.01 and replaced the existing definition for "School, Post-secondary Educational Institution." With the inclusion of a new definition, "College or university, private" in the Definitions section of the code and the deletion of the existing term, the Commercial and Industrial Use Tables, Sections 27-461 and 27-473, respectively, are also amended to replace "Post-secondary educational institution" with "Private college or university." The use will continue to be allowed in the same zones with the same provisions as currently exist, but with a different classification and expanded definition.

Language was added to page 3, lines 27 and 28, to address Council Member Estep's suggestions concerning the commercial uses. The legislation was also amended to require at least 40% of the net tract area of the site, or as revised by the District Council, to be devoted to open space. Additional amendments were made on page 4, line 12, to reference Part 3, Division 9 (Site Plans) and page 4, line 18, to change the contour intervals from 5 feet to 2 feet.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The bill amends R-R Zone regulations to permit private colleges and universities on sites of 300 acres or more, subject to certain requirements, including site plan review. The bill also allows development under R-R regulations if the R-R property was rezoned to a Comprehensive Design Zone. The bill also amends definitions and use tables.

CODE INDEX TOPICS: